

Volume 6

# Journal of the Assembly

Legislature of the State of California

2007–08 Regular Session

December 4, 2006 to November 30, 2008

2007–08 First Extraordinary Session

September 11, 2007 to September 19, 2008

2007–08 Second Extraordinary Session

September 11, 2007 to November 30, 2008

2007–08 Third Extraordinary Session

January 14, 2008 to September 16, 2008

2007–08 Fourth Extraordinary Session

November 6, 2008 to November 30, 2008



HON. KAREN BASS  
Speaker

HON. SALLY J. LEIBER  
Speaker pro Tempore

HON. LORI SALDANA  
Assistant Speaker pro Tempore

HON. ALBERTO TORRICO  
Majority Floor Leader

HON. MICHAEL VILLINES  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

SUE PARKER  
Minute Clerk

## Volume 6

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CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 29, 2008**

**TWO HUNDRED THIRTY-EIGHTH SESSION DAY  
SIX HUNDRED THIRTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Friday, August 29, 2008

The Assembly met at 9:38 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 10:16 a.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	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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 Alternate Chaplain Pastor Ivan L. Williams, Sr.:

*Our Father in Heaven,* We thank you that in this land of the free and home of the brave, we can vote, elect, speak and share openly.

Give us a great sense of the sacrifices made so that this land and its people could be free. Help this body to work with the passion driven by sacrifice and the willingness to find common ground forged by dedication and commitment to serve the people of California.

Guide their deliberations, and give them wisdom and discernment for today's journey.

We ask you this in thy name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, 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 Torrico, seconded by Assembly Member Feuer.

**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 Runner and Soto.*

**COMMUNICATIONS**

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

August 29, 2008

*E. Dotson Wilson*

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

Dear Dotson: Please be advised that I have appointed Assemblymember Mark DeSaulnier to replace Assemblymember Nell Soto on the Assembly Local Government Committee for today's hearing only.

Sincerely,

KAREN BASS  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 29, 2008

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

Assembly Concurrent Resolution No. 156

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

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

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

Assembly Bill No. 1951, to the Committee on Health;  
Assembly Bill No. 2269, to the Committee on Utilities and Commerce;  
Assembly Bill No. 3048, to the Committee on Utilities and Commerce;  
Assembly Bill No. 1245, to the Committee on Governmental Organization.

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

**SENATE BILL NO. 1522 (Steinberg)**—An act to add Sections 1399.819 and 127664.5 to the Health and Safety Code, and to add Section 10903 to the Insurance Code, relating to health care coverage.

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

**Call of the Assembly**

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

Motion carried. Time, 10:31 a.m.

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

**SENATE BILL NO. 840 (Kuehl)**—An act to add Division 113 (commencing with Section 140000) to the Health and Safety Code, relating to health care coverage.

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

**Call of the Assembly**

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

Motion carried. Time, 10:58 a.m.

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

**SENATE BILL NO. 1713 (Migden)**—An act to amend Sections 108937 and 108939 of the Health and Safety Code, relating to product safety.

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

**Assembly Rule 112 Suspended**

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

**Further Consideration of Senate Bill No. 1713**

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:16 a.m.

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

**SENATE BILL NO. 870 (Ridley-Thomas)**—An act to amend Sections 50086, 51050, and 51101 of, and to add Section 51058.5 to, the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 691 (Calderon)**—An act to amend Sections 21606, 21606.5, 21608, and 21609 of, and to add Sections 21608.3 and 21608.5 to, the Business and Professions Code, relating to junk dealers, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Bill ordered transmitted to the Senate.

**REQUEST FOR GUESTS AND PHOTOGRAPHER**

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

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard today in committees as noted:

Committee on Appropriations to hear Senate Bill No. 191 and Senate Bill No. 1762 upon Call of the Chair;

Committee on Environmental Safety and Toxic Materials to hear Assembly Bill No. 169 upon Call of the Chair;

Committee on Local Government to hear Assembly Bill No. 1221 upon Call of the Chair.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
SENATE BILL NO. 1443 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Torrico was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1443 was refused passage; and that the bill be placed upon the inactive file.

**BILLS PLACED ON INACTIVE FILE**

The following bills were placed upon the inactive file:

**Senate Bills Nos. 30 and 1424**, on request of Assembly Member Torrico.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Torrico was granted unanimous consent to suspend Assembly Rule 77 to waive the one calendar wait to permit consideration of Senate amendments to Assembly Bills Nos. 1873, 2020, 2173, 2280, 2412, 2592, 2618, 2637, 2863, 3013, 2019, 2518, 2680, 3025, 1163, 1755, 2381, 2541, 2726, 2733, 2759, 2898, 3021, 1021, 1391, 1394, 2081, 2855, 2947, and 2953.

**At 11:28 a.m., Acting Speaker Lloyd Levine, 40th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1107 (Arambula)**—An act to add and repeal Sections 1252.3 and 1279.1 of the Unemployment Insurance Code, relating to unemployment compensation, 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.

**Ruling by Acting Speaker Levine**

Acting Speaker Levine ruled Assembly Member Spitzer out of order for not limiting debate to the merits of the bill.

**Response by Assembly Member Spitzer**

Assembly Member Spitzer responded that he was speaking to the merits of the bill and that he had time remaining to speak.



**Reply by Acting Speaker Levine**

Acting Speaker Levine replied that his ruling stands and that Assembly Member Spitzer was not speaking to the merits of the bill. The Acting Speaker then recognized other members to speak on the measure.

**Further Consideration of Assembly Bill No. 1107**

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

**Unanimous Consent Granted  
to Allow Assembly Member Spitzer to Speak a Second Time on the Measure**

At the request of Acting Speaker Levine, Assembly Member Spitzer was granted unanimous consent to speak a second time on the measure for the remaining time of the original five minutes he had available to him to speak on the measure.

**Further Consideration of Assembly Bill No. 1107**

Urgency clause adopted by the following vote:

**AYES—60**

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

**NOES—18**

Adams	Duvall	Jeffries	Spitzer
Anderson	Gaines	Keene	Tran
Benoit	Garrick	La Malfa	Walters
Blakeslee	Houston	Niello	
DeVore	Huff	Plescia	

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

**AYES—60**

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

**NOES—18**

Adams	Duvall	Jeffries	Spitzer
Anderson	Gaines	Keene	Tran
Benoit	Garrick	La Malfa	Walters
Blakeslee	Houston	Niello	
DeVore	Huff	Plescia	

**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. 1107: Assembly Member Maze from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3074 (Committee on Governmental Organization)**—An act to amend Sections 19596 and 19596.2 of the Business and Professions Code, relating to horse racing and making an appropriation therefor.

Bill presented by Assembly Member Price.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2386 (Núñez)**—An act to amend Sections 1142, 1143, 1154, 1156, 1156.2, 1156.4, 1156.7, 1157, 1158, 1160.3, 1160.5, 1160.6, and 1161 of, to add Section 1159.5 to, to add the heading of Article 1 (commencing with Section 1156) to Chapter 5 of Part 3.5 of Division 2 of, to add Article 2 (commencing with Section 1156.310) and Article 3 (commencing with Section 1156.350) to Chapter 5 of Part 3.5 of Division 2 of, to add the heading of Article 4 (commencing with Section 1156.4) to Chapter 5 of Part 3.5 of Division 2 of, and to repeal Sections 1156.3 and 1157.2 of, the Labor Code, relating to employment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—45**

Arambula	Dymally	Krekorian	Price
Beall	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Brownley	Feuer	Levine	Saldaña
Caballero	Fuentes	Lieber	Solorio
Calderon	Furutani	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—31**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 109 (Núñez)**—An act to amend Sections 44270.3, 44271, 44272, 44273, and 44274 of, to amend and renumber Section 44271.5 of, and to add the headings of Article 1 (commencing with Section 44270), Article 2 (commencing with Section 44272), and Article 3 (commencing with Section 44274) to Chapter 8.9 of Part 5 of Division 26 of, the Health and Safety Code, relating to air pollution.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1873 (Lieu)**—An act to amend Sections 116.570, 116.820, and 706.108 of the Code of Civil Procedure, to amend Sections 68085.1 and 68565 of the Government Code, and to amend Section 903.1 of the Welfare and Institutions Code, relating to courts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—73**

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

**NOES—5**

Anderson	Huff	Walters
Gaines	Villines	

Above bill ordered enrolled.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Caballero announced that the Committee on Local Government would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 12:35 p.m., by unanimous consent, the members of the Committee on Local Government were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2020 (Fuentes)**—An act to amend, repeal, and add Section 1675 of the Civil Code, relating to residential property.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2280 (Saldaña)**—An act to amend Section 65915 of the Government Code, relating to housing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2412 (Eng)**—An act to amend Sections 7028 and 7028.16 of the Business and Professions Code, relating to contractors.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2618 (Solorio)**—An act to amend Section 11170 of the Penal Code, relating to child abuse.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2637 (Eng)**—An act to amend Sections 1680, 1721.5, 1725, 1741, 1750, 1750.1, 1752.1, 1765, 1771, and 1777 of, to amend and renumber Sections 1753.1, 1754, and 1770 of, to amend, renumber, add, and repeal Sections 1756 and 1757 of, to add Sections 1750.5, 1752.3, 1752.4, and 1753.4 to, to add and repeal Sections 1754.5, 1755, 1756.1, 1756.2, and 1758 of, to repeal Sections 1751.1, 1752, 1752.2, 1752.5, and 1753.5 of, and to repeal and add Sections 1750.2, 1750.3, 1750.4, 1751, 1752.6, and 1753 of, the Business and Professions Code, relating to dentistry.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*



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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2863 (Leno)**—An act to amend Sections 218, 218.3, and 739.5 of, and to add Article 3 (commencing with Section 2868) to Chapter 9 of Part 2 of Division 1 of, the Public Utilities Code, relating to electricity.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

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

**NOES—1**

Duvall

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2019 (Fuentes)**—An act to amend Sections 65863.10 and 65863.11 of the Government Code, relating to housing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:44 p.m.

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

**ASSEMBLY BILL NO. 2680 (Adams)**—An act to add Section 13943.3 to the Government Code, relating to counties.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—2**

Huffman                      Krekorian

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1163 (Krekorian)**—An act to amend Section 52522 of the Education Code, relating to adult education.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—64**

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

**NOES—13**

Anderson	Duvall	Nakanishi	Villines
Benoit	Gaines	Niello	
Berryhill	Houston	Plescia	
DeVore	Huff	Spitzer	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1755 (Fuentes)**—An act to amend Section 728.1 of the Public Utilities Code, relating to electricity.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2759 (Jones)**—An act to amend Sections 8208, 8235, 8236, 8237, 8238.4, 8264.5, and 8266.1 of, to amend the heading of Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1 of, and to add Sections 8236.1 and 8236.2 to, the Education Code, relating to child care and development services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—1**

Anderson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2898 (Mullin)**—An act to amend Sections 27471, 27491.4, and 27491.45 of, and to add Section 27491.9 to, the Government Code, relating to coroners.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3021 (Nava)**—An act to add Division 3 (commencing with Section 64100) to Title 6.7 of the Government Code, and to amend Section 149.7 of the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:53 p.m.

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

**ASSEMBLY BILL NO. 2726 (Leno)**—An act to amend Section 104601 of the Health and Safety Code, relating to public health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:54 p.m.

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

**ASSEMBLY BILL NO. 2518 (Torrico)**—An act to add and repeal Article 15 (commencing with Section 18861) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2541 (Bass)**—An act to amend Section 851.90 of, to amend and renumber Section 1000.8 of, and to add and repeal Chapter 2.6 (commencing with Section 1000.8) of Title 6 of Part 2 of, the Penal Code, relating to reentry.

Bill presented by Assembly Member Solorio.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—54**

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

**NOES—22**

Anderson	Emmerson	Jeffries	Spitzer
Benoit	Fuller	Keene	Strickland
Berryhill	Gaines	La Malfa	Villines
Blakeslee	Garrick	Maze	Walters
DeVore	Houston	Silva	
Duvall	Huff	Smyth	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2733 (Brownley)**—An act to amend Section 11010 of the Business and Professions Code, and to amend Section 1103.4 of the Civil Code, relating to real property disclosures.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:58 p.m.

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

**ASSEMBLY BILL NO. 1021 (Berryhill)**—An act to amend Sections 75507 and 75595.5 of, and to add Chapter 14 (commencing with Section 6300) to Part 1 of Division 4 of, the Food and Agricultural Code, relating to apple pests.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
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	
Duvall	Jeffries	Plescia	

**NOES—1**

Anderson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1391 (Brownley)**—An act to amend Section 42476 of, and to add Section 42465.4 to, the Public Resources Code, relating to electronic waste.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:01 p.m.

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

**ASSEMBLY BILL NO. 2592 (Ma)**—An act to amend Sections 6980, 6980.10, 6980.12, 6980.13, 6980.22, 6980.26, 6980.33, 6980.48, 6980.53, 6980.59, 6980.60, 6980.64, and 6980.65 of, to add Section 6980.54 to, to repeal Section 6980.36 of, and to repeal and add Section 6980.14 of, the Business and Professions Code, relating to locksmiths.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*



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

**AYES—75**

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

**NOES—3**

Anderson	Villines	Walters
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1394 (Krekorian)**—An act to amend Section 350 of the Penal Code, relating to counterfeiting.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2855 (Hancock)**—An act to add Article 7.5 (commencing with Section 54750) and Article 7.7 (commencing with Section 54760) to Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, relating to career technical education.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 1:05 p.m.

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

**ASSEMBLY BILL NO. 2947 (Eng)**—An act to add Section 15656.5 to the Welfare and Institutions Code, relating to elder and dependent adult abuse.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

#### AYES—53

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

#### NOES—25

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2953 (Feuer)**—An act to amend Section 13102 of the Elections Code, relating to elections.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—51**

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

**NOES—27**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1057 (Beall)**—An act to amend Sections 131502, 131511, 131520, 131521, and 131540 of, and to add Sections 131532 and 131542 to, the Health and Safety Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:16 p.m.

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

**ASSEMBLY BILL NO. 1701 (Dymally)**—An act to add and repeal Section 14105.28 of the Welfare and Institutions Code, relating to Medi-Cal.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1829 (Ma)**—An act to amend Section 123493 of the Health and Safety Code, and to repeal Section 7 of Chapter 878 of the Statutes of 2006, relating to perinatal services, 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—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**At 1:24 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**ASSEMBLY BILL NO. 734 (Evans)**—An act to amend Sections 3070, 3073.1, and 3075 of, and to add Sections 3075.5, 3075.6, and 3075.7 to, the Labor Code, relating to apprenticeships.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:26 p.m.

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

**ASSEMBLY BILL NO. 1916 (Portantino)**—An act to amend Section 15570 of, and to add Section 13997.5 to, the Government Code, relating to economic development.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2081 (Coto)**—An act to amend Sections 3351, 3702.1, and 4610 of the Labor Code, relating to workers' compensation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—1**

Berryhill

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 239 (DeSaulnier)**—An act to amend Sections 4990, 4990.18, 4990.30, and 4990.38 of, and to add Chapter 10.5 (commencing with Section 4700) to Division 2 of, the Business and Professions Code, relating to alcoholism and drug abuse counselors.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—48**

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

**NOES—29**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 887 (De La Torre)**—An act relating to state property, 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.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member De La Torre moved a call of the Assembly.

Motion carried. Time, 1:33 p.m.

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

**ASSEMBLY BILL NO. 550 (Ma)**—An act to amend Section 469 of the Revenue and Taxation Code, relating to taxation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—71**

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

**NOES—5**

Anderson	Spitzer	Walters
Maze	Villines	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 659 (Ma)**—An act to amend Sections 8335.1 and 8335.4 of the Education Code, relating to child care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:36 p.m.

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

**ASSEMBLY BILL NO. 830 (Ma)**—An act to amend Section 40081 of the Education Code, to add Section 5384.2 to the Public Utilities Code, to amend Sections 545 and 40000.11 of, and to add Section 12517.45 to, the Vehicle Code, relating to vehicles.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*



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

**AYES—77**

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Jones	Price
Anderson	Emmerson	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garcia	Maze	Torrico
Carter	Garrick	Mendoza	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	Parra	
DeVore	Huffman	Plescia	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2742 (Furutani)**—An act to amend Section 15250.6 and 34520 of the Vehicle Code, relating to vehicles.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2296 (Mullin)**—An act to add Sections 422.4 and 602.12 to the Penal Code, relating to crimes, 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—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bills were placed upon the inactive file:

**Senate Bills Nos. 410 and 1717**, on request of Assembly Member Torrico.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1717 was placed on the inactive file. See page 6982.)

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills No. 2269 and 3048 for hearing in the Committee on Utilities and Commerce, today, upon Call of the Chair.

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

By unanimous consent, at 1:51 p.m., Speaker pro Tempore Lieber declared the Assembly recessed to permit the recognition of retiring Assembly Members.

The following Assembly Members were recognized for their years of distinguished service in the California State Assembly and presented with a Members's resolution:

Assembly Member Laird and Speaker Emeritus Núñez.

**RECONVENED**

At 2:55 p.m., the Assembly reconvened.

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

**ANNOUNCEMENTS**

Assembly Member Saldaña, Vice Chair of the Legislative Women's Caucus was joined by Assembly Member Fuller in recognition of Women's Equality Day. Assembly Member Saldaña and Assembly Member Fuller spoke on the importance of women in the history of the political process.

**ACTION RESCINDED ON SENATE BILL NO. 1717**

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 6982), placed Senate Bill No. 1717 on the inactive file.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Levine announced that the Committee on Utilities and Commerce would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:02 p.m., by unanimous consent, the members of the Committee on Utilities and Commerce 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.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1522**

At 3:03 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 3:04 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2726**

At 3:08 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2726 by the following vote:

**AYES—49**

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

**NOES—29**

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

Above bill ordered enrolled.

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

**ASSEMBLY JOINT RESOLUTION NO. 36 (Jones)**—Relative to reported human rights abuses of the Hmong in Laos and Thailand.

Resolution read.

**Members Made Coauthors of Assembly Joint Resolution No. 36**

Assembly Member Jones was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 36.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Anderson, Bass, Beall, Benoit, Berg, Berryhill, Blakeslee, Brownley, Calderon, Carter, Cook, Coto, Davis, De León, DeSaulnier, DeVore, Duvall, Emmerson, Fuentes, Furutani, Gaines, Garcia, Garrick, Hancock, Hernandez, Horton, Houston, Huff, Huffman, Jeffries, Karnette, Keene, La Malfa, Leno, Levine, Lieber, Lieu, Maze, Mendoza, Mullin, Nakanishi, Nava, Núñez, Parra, Plescia, Ruskin, Salas, Saldaña, Silva, Smyth, Solorio, Spitzer, Strickland, Swanson, Villines, Walters, and Wolk.

**Request for Unanimous Consent**

Assembly Member Jones was granted unanimous consent to take up Assembly Joint Resolution No. 36, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Joint Resolution No. 36, as Amended**

**ASSEMBLY JOINT RESOLUTION NO. 36**—Relative to reported human rights abuses of the Hmong in Laos and Thailand.

Resolution read, as amended, and adopted by the following vote:

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Resolution ordered transmitted to the Senate immediately.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1717 (Perata)**—An act to amend Section 4658 of the Labor Code, relating to workers' compensation.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:23 p.m.

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

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2173 (Caballero)**—An act to amend Sections 65995.5 and 65995.6 of the Government Code, relating to public schools facility financing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:29 p.m.

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

**ASSEMBLY BILL NO. 981 (Leno)**—An act to add Chapter 9 (commencing with Section 1967) to Division 2.5 of the Streets and Highways Code, relating to transportation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—59**

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

**NOES—15**

Anderson	Gaines	Maze	Strickland
Blakeslee	Jeffries	Nakanishi	Villines
Duvall	Keene	Silva	Walters
Fuller	La Malfa	Spitzer	

Above bill ordered enrolled.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 20, 2008

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

Assembly Bill No. 842

Assembly Bill No. 2279

Assembly Bill No. 1760

Assembly Bill No. 2547

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 21, 2008

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

Assembly Bill No. 38

Assembly Bill No. 2339

Assembly Bill No. 2423

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 22, 2008

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

Assembly Bill No. 1340

Assembly Bill No. 2532

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 25, 2008

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

- Assembly Bill No. 1605
- Assembly Bill No. 3073

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 26, 2008

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

- Assembly Bill No. 2818
- Assembly Bill No. 2986

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 214  | Assembly Bill No. 1725 |
| Assembly Bill No. 354  | Assembly Bill No. 2133 |
| Assembly Bill No. 359  | Assembly Bill No. 2220 |
| Assembly Bill No. 437  | Assembly Bill No. 2467 |
| Assembly Bill No. 541  | Assembly Bill No. 2471 |
| Assembly Bill No. 1017 | Assembly Bill No. 2479 |
| Assembly Bill No. 1033 | Assembly Bill No. 2857 |
| Assembly Bill No. 1203 | Assembly Bill No. 2935 |
| Assembly Bill No. 1358 | Assembly Bill No. 3045 |
| Assembly Bill No. 1656 | Assembly Bill No. 3064 |
| Assembly Bill No. 1674 | Assembly Bill No. 3075 |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 28, 2008

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

- Assembly Bill No. 3066

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, August 27, 2008

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

- Assembly Concurrent Resolution No. 137

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.



Senate Chamber, August 20, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 29	Senate Bill No. 1556
Senate Bill No. 325	Senate Bill No. 1583
Senate Bill No. 1097	Senate Bill No. 1595
Senate Bill No. 1285	Senate Bill No. 1690
Senate Bill No. 1298	Senate Bill No. 1699
Senate Bill No. 1441	Senate Bill No. 1737
Senate Bill No. 1499	

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

Senate Chamber, August 21, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1518	Senate Bill No. 1661
Senate Bill No. 1524	Senate Bill No. 1694
Senate Bill No. 1584	Senate Bill No. 1700
Senate Bill No. 1607	Senate Bill No. 1726
Senate Bill No. 1613	Senate Bill No. 1729
Senate Bill No. 1623	Senate Bill No. 1735
Senate Bill No. 1629	Senate Bill No. 1738
Senate Bill No. 1634	Senate Bill No. 1754
Senate Bill No. 1645	Senate Bill No. 1764
Senate Bill No. 1660	Senate Bill No. 1779

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

Senate Chamber, August 21, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 28	Senate Bill No. 1016
Senate Bill No. 68	Senate Bill No. 1093
Senate Bill No. 107	Senate Bill No. 1149
Senate Bill No. 127	Senate Bill No. 1187
Senate Bill No. 133	Senate Bill No. 1198
Senate Bill No. 153	Senate Bill No. 1214
Senate Bill No. 286	Senate Bill No. 1217
Senate Bill No. 312	Senate Bill No. 1230
Senate Bill No. 356	Senate Bill No. 1240
Senate Bill No. 360	Senate Bill No. 1271
Senate Bill No. 380	Senate Bill No. 1302
Senate Bill No. 404	Senate Bill No. 1307
Senate Bill No. 483	Senate Bill No. 1330
Senate Bill No. 491	Senate Bill No. 1354
Senate Bill No. 585	Senate Bill No. 1386
Senate Bill No. 623	Senate Bill No. 1394
Senate Bill No. 780	Senate Bill No. 1469
Senate Bill No. 899	Senate Bill No. 1475
Senate Bill No. 973	Senate Bill No. 1502
Senate Bill No. 977	Senate Joint Resolution No. 27
Senate Bill No. 992	

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

Senate Chamber, August 22, 2008

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

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 153

Assembly Concurrent Resolution No. 155

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

Above resolutions ordered enrolled.

Senate Chamber, August 21, 2008

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

Senate Concurrent Resolution No. 120

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

### FIRST READING OF SENATE BILLS

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 120**—Relative to the James F. McManus Memorial Bridge.

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

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

Assembly Bills Nos. 214 and 354, to the Committee on Business and Professions;

Assembly Bill No. 437, to the Committee on Judiciary.

### CONSIDERATION OF SUPPLEMENTAL FILE

Speaker pro Tempore Lieber was granted unanimous consent to take up the following bills on Supplemental File No. 1:

Assembly Bills Nos. 842, 1760, 2279, 2547, 38, 2339, 2423, 1340, 2532, 1605, 3073, 2818, 2986, 359, 541, 1017, 1033, 1203, 1358, 1656, 1674, 1725, 2133, 2220, 2467, 2471, 2479, 2857, 2935, 3045, 3064, 3075, and 3066, and Assembly Concurrent Resolution No. 137.

### CONSIDERATION OF SUPPLEMENTAL FILE NO. 1

#### UNFINISHED BUSINESS (RESUMED)

#### CONSIDERATION OF SENATE AMENDMENTS

**ASSEMBLY BILL NO. 2279 (Leno)**—An act to amend Section 11362.785 of, and to add Section 11362.787 to, the Health and Safety Code, relating to medical marijuana.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 3:42 p.m.

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

**ASSEMBLY BILL NO. 2547 (Leno)**—An act to amend Sections 8670.3, 8670.13, 8670.28, 8670.30 8670.48, 8670.49, and 8670.55 of, and to add Sections 8670.11 and 8670.74 to, the Government Code, relating to oil spills, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 3:44 p.m.

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

**ASSEMBLY BILL NO. 38 (Nava)**—An act to amend Sections 6254, 8550, 8570.5, 8574.9, 8574.17, 8574.20, 8574.21, 8574.22, 8584.1, 8586, 8587, 8587.7, 8588, 8588.1, 8588.3, 8588.7, 8588.10, 8588.11, 8589, 8589.1, 8589.2, 8589.5, 8589.6, 8589.7, 8589.9, 8589.10, 8591, 8593, 8593.1, 8593.2, 8596, 8599, 8610.5, 8614, 8649, 8651, 8682, 8682.2, 8682.6, 8682.8, 8682.9, 11550, 11552, and 11554 of, to add Sections 8585.1 and 8585.2 to, to repeal Sections 8574.23 and 12016 of, to repeal Chapter 6.5 (commencing with Section 8549) of Division 1 of Title 2 of, and to repeal and add Section 8585 of, the Government Code, relating to emergency services and homeland security.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

#### AYES—77

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
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	
Duvall	Jeffries	Plescia	

#### NOES—1

Anderson

#### Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 38: Assembly Member Anderson from “Aye” to “No.”

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2339 (Solorio)**—An act to amend Section 5272 of the Business and Professions Code, relating to outdoor advertising.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—1**

Blakeslee

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2339: Assembly Member Blakeslee from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2423 (Bass)**—An act to amend Sections 2878.9, 4521.1, 7396.5, and 7403 of, and to add Sections 2879, 4522, 4845, 4845.5, 7526.1, 7564.1, 8572, 8623, 9884.21, and 9884.22 to, the Business and Professions Code, relating to professions and vocations.

Bill presented by Assembly Member Eng.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1340 (Jones)**—An act to amend Sections 1821, 1822, 2250, 2323, 2340, 2350, 2352, 2620, and 3140 of, and to add Chapter 7 (commencing with Section 1970) to Part 3 of Division 4 of, the Probate Code, relating to guardians and conservators.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2532 (Laird)**—An act to amend Sections 7051, 7071, 7072, 7075, 7077, 7078, and 7088 of, to add Sections 7070.5 and 7079 to, and to repeal and add Section 7074 of, the Fish and Game Code, relating to fisheries.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 3:53 p.m.

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

#### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1057

At 3:53 p.m., on motion of Assembly Member Beall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1057 by the following vote:

#### AYES—47

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

#### NOES—31

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2818 (Jones)**—An act to add and repeal Section 34315.8 of the Health and Safety Code, relating to housing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 3:55 p.m.

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

#### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 734

At 3:56 p.m., on motion of Assembly Member Evans, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 734 by the following vote:

#### AYES—47

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

#### NOES—31

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2986 (Leno)**—An act to amend Section 75050.2 of the Public Resources Code, and to amend Section 13167 of, and to add and repeal Chapter 18 (commencing with Section 14080) of Division 7 of, the Water Code, relating to water quality.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 359 (Karnette)**—An act to amend Section 37254 of the Education Code, relating to the high school exit examination, 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—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Torrco
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	

**NOES—None**



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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1717**

At 4:01 p.m., on motion of Assembly Member Coto, and in the absence of any objection, further proceedings under the call of the assembly were dispensed with.

Senate Bill No. 1717 passed by the following vote:

**AYES—46**

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

**NOES—31**

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

Bill ordered transmitted to the Senate.

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

**SENATE BILL NO. 1760 (Perata)**—An act to amend Sections 12891 and 12892 of, and to add Section 14033 to, the Government Code, to amend Section 25620 of, and to add Part 5 (commencing with Section 71400) to Division 34 of, the Public Resources Code, relating to energy.

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

Bill passed by the following vote:

**AYES—47**

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

**NOES—31**

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

Bill ordered transmitted to the Senate.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

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

Assembly Member Blakeslee withheld unanimous consent.

**MOTION TO SUSPEND THE RULES**

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

Assembly Member De León seconded the motion.

Rules suspended by the following vote:

**AYES—47**

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

**NOES—29**

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

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Torrico requested unanimous consent that the Rules be suspended for the purpose of waiving the one day wait on Assembly Bill No. 2455 for purpose of consideration.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member Torrico moved that the rules be suspended for the purpose of waiving the one day wait on Assembly Bill No. 2455 for purpose of consideration.

Assembly Member Davis seconded the motion.

Rules suspended by the following vote:

**AYES—47**

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

**NOES—29**

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

**RE-REFERENCE TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Lieber re-referred Assembly Bill No. 1656 to the Committee on Banking and Finance.

(NOTE: On August 30, 2008, the action was rescinded whereby pursuant to Assembly Rule 77.2 Assembly Bill No. 1656 was re-referred to the Committee on Banking and Finance. See page 7065.)

**CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2733**

At 4:10 p.m., on motion of Assembly Member Brownley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2733 by the following vote:

**AYES—50**

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

**NOES—28**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1391**

At 4:11 p.m., on motion of Assembly Member Brownley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1391 by the following vote:

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2855**

At 4:12 p.m., on motion of Assembly Member Hancock, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2855 by the following vote:

**AYES—56**

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

**NOES—22**

Adams	Emmerson	Jeffries	Silva
Anderson	Fuller	Keene	Spitzer
Berryhill	Gaines	La Malfa	Villines
Cook	Horton	Maze	Walters
DeVore	Houston	Niello	
Duvall	Huff	Plescia	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 3021**

At 4:13 p.m., on motion of Assembly Member Nava, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 3021 by the following vote:

**AYES—49**

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

**NOES—29**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 887**

At 4:14 p.m., on motion of Assembly Member De La Torre, 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. 887 adopted by the following vote:

**AYES—69**

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

**NOES—6**

Anderson	Maze	Villines
Houston	Nakanishi	Walters

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

**AYES—69**

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

**NOES—6**

Anderson	Maze	Villines
Houston	Nakanishi	Walters

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2173**

At 4:15 p.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 Assembly concurred in Senate amendments to Assembly Bill No. 2173 by the following vote:

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 659**

At 4:16 p.m., on motion of Assembly Member Ma, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 659 by the following vote:

**AYES—47**

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

**NOES—29**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 659: Assembly Member Spitzer from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 541 (Huffman)**—An act to add Article 2.6 (commencing with Section 52300) to Chapter 2 of Division 18 of the Food and Agricultural Code, relating to liability.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1407 (Perata)**—An act to amend Section 6322.1 of the Business and Professions Code, to amend Sections 68085.1, 68085.3, 68085.4, 68086.1, 70372, 70374, 70375, 70391, 70603, 70611, 70612, 70613, 70614, 70617, 70621, 70650, 70651, 70652, 70653, 70654, 70655, 70656, 70657, 70657.5, 70658, and 70670 of, and to add Sections 68085.45, 70371.5, 70371.6, 70373, and 70602 to, the Government Code, to amend Section 103470 of the Health and Safety Code, to amend Section 1463.010 of, and to amend, repeal, and add Section 1203.1d of, the Penal Code, to amend Section 7660 of the Probate Code, and to amend Sections 40611 and 42007.1 of the Vehicle Code, relating to court facilities, and making an appropriation therefor.

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

**Request for Use of Visual Aids**

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

**Further Consideration of Senate Bill No. 1407****At 4:29 p.m., Acting Speaker Lloyd Levine, 40th District, presiding**

Bill failed passage by the following vote:

**AYES—47**

Arambula	DeSaulnier	Jones	Núñez
Beall	Dymally	Karnette	Portantino
Benoit	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	

**NOES—12**

Adams	DeVore	Garrick	Strickland
Anderson	Duvall	Houston	Villines
Blakeslee	Gaines	Keene	Walters

**Motion to Amend Pursuant to Joint Rule 23.5**

Assembly Member Jones moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

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

**NOES—21**

Adams	Gaines	Maze	Tran
Anderson	Garrick	Nakanishi	Villines
Benoit	Horton	Niello	Walters
Blakeslee	Houston	Plescia	
DeVore	Huff	Smyth	
Duvall	Keene	Strickland	

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member De León requested unanimous consent that the Rules be suspended for the purpose of taking up Senate Bill No. 1407, as amended, without reference to file for purpose of consideration.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member De León moved that the Rules be suspended for the purpose of taking up Senate Bill No. 1407, as amended, without reference to file for purpose of consideration.

Assembly Member Torrico seconded the motion.

Rules suspended by the following vote:

**AYES—47**

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

**NOES—30**

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

**Consideration of Senate Bill No. 1407, As Amended**

**SENATE BILL NO. 1407 (Perata)**—An act to amend Section 6322.1 of the Business and Professions Code, to amend Sections 68085.1, 68085.3, 68085.4, 68086.1, 70372, 70374, 70375, 70391, 70603, 70611, 70612, 70613, 70614, 70617, 70621, 70650, 70651, 70652, 70653, 70654, 70655, 70656, 70657, 70657.5, 70658, and 70670 of, and to add Sections 68085.45, 70371.5, 70371.6, 70373, and 70602 to, the Government Code, to amend Section 103470 of the Health and Safety Code, to amend Section 1463.010 of, and to amend, repeal, and add Section 1203.1d of, the Penal Code, to amend Section 7660 of the Probate Code, and to amend Sections 40611 and 42007.1 of the Vehicle Code, relating to court facilities.

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

Bill passed by the following vote:

**AYES—45**

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

**NOES—20**

Adams	Duvall	Houston	Silva
Anderson	Fuller	Huff	Smyth
Berryhill	Gaines	Keene	Strickland
Blakeslee	Garrick	Maze	Villines
DeVore	Horton	Plescia	Walters

Bill ordered transmitted to the Senate.

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Business and Professions to hear Assembly Bills Nos. 214 and 354 in the Tom Bane Rules Committee Room.

Committee on Judiciary to hear Assembly Bill No. 437 upon Call of the Chair.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Eng announced that the Committee on Business and Professions would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5 p.m., by unanimous consent, the members of the Committee on Business and Professions 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.

**SPECIAL RECOGNITION**

Members of the Assembly joined Assembly Member Mullin in recognizing Alisia Nantze, for 36 years of outstanding service to the Assembly, and extended best wishes to her as she embarks upon her retirement.

**RE-REFERENCE TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Lieber re-referred Assembly Bill No. 3045 to the Committee on Banking and Finance.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2532**

At 5:03 p.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 Assembly concurred in Senate amendments to Assembly Bill No. 2532 by the following vote:

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2455 (Laird)**—An act to amend Section 15853 of the Government Code, to amend Section 5006 of, and to add Article 2.1 (commencing with Section 550) to Chapter 1 of Division 1 of, the Public Resources Code, relating to state lands.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—48**

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

**NOES—30**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1017 (Ma)**—An act to amend Section 21151 of the Public Resources Code, relating to environmental quality.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*



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

**AYES—77**

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
Anderson	Eng	Keene	Ruskin
Arambula	Evans	Krekorian	Salas
Beall	Feuer	La Malfa	Saldaña
Benoit	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	
Duvall	Jeffries	Plescia	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3013 (Levine)**—An act to amend Sections 697.510 and 697.670 of the Code of Civil Procedure, relating to judgment liens.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 3013: Assembly Member Anderson from “No” to “Aye”.

Above bill ordered enrolled.

**At 5:13 p.m., Acting Speaker Lloyd Levine, 40th District, presiding**

**ASSEMBLY BILL NO. 3025 (Lieber)**—An act to add Chapter 6.5 (commencing with Section 42390) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:15 p.m.

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

**ASSEMBLY BILL NO. 1605 (Lieber)**—An act to amend Section 131006 of the Health and Safety Code, relating to the State Department of Public Health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 5:17 p.m.

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

**ASSEMBLY BILL NO. 2857 (Lieber)**—An act to amend Section 739.5 of the Public Utilities Code, relating to public utilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

#### AYES—78

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

#### NOES—None

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1203 (Salas)**—An act to amend Sections 1317.1, 1371.4, and 1386 of, and to repeal and add Section 1262.8 of, the Health and Safety Code, relating to health care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1358 (Leno)**—An act to amend Sections 65040.2 and 65302 of the Government Code, relating to planning.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member De La Torre moved a call of the Assembly.

Motion carried. Time, 5:22 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1522**

At 5:23 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 5:24 p.m.

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

**ASSEMBLY BILL NO. 1674 (Jones)**—An act to amend Section 12301.6 of, and to add Section 12315 to, the Welfare and Institutions Code, relating to public social services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—57**

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

**NOES—21**

Adams	Emmerson	Huff	Smyth
Anderson	Fuller	Jeffries	Villines
Benoit	Gaines	Keene	Walters
Blakeslee	Garcia	La Malfa	
DeVore	Garrick	Maze	
Duvall	Houston	Niello	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1725 (Lieu)**—An act to add Section 12011.6 to the Government Code, relating to judicial appointments.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:39 p.m.

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

**ASSEMBLY BILL NO. 2133 (Hancock)**—An act to amend Section 10108.5 of the Public Contract Code, relating to public contracts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—50**

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

**NOES—27**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2220 (Jones)**—An act to add Section 1371.395 to the Health and Safety Code, relating to health care service plans.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—45**

Arambula	Dymally	Krekorian	Price
Beall	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Brownley	Feuer	Levine	Saldaña
Caballero	Fuentes	Lieber	Solorio
Calderon	Furutani	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—32**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2467 (Brownley)**—An act to amend Section 8282 of, and to add Section 8283 to, the Education Code, relating to state preschool.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2471 (Karnette)**—An act to add and repeal Chapter 9.6 (commencing with Section 8770) of Division 1 of Title 2 of the Government Code, relating to arts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—52**

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

**NOES—24**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2479 (Hancock)**—An act to amend and repeal Section 111170 of the Health and Safety Code, relating to bottled water, and declaring the urgency thereof, to take effect immediately.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—2**

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

**AYES—76**

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

**NOES—2**

Gaines                      Maze

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3064 (Committee on Transportation)**—An act to amend Section 8879.23 of the Government Code, to amend Sections 99207, 99221, 99243, 99313.1, and 99313.6 of the Public Utilities Code, and to amend Sections 546, 5201, 12814.6, 13005, 17703, 21100.4, 24400, 26100, 26505, 27602, 29004, and 40802 of, and to add Section 667 to, the Vehicle Code, relating to transportation.

Bill presented by Assembly Member DeSaulnier.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3075 (Committee on Governmental Organization)**—An act to amend Section 8589.13 of the Government Code, relating to emergency services.

Bill presented by Assembly Member Price.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3066 (Committee on Veterans Affairs)**—An act to amend Sections 10200 and 10205 of the Unemployment Insurance Code, relating to the Employment Training Panel.

Bill presented by Assembly Member Salas.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 137 (Galgiani)**—Relative to Chronic Obstructive Pulmonary Disease.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—78**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

**NOES—None**

Above resolution ordered enrolled.

**At 5:55 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Jones announced that the Committee on Judiciary would meet in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6 p.m., by unanimous consent, the members of the Committee on Judiciary 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.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 60 (Cedillo)**—An act to amend Section 40000.11 of, to amend, repeal, and add Sections 12801.5 and 14610.7 of, and to add Sections 1653.6 and 12801.1 to, the Vehicle Code, relating to vehicles.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 6:14 p.m.

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

**RE-REFERENCE TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Lieber re-referred Assembly Bill No. 3073 to the Committee on Governmental Organization.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1760 (Galgiani)**—An act to amend Sections 4802, 4808, 4810, 4848, 4848.3, 4849, 4875, 4875.2, 4875.6, 4876, 4883, 4885, 4886, 4887, 4900, 4901, 4901.1, and 4901.2 of the Business and Professions Code, relating to veterinary medicine, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—74**

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Beall	Eng	Keene	Saldaña
Benoit	Evans	La Malfa	Silva
Berg	Feuer	Laird	Smyth
Berryhill	Fuentes	Leno	Solorio
Blakeslee	Fuller	Lieber	Spitzer
Brownley	Furutani	Lieu	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garcia	Maze	Torrico
Carter	Garrick	Mendoza	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	Plescia	

**NOES—None**

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 60**

At 6:18 p.m., on motion of Assembly Member Coto, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 60 passed by the following vote:

**AYES—41**

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

**NOES—31**

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

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2935 (Huffman)**—An act to Section 5654 to the Fish and Game Code, and to amend Section 8574.7 of the Government Code, relating to toxic spills.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—73**

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

**NOES—1**

Maze

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 842 (Jones)**—An act to amend Sections 53545.13 and 53563 of the Health and Safety Code, relating to local planning.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—48**

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

**NOES—29**

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

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Blakeslee requested unanimous consent to recess the Regular Session for the purpose of convening the Third Extraordinary Session.

Assembly Member Torrico withheld unanimous consent.

**Motion to Recess**

Assembly Member Blakeslee moved that the Rules be suspended to recess the Regular Session for the purpose of convening the Third Extraordinary Session.

**Parliamentary Inquiry**

Assembly Member Spitzer arose to the following parliamentary inquiry:

Is the purpose of the underlying act to allow State Government to continue in the absence of a budget?

**Reply by Speaker pro Tempore Lieber**

The motion is not properly before the body. Your parliamentary inquiry is out of order.

**Point of Order**

Assembly Member Feuer arose to the following point of order:

Assembly Member Spitzer is rising for a parliamentary inquiry for the purpose of debating the merits of an issue. The use of a parliamentary inquiry for this purpose is out of order under the Assembly Rules.

**Ruling by Speaker pro Tempore Lieber**

The Speaker pro Tempore ruled that the point of order is well-taken.

**Further Consideration of Blakeslee Motion to Recess Regular Session**

Assembly Member Benoit seconded the motion.

Motion for suspension of the Rules lost by the following vote:

**AYES—31**

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

**NOES—42**

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



**PARLIAMENTARY INQUIRY BY ASSEMBLY MEMBER SPITZER**

Assembly Member Blakeslee's Motion to Recess the Regular Session is defeated. Is Assembly Bill No. 24 by Assembly Member Houston in the Third Extraordinary Session eligible for discussion?

**Point or Order**

Assembly Member Feuer arose to the following point of order:

Assembly Member Spitzer is rising for a parliamentary inquiry for the purpose of debating the merits of an issue. Would the use of a parliamentary inquiry for this purpose be out of order under the Assembly Rules?

**Reply by Speaker pro Tempore Lieber**

Assembly Bill No. 24 by Assembly Member Houston would have to be discussed in the Third Extraordinary Session. The point of order is well-taken.

**ADJOURN IN MEMORY**

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 Henry Schiro, of San Jose.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Solorio was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Vicente Flores, of Inglewood.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

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 William (Bill) Malone, of South San Francisco.

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

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 840**

At 6:33 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 840 passed by the following vote:

**AYES—44**

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

**NOES—32**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 840: Assembly Member Galgiani from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1713**

At 6:34 p.m., on motion of Assembly Member Ma, 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 Ma moved to continue the call of the Assembly.

Motion carried. Time, 6:35 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2019**

At 6:35 p.m., on motion of Assembly Member Fuentes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2019 by the following vote:

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2279**

At 6:35 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2279 by the following vote:

**AYES—41**

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

**NOES—34**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2279: Assembly Member Wolk from “Aye” to “No”.

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2547**

At 6:36 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2547 by the following vote:

**AYES—45**

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

**NOES—32**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2818**

At 6:37 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2818 by the following vote:

**AYES—45**

Arambula	Eng	Krekorian	Price
Beall	Evans	Laird	Ruskin
Berg	Feuer	Leno	Salas
Brownley	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	Núñez	
DeSaulnier	Jones	Parra	
Dymally	Karnette	Portantino	

**NOES—31**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 3025**

At 6:37 p.m., on motion of Assembly Member Lieber, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 3025 by the following vote:

**AYES—44**

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

**NOES—34**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1605**

At 6:38 p.m., on motion of Assembly Member Lieber, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1605 by the following vote:

**AYES—49**

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

**NOES—29**

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

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1358**

At 6:38 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1358 by the following vote:

**AYES—47**

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

**NOES—29**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1725**

At 6:38 p.m., on motion of Assembly Member Lieu, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1725 by the following vote:

**AYES—48**

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

**NOES—30**

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

Above bill ordered enrolled.

**BILLS RETURNED TO THIRD READING FILE**

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 529 be withdrawn from the inactive file and placed upon the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1713**

At 6:44 p.m., on motion of Assembly Member Ma, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1713 refused passage by the following vote:

**AYES—31**

Beall	Feuer	Leno	Ruskin
Berg	Hancock	Levine	Salas
Brownley	Hayashi	Lieber	Saldaña
Caballero	Huffman	Ma	Swanson
Davis	Jones	Mullin	Torrico
De León	Karnette	Nava	Wolk
Eng	Krekorian	Núñez	Mme. Speaker
Evans	Laird	Portantino	

**NOES—36**

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1522**

At 6:51 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1522 refused passage by the following vote:

**AYES—36**

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

**NOES—36**

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

**Motion to Reconsider Senate Bill No. 1522  
on Next Legislative Day**

Assembly Member Jones moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1522 was refused passage. Senate Bill No. 1522 ordered to the unfinished business file.

**ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced the following session schedule:

Saturday, August 30, 2008, Floor Session, at 9:30 a.m.

**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. 870 and Urgency:** Caballero, Calderon, Coto, De León, DeSaulnier, Houston, Huff, Huffman, Jeffries, Karnette, Keene, Levine, Plescia, Swanson, Villines, and Walters—Aye.

**Senate Bill No. 691 and Urgency:** Caballero, Calderon, Coto, De La Torre, DeSaulnier, Galgiani, Houston, Huff, Jeffries, Keene, Levine, Plescia, Strickland, Swanson, Villines, and Walters—Aye.

**Assembly Bill No. 1107, Urgency and Concurrence:** Calderon, Mendoza, Nakanishi, Smyth, and Strickland—Aye; Adams, Anderson, Houston, Huff, Keene, La Malfa and Plescia—No.

**Assembly Bill No. 3074, Concurrence:** Anderson, Arambula, Calderon, Furutani, Garrick, Houston, Huff, Keene, Lieu, Mendoza, Parra, Salas, and Swanson—Aye.

**Assembly Bill No. 2386, Concurrence:** De León and Ma—Aye; Duvall, Emmerson, Horton, Houston, Huff, and Villines—No.

**Assembly Bill No. 109, Concurrence:** Brownley, Coto, Hernandez, Ma and Mendoza—Aye; Aghazarian, Blakeslee, Duvall, Emmerson, Horton, Houston, Huff, Silva, and Villines—No.

**Assembly Bill No. 1873, Concurrence:** Brownley, Coto, Davis, Duvall, Emmerson, Hernandez, Horton, Houston, Ma, Mendoza, Silva, and Torrico—Aye; Huff, Villines, and Walters—No.

**Assembly Bill No. 2020, Concurrence:** Brownley, Duvall, Emmerson, Hernandez, Horton, Houston, Huff, Jeffries, Ma, Mendoza, Silva, Spitzer, Villines, and Walters—Aye.

**Assembly Bill No. 2280, Concurrence:** Brownley, Caballero, Duvall, Emmerson, Galgiani, Hayashi, Hernandez, Horton, Houston, Huff, Jeffries, Ma, Mendoza, Parra, Plescia, Salas, Silva, Villines, and Walters—Aye.

**Assembly Bill No. 2412, Concurrence:** Brownley, Caballero, Calderon, DeSaulnier, Duvall, Emmerson, Galgiani, Hayashi, Hernandez, Horton, Houston, Huff, Jeffries, Ma, Mendoza, Plescia, Silva, Strickland, Villines, and Walters—Aye.

**Assembly Bill No. 2618, Concurrence:** Arambula, Berg, Brownley, Caballero, Duvall, Emmerson, Galgiani, Hayashi, Hernandez, Horton, Houston, Huff, Jeffries, Jones, Ma, Mendoza, Núñez, Plescia, Ruskin, Silva, Swanson, Villines, and Walters—Aye.

**Assembly Bill No. 2637, Concurrence:** Anderson, Arambula, Brownley, Caballero, Duvall, Emmerson, Galgiani, Hayashi, Hernandez, Horton, Houston, Huff, Huffman, Jeffries, Ma, Mendoza, Nakanishi, Plescia, Ruskin, Silva, Smyth, Villines, and Walters—Aye.

**Assembly Bill No. 2863, Concurrence:** Arambula, Brownley, Caballero, De León, Emmerson, Galgiani, Hayashi, Hernandez, Horton, Houston, Huff, Jeffries, Ma, Mendoza, Mullin, Plescia, Ruskin, Silva, Villines, and Walters—Aye; Duvall—No.

**Assembly Bill No. 2680, Concurrence:** Berg, Brownley, Caballero, De La Torre, De León, Duvall, Gaines, Galgiani, Hayashi, Hernandez, Horton, Houston, Jeffries, Jones, Maze, Mendoza, Núñez, Parra, Plescia, Ruskin, Strickland, Villines, and Walters—Aye; Krekorian—No.

**Assembly Bill No. 1163, Concurrence:** Blakeslee, Brownley, Caballero, DeSaulnier, Fuller, Galgiani, Garcia, Hayashi, Hernandez, Horton, Jeffries, La Malfa, Ma, Mendoza, Parra, Ruskin, Silva, Smyth, Strickland, and Walters—Aye; Benoit, Berryhill, Duvall, Houston, Plescia, Spitzer, and Villines—No.

**Assembly Bill No. 1755, Concurrence:** Brownley, Caballero, Duvall, Galgiani, Hayashi, Hernandez, Horton, Houston, Jeffries, Jones, Karnette, Ma, Mendoza, Parra, Plescia, Strickland, Swanson, and Villines—Aye.

**Assembly Bill No. 2759, Concurrence:** Caballero, DeVore, Evans, Gaines, Galgiani, Hayashi, Hernandez, Horton, Houston, Jeffries, La Malfa, Ma, Maze, Mendoza, Nakanishi, Parra, Strickland, and Villines—Aye; Anderson—No.

**Assembly Bill No. 2898, Concurrence:** Caballero, Galgiani, Hayashi, Hernandez, Horton, Houston, Jeffries, La Malfa, Ma, Parra, Strickland, Swanson, and Villines—Aye.

**Assembly Bill No. 2518, Concurrence:** Aghazarian, Anderson, Caballero, Galgiani, Hayashi, Hernandez, Horton, Houston, Jeffries, La Malfa, Ma, Nava, Parra, Strickland, and Villines—Aye.

**Assembly Bill No. 2541, Concurrence:** Aghazarian, Beall, Caballero, Carter, Galgiani, Garcia, Hayashi, Horton, Nakanishi, Niello, Parra, and Plescia—Aye; Benoit, DeVore, Duvall, Emmerson, Fuller, Houston, Huff, Jeffries, Keene, La Malfa, Maze, Silva, Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 1021, Concurrence:** Aghazarian, Beall, Caballero, Calderon, De La Torre, DeSaulnier, Duvall, Galgiani, Hayashi, Horton, Houston, Jones, Krekorian, La Malfa, Nava, Parra, Plescia, Strickland, and Villines—Aye.

**Assembly Bill No. 2592, Concurrence:** Aghazarian, Brownley, Caballero, Calderon, DeSaulnier, Fuller, Gaines, Galgiani, Garcia, Hayashi, Horton, Houston, Huffman, La Malfa, Maze, Mendoza, Nava, Parra, Plescia, Ruskin, and Strickland—Aye; Villines—No.

**Assembly Bill No. 1394, Concurrence:** Aghazarian, Caballero, Calderon, Davis, De León, DeSaulnier, Gaines, Galgiani, Hayashi, Horton, Houston, Huffman, La Malfa, Ma, Maze, Mendoza, Nava, Parra, Ruskin, Strickland, and Villines—Aye.

**Assembly Bill No. 2947, Concurrence:** Aghazarian, Caballero, Calderon, DeSaulnier, Galgiani, Garcia, Hayashi, Huffman, Lieu, Mendoza, Parra, and Swanson—Aye; Adams, Cook, Garrick, Horton, Houston, Jeffries, La Malfa, Maze, Plescia, Smyth, Strickland, Tran, and Villines—No.

**Assembly Bill No. 2953, Concurrence:** Blakeslee, Caballero, Calderon, Carter, DeSaulnier, Galgiani, Hayashi, Huffman, Parra, and Swanson—Aye; Aghazarian, Cook, Garcia, Garrick, Horton, Houston, Keene, La Malfa, Plescia, Smyth, Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 1701, Concurrence:** Arambula, Caballero, Carter, Davis, Fuentes, Galgiani, Houston, Huffman, La Malfa, Laird, Parra, Smyth, Strickland, Swanson, Torrico, and Villines—Aye.

**Assembly Bill No. 1829, Urgency Concurrence:** Anderson, Arambula, Caballero, Carter, Davis, Feuer, Houston, Huffman, Krekorian, La Malfa, Laird, Maze, Mendoza, Parra, Plescia, Smyth, Spitzer, Strickland, and Villines—Aye.

**Assembly Bill No. 1916, Concurrence:** Caballero, Carter, De León, DeVore, Hancock, Horton, Houston, Huffman, La Malfa, Laird, Levine, Mendoza, Parra, Ruskin, Smyth, Strickland, and Villines—Aye.

**Assembly Bill No. 2081, Concurrence:** Anderson, Carter, De León, DeVore, Houston, Huffman, Jones, Krekorian, La Malfa, Laird, Levine, Mendoza, Parra, Plescia, Ruskin, Smyth, Spitzer, Strickland, and Villines—Aye; Berryhill—No.

**Assembly Bill No. 239, Concurrence:** Carter, Huffman, Krekorian, Levine, Mendoza, Parra, and Ruskin—Aye; Aghazarian, Berryhill, Cook, DeVore, Garcia, Horton, Houston, La Malfa, Maze, Plescia, Smyth, Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 550, Concurrence:** Benoit, Berryhill, Caballero, Calderon, DeVore, Feuer, Gaines, Galgiani, Houston, Huffman, Keene, Krekorian, La Malfa, Levine, Mendoza, Niello, Parra, Plescia, Ruskin, Smyth, and Strickland—Aye; Maze, Spitzer, and Villines—No.

**Assembly Bill No. 830, Concurrence:** Anderson, Berryhill, Caballero, De León, DeVore, Galgiani, Houston, Huffman, La Malfa, Levine, Mendoza, Nava, Parra, Plescia, Ruskin, Smyth, Spitzer, Villines, and Walters—Aye.

**Assembly Bill No. 2742, Concurrence:** Berryhill, Brownley, Caballero, DeVore, Gaines, Galgiani, Houston, Huffman, Krekorian, La Malfa, Laird, Levine, Maze, Mendoza, Nava, Niello, Parra, Plescia, Ruskin, Smyth, Spitzer, and Villines—Aye.

**Assembly Bill No. 2296, Urgency and Concurrence:** Benoit, Caballero, Eng, Houston, Huffman, La Malfa, Levine, Mendoza, Plescia, and Smyth—Aye.

**Assembly Bill No. 2726, Concurrence:** Aghazarian, Blakeslee, Caballero, Galgiani, Hernandez, and Parra—Aye; Emmerson, Garcia, Horton, Houston, Jeffries, Plescia, Silva, Strickland, and Villines—No.

**Assembly Joint Resolution No. 36:** Caballero, Davis, De La Torre, De León, Dymally, Garrick, Houston, Huffman, Krekorian, Levine, Maze, Núñez, Parra, Plescia, Portantino, Strickland, Swanson, Torrico, and Villines—Aye.

**Assembly Bill No. 981, Concurrence:** Coto, Davis, De León, Dymally, Fuentes, Huffman, Krekorian, Levine, Mendoza, Núñez, Portantino, and Tran—Aye; Blakeslee, Gaines, Jeffries, Maze, Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 38, Concurrence:** Berryhill, Caballero, Calderon, Davis, De León, Evans, Galgiani, Hernandez, Huffman, Krekorian, Levine, Mendoza, Núñez, Spitzer, Strickland, Torrico, and Villines—Aye.

**Assembly Bill No. 2339, Concurrence:** Anderson, Berryhill, Caballero, Davis, De León, Evans, Galgiani, Hernandez, Huffman, Krekorian, Levine, Maze, Mendoza, Nakanishi, Núñez, Spitzer, Strickland, and Villines—Aye.

**Assembly Bill No. 2423, Concurrence:** Anderson, Davis, Evans, Galgiani, Hernandez, Huffman, Krekorian, Levine, Núñez, Saldaña, Strickland, Torrico, and Villines—Aye.

**Assembly Bill No. 1340, Concurrence:** Davis, Furutani, Galgiani, Hernandez, Huffman, Krekorian, Levine, Ma, Núñez, Salas, and Villines—Aye.

**Assembly Bill No. 1057, Concurrence:** Calderon, Davis, Galgiani, Huffman, Levine, and Parra—Aye; Blakeslee, Fuller, Keene, Smyth, Spitzer, and Villines—No.

**Assembly Bill No. 734, Concurrence:** Carter, Galgiani, Krekorian, Levine, and Parra—Aye; Berryhill, DeVore, Spitzer, and Villines—No.

**Assembly Bill No. 2986, Concurrence:** Caballero, Calderon, Davis, Hayashi, Núñez, and Parra—Aye; Villines—No.

**Assembly Bill No. 359, Urgency and Concurrence:** Caballero, Krekorian, Laird, Levine, Núñez, Parra, and Villines—Aye.

**Senate Bill No. 1717:** Calderon, Krekorian, Levine, and Núñez—Aye; Spitzer and Villines—No.

**Senate Bill No. 1760:** Caballero, Laird, Levine, and Núñez—Aye; Aghazarian, Benoit, Blakeslee, Horton, and Villines—No.

**Torrico Motion Suspend the Rules:** Calderon, De León, Hancock, and Núñez—Aye; Villines—No.

**Torrico Motion Suspend the Rules:** Núñez—Aye; Villines—No.

**Assembly Bill No. 2733, Concurrence:** Krekorian, Strickland, and Wolk—Aye; Garcia, Horton, and Villines—No.

**Assembly Bill No. 1391, Concurrence:** Caballero, Calderon, and Parra—Aye; Gaines, Horton, and Strickland—No.

**Assembly Bill No. 2855, Concurrence:** Blakeslee, Nakanishi, and Strickland—Aye; Horton and Plescia—No.

**Assembly Bill No. 3021, Concurrence:** Galgiani—Aye; Berryhill, Garcia, Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 887, Urgency and Concurrence:** Adams, Benoit, Blakeslee, Jeffries, Keene, La Malfa, Niello, Plescia, Smyth, Strickland, and Tran—Aye; Houston and Villines—No.

**Assembly Bill No. 2173, Concurrence:** Calderon, Levine, and Núñez—Aye.

**Assembly Bill No. 659, Concurrence:** Calderon—Aye; Berryhill, Cook, Garcia, Plescia, and Villines—No.

**Assembly Bill No. 541, Concurrence:** Anderson, Caballero, De León, Maze, Nava, Núñez, Parra, Swanson, and Villines—Aye.

**Senate Bill No. 1407:** Benoit, Calderon, Levine, Mendoza, and Núñez—Aye; Garrick and Houston—No.

**Senate Bill No. 1407, Jones Amendments:** Calderon, De León, Galgiani, Ma, Núñez, and Portantino—Aye; Garrick, Keene, and Nakanishi—No.

**De León Motion Suspend the Rules:** Calderon, Evans, and Núñez—Aye; Berryhill, Nakanishi, and Strickland—No.

**Senate Bill No. 1407:** Calderon, Mendoza, and Núñez—Aye; Berryhill, Houston, Silva, and Smyth—No.

**Assembly Bill No. 2532, Concurrence:** Calderon, Galgiani, Hayashi, and Núñez—Aye; Berryhill, Blakeslee, and Spitzer—No.

**Assembly Bill No. 2455, Concurrence:** Aghazarian, Carter, Eng, Galgiani, Hayashi, Hernandez, and Núñez—Aye; Berryhill, Houston, Maze, Plescia, and Spitzer—No.

**Assembly Bill No. 1017, Concurrence:** Berryhill, Carter, De León, Eng, Fuller, Galgiani, Hayashi, Hernandez, Keene, Maze, Mendoza, Nava, Núñez, Parra, Plescia, Smyth, Spitzer, and Villines—Aye.

**Assembly Bill No. 3013, Concurrence:** Berryhill, Carter, Eng, Fuller, Galgiani, Hayashi, Hernandez, Keene, La Malfa, Maze, Mendoza, Núñez, Plescia, Smyth, Spitzer, and Villines—Aye.

**Assembly Bill No. 2857, Concurrence:** Aghazarian, Berryhill, Carter, Davis, De León, Emmerson, Eng, Fuller, Gaines, Hayashi, Hernandez, Keene, Maze, Spitzer, Strickland, and Villines—Aye.

**Assembly Bill No. 1203, Concurrence:** Carter, Davis, De León, Emmerson, Eng, Gaines, Hayashi, Hernandez, Maze, and Villines—Aye.

**Assembly Bill No. 1674, Concurrence:** Carter, Cook, De León, Eng, Hayashi, Hernandez, Horton, Parra, Plescia, and Strickland—Aye; Blakeslee, Duvall, Emmerson, Houston, Maze, and Villines—No.

**Assembly Bill No. 2133, Concurrence:** Calderon, Carter, Coto, Davis, Eng, Huffman, Swanson, and Torrico—Aye; Benoit, Garrick, and Niello—No.



**Assembly Bill No. 2220, Concurrence:** Calderon, Carter, Eng, and Swanson—Aye; Jeffries, Nakanishi, Strickland, and Walters—No.

**Assembly Bill No. 2467, Concurrence:** Anderson, Eng, Jeffries, Maze, Parra, and Walters—Aye.

**Assembly Bill No. 2471, Concurrence:** Aghazarian and Strickland—Aye; Benoit, Houston, Huff, Jeffries, and Villines—No.

**Assembly Bill No. 2479, Urgency and Concurrence:** Anderson, Benoit, Furutani, Huff, La Malfa, Nava, Portantino, and Villines—Aye; Maze—No.

**Assembly Bill No. 3064, Concurrence:** Huffman, Jeffries, and Villines—Aye.

**Assembly Bill No. 3075, Concurrence:** De León, Evans, Furutani, Huffman, and Villines—Aye.

**Assembly Bill No. 3066, Concurrence:** De León, Hancock, Huffman, Núñez, Solorio, and Swanson—Aye.

**Assembly Concurrent Resolution No. 137, Concurrence:** Anderson, Huffman, Lieu, Strickland, Swanson, and Villines—Aye.

**Assembly Bill No. 1760, Concurrence:** Adams, Anderson, Arambula, De León, Evans, Feuer, Hayashi, Huffman, Laird, Lieu, Núñez, Saldaña, Tran, Villines, and Wolk—Aye.

**Senate Bill No. 60:** Villines—No.

**Assembly Bill No. 2935, Concurrence:** Adams, Anderson, De León, Eng, Galgiani, Hayashi, Krekorian, Lieu, Mendoza, Swanson, Tran, and Villines—Aye.

**Assembly Bill No. 842, Concurrence:** Calderon, De León, Eng, Galgiani, Hayashi, Lieu, and Mendoza—Aye; Aghazarian, Strickland, and Villines—No.

**Blakeslee Motion to Recess the Regular Session:** Villines—Aye; Lieu and Mendoza—No.

**Senate Bill No. 840:** De León—Aye; Nakanishi and Villines—No.

**Assembly Bill No. 2019, Concurrence:** Brownley, De León, and Galgiani—Aye; Cook, Jeffries, and Villines—No.

**Assembly Bill No. 2279, Concurrence:** Núñez—Aye; Galgiani and Villines—No.

**Assembly Bill No. 2547, Concurrence:** Calderon, Galgiani, Mendoza, and Mullin—Aye; Villines—No.

**Assembly Bill No. 2818, Concurrence:** Calderon, Furutani, Galgiani, and Núñez—Aye; Villines—No.

**Assembly Bill No. 3025, Concurrence:** Fuentes and Mendoza—Aye; Galgiani, Plescia, and Villines—No.

**Assembly Bill No. 1605, Concurrence:** De León, Galgiani, Mendoza, Nakanishi, and Swanson—Aye; Adams and Villines—No.

**Assembly Bill No. 1358, Concurrence:** Calderon and Parra—Aye; Aghazarian and Villines—No.

**Assembly Bill No. 1725, Concurrence:** Calderon, Coto, Fuentes, and Torrico—Aye; Benoit—No.

**Senate Bill No. 1713:** Swanson—Aye; Villines—No.

**Senate Bill No. 1522:** Galgiani—No.

**MOTION TO ADJOURN**

At 6:54 p.m., Assembly Member Torrico moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Members Houston and Maze arose to speak on the condition of the file.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee schedule was announced:

Committee on Appropriations, today, upon adjournment of Floor session, in Room 4202.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

The question being on the motion of Assembly Member Torrico that the Assembly adjourn.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 7 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**REPORTS OF STANDING COMMITTEES**

**Committee on Local Government**

Date of Hearing: August 29, 2008

Mme. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1221

With the recommendation: That the Senate amendments be concurred in.

CABALLERO, Chair

Above bill ordered to unfinished business.

**Committee on Utilities and Commerce**

Date of Hearing: August 29, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 2269

Assembly Bill No. 3048

With the recommendation: That Senate amendments be concurred in.

LEVINE, Chair

Above bills ordered to unfinished business file.

**Committee on Judiciary**

Date of Hearing: August 29, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 437

With the recommendation: That Senate amendments be concurred in.

JONES, Chair

Above bill ordered to unfinished business file.

**Committee on Business and Professions**

Date of Hearing: August 29, 2008

Mme. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 214

Assembly Bill No. 354

With the recommendation: That the Senate amendments be concurred in.

ENG, Chair

Above bills to unfinished business.

**Committee on Appropriations**

Date of Hearing: August 29, 2008

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 191

Senate Bill No. 1762

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

LENO, Chair

Above bills ordered to second reading.

**SECOND READING OF SENATE BILLS**

Pursuant to a roll call vote taken earlier today, Assembly Member Torrico was granted consent that all bills reported out of committee today with a "Do Pass as amended" recommendation be taken up today without reference to File for purpose of adopting committee amendments, and return the bills to the second reading file.

**SENATE BILL NO. 191**—An act to add Sections 1771.3, 1771.44, and 1771.45 to the Labor Code, relating to public works, and making an appropriation therefor.

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

**SENATE BILL NO. 1762**—An act to amend Section 901 of, and to add and repeal Division 1.6 (commencing with Section 3400) of, the Public Utilities Code, relating to climate change, and making an appropriation therefor.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, August 29, 2008

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

Assembly Bill No. 1759

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**INTRODUCTION OF GUESTS**

Speaker pro Tempore Lieber, of the 22nd Assembly District, introduced former Assembly Member and Rules Committee Chair, Cindy Montañez (2002–2006).

**ADJOURNMENT**

At 7:30 p.m., pursuant to the motion by Assembly Member Torrico, the Assembly adjourned until 9:30 a.m., Saturday, August 30, 2008, out of respect to the memory of Henry Schiro, on motion of Assembly Member Coto; out of respect to the memory of Vicente Flores, on motion of Assembly Member Solorio; and out of respect to the memory of William (Bill) Malone, on motion of Assembly Member Mullin.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 29, 2008**

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

<b>SB</b>	<b>RN</b>	
191	0827144	
1407	0827048	
1762	0827197	
<b>Daily Total:</b>		<b>3</b>
<b>Cumulative Total:</b>		<b>5759</b>

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Saturday, August 30, 2008**

**TWO HUNDRED THIRTY-NINTH SESSION DAY  
SIX HUNDRED THIRTY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Saturday, August 30, 2008

The Assembly met at 9:30 a.m.  
Hon. Lori Saldaña, Assistant Speaker pro Tempore of the  
Assembly, presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Torrico moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 10:09 a.m., Speaker pro Tempore Lieber declared a quorum of the  
Assembly present.

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

Adams	Duvall	Jeffries	Plescica
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Wilmer Amina Carter, Assembly Member, District 62:

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Huffman 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 Emmerson.

**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 Runner and Soto.*

*Because of illness in his family: Assembly Member Tran.*

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

Pursuant to Assembly Rule 77.2, the Assistant Speaker pro Tempore re-referred Assembly Bill No. 1759 to the Committee on Appropriations.

**ANNOUNCEMENTS**

Republican Leader Villines announced the birth of Assembly Member Van and Cyndi Tran's daughter, Sophie Thai Hang Tran, born earlier today.

**CONSIDERATION OF DAILY FILE  
SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

**Senate Bills Nos. 1762 and 191**, ordered to third reading.



**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1221 (Ma)**—An act to amend Sections 53395.1, 65460.1, 65460.2, and 65460.4 of, and to add Section 65460.2.5 to, the Government Code, relating to transit facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:21 a.m.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1033**, on request of Assembly Member Caballero.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2269 (Fuentes)**—An act to add Section 387.7 to the Public Utilities Code, relating to energy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Assembly Rule 112 Suspended**

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

**Further Consideration of Assembly Bill No. 2269**

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:44 a.m.

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

**ASSEMBLY BILL NO. 437 (Jones)**—An act to add Section 355.5 to the Code of Civil Procedure, relating to statutes of limitation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—47**

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

**NOES—30**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3048 (Committee on Utilities and Commerce)**—An act to amend Section 3099.2 of the Labor Code, to amend Sections 25302.5, 25534, 25741, and 25742 of the Public Resources Code, to amend Sections 5, 20, 216, 353.11, 366.2, 380, 387, 387.5, 394.5, 395.5, 399.12, 399.12.5, 701.8, 761.3, 747, 848, 2774.5, 2827, 2852, 3302, 7000, 8340, and 9604 of, to amend and renumber Sections 228.5 and 399.25 of, to add Section 224.3 to, to repeal Section 399.1 of, to repeal the heading of Article 15 (commencing with Section 399) of Chapter 2.3 of, and to repeal the heading of Article 5 (commencing with Section 445) of Chapter 2.5 of, Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

Bill presented by Assembly Member Levine.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 214 (Fuentes)**—An act to add and repeal Article 14 (commencing with Section 2340) of Chapter 5 of Division 2 of the Business and Professions Code, relating to physicians and surgeons.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—62**

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

**NOES—10**

Benoit	Gaines	Jeffries	Walters
DeVore	Houston	Silva	
Fuller	Huff	Villines	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 214: Assembly Member Anderson from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 354 (Hernandez)**—An act to amend Section 7051 of the Health and Safety Code, relating to human remains, 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	Duvall	Huffman	Núñez
Aghazarian	Dymally	Jeffries	Parra
Anderson	Emmerson	Jones	Plescia
Arambula	Eng	Karnette	Portantino
Beall	Evans	Keene	Price
Benoit	Feuer	Krekorian	Ruskin
Berg	Fuentes	La Malfa	Salas
Blakeslee	Fuller	Laird	Saldaña
Brownley	Furutani	Leno	Silva
Caballero	Gaines	Levine	Smyth
Calderon	Galgiani	Lieber	Solorio
Carter	Garcia	Lieu	Spitzer
Cook	Garrick	Ma	Strickland
Coto	Hancock	Maze	Swanson
Davis	Hayashi	Mendoza	Torrico
De La Torre	Hernandez	Mullin	Villines
De León	Horton	Nakanishi	Walters
DeSaulnier	Houston	Nava	Wolk
DeVore	Huff	Niello	Mme. Speaker

**NOES—None**

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**RECESS**

By unanimous consent, at 11:22 a.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**RECONVENED**

At 11:50 a.m., the Assembly reconvened.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, August 20, 2008

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

Assembly Bill No. 1060

Assembly Bill No. 2070

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 20, 2008

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

Assembly Bill No. 2648

Assembly Bill No. 2738

Assembly Bill No. 2844

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 22, 2008

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

Assembly Bill No. 1806

Assembly Bill No. 2044

Assembly Bill No. 2171

Assembly Bill No. 2341

Assembly Bill No. 2447

Assembly Bill No. 2651

Assembly Bill No. 2763

Assembly Bill No. 2992

Assembly Bill No. 3033

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 22, 2008

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

Assembly Concurrent Resolution No. 151

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, August 25, 2008

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

- Assembly Bill No. 2781
- Assembly Bill No. 2918

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 26, 2008

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

- Assembly Bill No. 2
- Assembly Bill No. 211
- Assembly Bill No. 916
- Assembly Bill No. 2494

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 26, 2008

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

- Assembly Concurrent Resolution No. 150

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, August 27, 2008

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

- Assembly Bill No. 2945
- Assembly Bill No. 3050
- Assembly Bill No. 3071

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2008

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

- Assembly Concurrent Resolution No. 114
- Assembly Concurrent Resolution No. 126

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, August 28, 2008

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

Assembly Bill No. 2262

Assembly Bill No. 2586

Assembly Bill No. 2917

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 29, 2008

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

Assembly Bill No. 13

Assembly Bill No. 371

Assembly Bill No. 583

Assembly Bill No. 952

Assembly Bill No. 1289

Assembly Bill No. 1496

Assembly Bill No. 2267

Assembly Bill No. 2293

Assembly Bill No. 2432

Assembly Bill No. 2474

Assembly Bill No. 2944

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 22, 2008

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

Assembly Joint Resolution No. 67

Assembly Joint Resolution No. 69

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

Above resolutions ordered enrolled.

Senate Chamber, August 21, 2008

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

Assembly Joint Resolution No. 68

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

Above resolution ordered enrolled.

Senate Chamber, August 25, 2008

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

Assembly Concurrent Resolution No. 147

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

Above resolution ordered enrolled.

Senate Chamber, August 29, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 462
- Senate Bill No. 489
- Senate Bill No. 541
- Senate Bill No. 564
- Senate Bill No. 963
- Senate Bill No. 980
- Senate Bill No. 1056
- Senate Bill No. 1058
- Senate Bill No. 1064
- Senate Bill No. 1113
- Senate Bill No. 1123
- Senate Bill No. 1145
- Senate Bill No. 1193
- Senate Bill No. 1220

- Senate Bill No. 1308
- Senate Bill No. 1335
- Senate Bill No. 1357
- Senate Bill No. 1366
- Senate Bill No. 1369
- Senate Bill No. 1379
- Senate Bill No. 1391
- Senate Bill No. 1400
- Senate Bill No. 1406
- Senate Bill No. 1446
- Senate Bill No. 1543
- Senate Bill No. 1565
- Senate Bill No. 1627
- Senate Bill No. 1698

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

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 583 to the Committee on Elections and Redistricting.

**REQUEST TO SUSPEND RULES**

Assembly Member Torrico requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Elections and Redistricting to meet in the Tom Bane Rules Committee Room immediately, for purpose of hearing Assembly Bill No. 583.

Assembly Member Benoit withheld unanimous consent.

**Motion to Suspend Joint Rule 62(a)**

Assembly Member Torrico moved that Joint Rule 62(a) be suspended to permit the Committee on Elections and Redistricting to meet immediately, in the Tom Bane Rules Committee Room, for the purpose of hearing Assembly Bill No. 583.

Assembly Member Davis seconded the motion.



Motion for suspension of the rules carried by the following vote:

**AYES—45**

Arambula	Dymally	Krekorian	Price
Beall	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Brownley	Feuer	Levine	Saldaña
Caballero	Fuentes	Lieber	Solorio
Calderon	Furutani	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—30**

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 529**, on request of Assembly Member Torrico.

**CAUCUS ANNOUNCEMENT**

Assembly Member Benoit announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 11:54 a.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**RECONVENED**

At 1:07 p.m., the Assembly reconvened.

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

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

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

Assembly Bill No. 1060, to the Committee on Health;

Assembly Bill No. 2781, to the Committees on Revenue and Taxation and Appropriations;

Assembly Bill No. 211, to the Committee on Health;

Assembly Bill No. 916, to the Committee on Education;

Assembly Bill No. 3071, to the Committee on Governmental Organization; and

Assembly Bill No. 1289, to the Committee on Governmental Organization; and

Assembly Bill No. 1496, to the Committee on Housing and Community Development.

**CONSIDERATION OF SUPPLEMENTAL FILE NO. 1**

Speaker pro Tempore Lieber was granted unanimous consent to take up measures on Supplemental File No. 1 for consideration.

**CONSIDERATION OF SUPPLEMENTAL FILE NO. 1**

**UNFINISHED BUSINESS**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2070 (Bass)**—An act to amend Sections 361.5, 366.21, 366.22, 366.26, 366.27, 366.3, 366.35, and 16508.1 of, and to add Section 366.25 to, the Welfare and Institutions Code, relating to foster care.

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.)*

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

**AYES—70**

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

**NOES—4**

Anderson	Keene	La Malfa	Villines
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1806 (Wolk)**—An act to add Chapter 4.5 (commencing with Section 1450) to Division 2 of the Fish and Game Code, and to add Section 12221 to the Water Code, relating to resources.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—70**

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

**NOES—3**

Anderson	Maze	Villines
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2447 (Jones)**—An act to add Section 66474.02 to the Government Code, relating to subdivisions.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Assembly Rule 112 Suspended**

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

**Further Consideration of Assembly Bill No. 2447**

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:12 p.m.

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

**ASSEMBLY BILL NO. 3050 (Jones)**—An act to add Article 9.6 (commencing with Section 6159.5) to Chapter 4 of Division 3 of the Business and Professions Code, to add Section 367.6 to the Code of Civil Procedure, to add Sections 756 and 756.5 to the Evidence Code, and to amend, repeal, and add Section 68563 of the Government Code, relating to legal services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### **Call of the Assembly**

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

Motion carried. Time, 2:14 p.m.

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

#### **At 2:15 p.m., Acting Speaker Lloyd Levine, 40th District, presiding**

**ASSEMBLY BILL NO. 2918 (Lieber)**—An act to amend Section 1785.20.5 of the Civil Code, relating to employment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### **Call of the Assembly**

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

Motion carried. Time, 2:15 p.m.

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

**ASSEMBLY BILL NO. 13 (Brownley)**—An act to add Section 1276.45 to the Health and Safety Code, relating to health facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### **Call of the Assembly**

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

Motion carried. Time, 2:17 p.m.

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

**ASSEMBLY BILL NO. 2648 (Bass)**—An act to add Section 52372.5 to the Education Code, relating to career technical education.

Bill presented by Assembly Member Furutani.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—48**

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

**NOES—26**

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

Above bill ordered enrolled.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Calderon was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his wife, Lisa, and son, Brennan.

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard today in committees as noted:

Committee on Banking and Finance to hear Assembly Bill No. 3045, upon Call of the Chair;

Committee on Education to hear Assembly Bill No. 916, upon Call of the Chair;

Committee on Environmental Safety and Toxic Materials to hear Assembly Bill No. 169, upon Call of the Chair;

Committee on Governmental Organization to hear Assembly Bills Nos. 1245, 1289, 3071, and 3073, upon Call of the Chair.

**BILLS PLACED ON INACTIVE FILE**

The following bills were placed upon the inactive file:

**Senate Bills Nos. 1780 and 765**, on request of Assembly Member Torrico.

**At 2:25 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Price announced that the Committee on Governmental Organization would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:25 p.m., by unanimous consent, the members of the Committee on Governmental Organization were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 1656**

Assembly Member Torrico was granted unanimous consent to rescind the action whereby pursuant to Assembly Rule 77.2, the Assembly, on August 29, 2008 (Assembly Journal, page 6999), re-referred Assembly Bill No. 1656 to the Committee on Banking and Finance.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1656 to the Committee on Judiciary.

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committee as noted:

Committee on Judiciary to hear Assembly Bill No. 1656 upon Call of the Chair.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Torrico requested unanimous consent that the Rules be suspended for the purpose of taking up Assembly Bill No. 583 without reference to file.

Assembly Member Blakeslee withheld unanimous consent.

**MOTION TO SUSPEND THE RULES**

Assembly Member Torrico moved that the Rules be suspended for the purpose of taking up Assembly Bill No. 583, without reference to file.

Assembly Member Ruskin seconded the motion.

Rules suspended 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—29**

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

**REPORTS OF STANDING COMMITTEES**  
**Committee on Elections and Redistricting**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 583

With the recommendation: That Senate amendments be concurred in.

PRICE, Chair

Above bill ordered to unfinished business file.

**CONSIDERATION OF ASSEMBLY BILL NO. 583**  
**WITHOUT REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Torrico and a roll call vote taken earlier this day, Assembly Bill No. 583 was taken up, without reference to file.

**ASSEMBLY BILL NO. 583 (Hancock)**—An act to add Chapter 7 (commencing with Section 20600) to Division 20 of the Elections Code, to add and repeal Chapter 12 (commencing with Section 91015) of Title 9 of, and to repeal Sections 85300 and 86102 of, the Government Code, and to add and repeal Article 8.6 (commencing with Section 18798) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to the Political Reform Act of 1974.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

**AYES—42**

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

**NOES—32**

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

Above bill ordered enrolled.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 25, 2008

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

Assembly Bill No. 1879

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, August 29, 2008

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

Assembly Bill No. 2321

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, August 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 201	Senate Bill No. 1425
Senate Bill No. 349	Senate Bill No. 1473
Senate Bill No. 791	Senate Bill No. 1515
Senate Bill No. 870	Senate Bill No. 1526
Senate Bill No. 1146	Senate Bill No. 1563
Senate Bill No. 1151	Senate Bill No. 1574
Senate Bill No. 1228	Senate Bill No. 1718
Senate Bill No. 1319	Senate Bill No. 1749
Senate Bill No. 1422	

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



Senate Chamber, August 30, 2008

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

Assembly Bill No. 2165

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1879 to the Committee on Environmental Safety and Toxic Materials.

**REQUEST TO SUSPEND RULES**

Assembly Member De León requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Environmental Safety and Toxic Materials off the Floor today, for purpose of hearing Assembly Bill No. 1879.

Assembly Member Benoit withheld unanimous consent.

**Motion to Suspend Joint Rule 62(a)**

Assembly Member De León moved that Joint Rule 62(a) be suspended to permit the Committee on Environmental Safety and Toxic Materials to meet off the Floor today, for the purpose of hearing Assembly Bill No. 1879.

Assembly Member Davis seconded the motion.

Motion for suspension of the rules carried by the following vote:

**AYES—45**

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

**NOES—28**

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

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Huffman announced that the Committee on Environmental Safety and Toxic Materials would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

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

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**MOTION TO RECONSIDER SENATE BILL NO. 1522**

In compliance with a motion given on a previous day, Assembly Member Jones moved that the vote be reconsidered whereby Senate Bill No. 1522 was refused passage.

**Point of Order**

Assembly Member Saldaña arose to the following point of order:

Assembly Member Gaines' comments should be directed toward the motion to reconsider not the measure.

**Ruling by Speaker pro Tempore Lieber**

The Speaker pro Tempore ruled that the Rules of the House allow debate on the merits of the bill on a motion to reconsider.

**Further Consideration of the Motion to Reconsider Senate Bill No. 1522**

Senate Bill No. 1522 reconsidered by the following vote:

**AYES—47**

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

**NOES—28**

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

**SENATE BILL NO. 1522 (Steinberg)**—An act to add Sections 1399.819 and 127664.5 to the Health and Safety Code, and to add Section 10903 to the Insurance Code, relating to health care coverage.

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

**Senate Bill No. 1522 Passed and Retained**

Speaker pro Tempore Lieber announced that, without objection, Senate Bill No. 1522 will be passed and retained until tomorrow.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2738 (Jones)**—An act to amend Section 2782 of, and to add Sections 2782.9, 2782.95, and 2782.96 to, the Civil Code, relating to indemnity.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2844 (Laird)**—An act to amend Sections 11020, 11450, 11450.12, 11450.13, and 11451.5 of, and to repeal and add Sections 11004.1, 11265.1, 11265.2, 11265.3, and 18910 of, the Welfare and Institutions Code, relating to public social services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—47**

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

**NOES—28**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2044 (Duvall)**—An act to amend Sections 1625.5, 1638, 1675, 1703, 1704, 1733, 1749, 1749.3, 1749.31, 1749.4, 1750.5, 1849, 14029, 14091, and 14094 of, to amend and renumber and add Section 14090.1 of, to add Section 15059.1 to, to repeal Section 1745 of, and to repeal and add Section 1746 of, the Insurance Code, relating to licensing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2171 (Cook)**—An act to add Section 14629 to the Government Code, relating to the State Capitol.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

**AYES—74**

Adams	DeVore	Huffman	Parra
Aghazarian	Duvall	Jeffries	Plescia
Anderson	Dymally	Karnette	Portantino
Arambula	Emmerson	Keene	Price
Beall	Eng	Krekorian	Ruskin
Benoit	Evans	La Malfa	Salas
Berg	Fuentes	Laird	Saldaña
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2341 (Maze)**—An act to amend Sections 361.5 and 388 of the Welfare and Institutions Code, relating to minors.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2651 (Aghazarian)**—An act to amend Sections 8712, 8811, and 8908 of the Family Code, to amend Sections 1522, 1522.1, 1524, 1550, and 1551 of the Health and Safety Code, to amend Sections 11167.5 and 11170 of the Penal Code, and to amend Sections 309, 361.4, and 16501.1 of the Welfare and Institutions, relating to children, 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.)*

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

**AYES—74**

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

**NOES—1**

Blakeslee

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2763 (Laird)**—An act to add Chapter 4.5 (commencing with Section 5260) to Part 1 of Division 4 of the Food and Agricultural Code, relating to pests.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—74**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2992 (La Malfa)**—An act to amend Sections 927.2, 927.6, 927.7, and 927.11 of the Government Code, relating to resource conservation districts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3033 (Laird)**—An act to add Article 6 (commencing with Section 92060) to Chapter 1 of Part 57 of Division 9 of Title 3 of the Education Code, relating to the University of California.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 151 (Cook)**—Relative to Welcome Home Vietnam Veterans Week.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The Assembly concurred in Senate amendments.

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 2 (Dymally)**—An act to add Sections 1356.2, 1373.623, 1373.63, and 1399.807 to the Health and Safety Code, and to amend Sections 12700, 12705, 12711, 12712, 12718, 12723, 12725, and 12726 of, to amend, repeal, and add Section 12739 of, to add Sections 1827.86, 10127.165, 10127.19, 10903, 12711.3, 12714.1, 12714.5, and 12738 to, to add Chapter 9 (commencing with Section 12739.5) to Part 6.5 of Division 2 of, and to repeal and add Section 12737 of, the Insurance Code, relating to health care coverage, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*



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

**AYES—46**

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

**NOES—29**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2494 (Caballero)**—An act to add Chapter 8 (commencing with Section 50700) to Part 2 of Division 31 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—47**

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

**NOES—26**

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

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 150 (La Malfa)**—Relative to the Joan Bechtel Memorial Highway.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—None**

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 2945 (Laird)**—An act to amend Sections 5093.32 and 5093.36 of, and to add Section 5093.345 to, the Public Resources Code, and to amend and supplement the Budget Act of 2008 by amending Items 3790-491 and 3790-495 of, and by adding Item 3790-101-6029 to, Section 2.00 of that act, relating to parks and wilderness areas, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—55**

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

**NOES—20**

Anderson	Fuller	Jeffries	Niello
Benoit	Gaines	Keene	Smyth
Berryhill	Garrick	La Malfa	Spitzer
DeVore	Houston	Maze	Villines
Duvall	Huff	Nakanishi	Walters

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 114 (Fuller)**—Relative to home-to-school transportation.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—74**

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

**NOES—None**

Above resolution ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 126 (Dymally)**—Relative to the Honorable Augustus Freeman (Gus) Hawkins.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The Assembly concurred in Senate amendments.

Above resolution ordered enrolled.

**At 3:50 p.m., Acting Speaker Lloyd Levine, 40th District, presiding**

**ASSEMBLY BILL NO. 2262 (Torrice)**—An act to amend Section 1255.7 of the Health and Safety Code, and to amend Section 271.5 of the Penal Code, relating to child protection.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—67**

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

**NOES—7**

Anderson	Huff	Plescica	Walters
Gaines	Maze	Villines	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1221**

At 4:17 p.m., on motion of Assembly Member Ma, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1221 by the following vote:

**AYES—47**

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

**NOES—30**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2269**

At 4:19 p.m., on motion of Assembly Member Fuentes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 4:19 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2447**

At 4:19 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2447 by the following vote:

**AYES—42**

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

**NOES—31**

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

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 2447: Assembly Member Carter from “Aye” to “Not Voting”; Assembly Member Galgiani from “No” to “Not Voting”.

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 3050**

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

The Assembly concurred in Senate amendments to Assembly Bill No. 3050 by the following vote:

**AYES—48**

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

**NOES—27**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2918**

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

The Assembly concurred in Senate amendments to Assembly Bill No. 2918 by the following vote:

**AYES—47**

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

**NOES—29**

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

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 13**

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

The Assembly concurred in Senate amendments to Assembly Bill No. 13 by the following vote:

**AYES—43**

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

**NOES—32**

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

Above bill ordered enrolled.

**At 4:21 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Nava announced that the Committee on Banking and Finance would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 4:21 p.m., by unanimous consent, the members of the Committee on Banking and Finance were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 371 (Huffman)**—An act to add Section 15459.10 to the Government Code, relating to health facility financing, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 4:22 p.m.

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

**ASSEMBLY BILL NO. 952 (Mullin)**—An act to amend Section 1367.1 of the Civil Code, relating to common interest developments.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—45**

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

**NOES—28**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 952: Assembly Member Galgiani from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2586 (Torrico)**—An act to amend Sections 789.3, 1950.5, and 1962 of, and to add Section 1942.2 to, the Civil Code, and to amend Sections 777.1, 10009.1, 12822.1, and 16481.1 of, and to repeal Sections 777, 10009, 12822, and 16481 of, the Public Utilities Code, relating to residential tenancies.

Bill presented by Assembly Member Nava.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 4:29 p.m.

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

**ASSEMBLY BILL NO. 2917 (Torrico)**—An act to amend Sections 1797.101, 1797.170, 1797.172, 1797.216, and 1798.200 of, to add Sections 1797.61, 1797.117, 1797.118, 1797.184, 1797.211, 1797.217, and 1797.219 to, and to repeal and add Section 1797.62 of, the Health and Safety Code, relating to emergency medical services.

Bill presented by Assembly Member Nava.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

#### AYES—67

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

#### NOES—6

Anderson	Gaines	Spitzer
DeVore	Niello	Villines

Above bill ordered enrolled.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolution**

**ASSEMBLY CONCURRENT RESOLUTION NO. 156 (Berryhill)**—Relative to the CDF Firefighter Eva Marie Schicke Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day’s Consent Calendar roll call.)*

**Consent Calendar—Senate Resolutions**

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

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day’s Consent Calendar roll call.)*

**SENATE JOINT RESOLUTION NO. 17 (Alquist)**—Relative to the Ecumenical Patriarchate.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day’s Consent Calendar roll call.)*

**Consent Calendar Roll Call**

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

**AYES—72**

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

**NOES—None**

**ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced the following session schedule:

Sunday, August 31, 2008, Floor Session, 10 a.m.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member De León requested unanimous consent that the Rules be suspended for the purpose of taking up Senate Bills Nos. 1762 and 191 without reference to file for purpose of consideration.

Assembly Member Benoit withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member De León moved that the Rules be suspended for the purpose of taking up Senate Bills Nos. 1762 and 191 without reference to file for purpose of consideration.

Assembly Member Laird seconded the motion.

Rules suspended by the following vote:

**AYES—44**

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

**NOES—29**

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

**Consideration of Senate Bill No. 1762 Without Reference to File**

Pursuant to the motion by Assembly Member Torrico and a roll call vote taken earlier this day, Senate Bill No. 1762 was taken up, without reference to file.

**SENATE BILL NO. 1762 (Perata)**—An act to amend Section 901 of, and to add and repeal Division 1.6 (commencing with Section 3400) of, the Public Utilities Code, relating to climate change, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—42**

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

**NOES—30**

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

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 191 WITHOUT REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Torrico and a roll call vote taken earlier this day, Senate Bill No. 191 was taken up, without reference to file.

**SENATE BILL NO. 191 (Padilla)**—An act to add Sections 1771.3, 1771.44, and 1771.45 to the Labor Code, relating to public works.

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

Bill passed by the following vote:

**AYES—41**

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

**NOES—29**

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2269**

At 5:16 p.m., on motion of Assembly Member Fuentes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2269 by the following vote:

**AYES—41**

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

**NOES—31**

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

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 371**

At 5:17 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.

The Assembly concurred in Senate amendments to Assembly Bill No. 371 by the following vote:

**AYES—44**

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

**NOES—29**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2586**

At 5:17 p.m., on motion of Assembly Member Nava, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2586 by the following vote:

**AYES—44**

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

**NOES—29**

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

Above bill ordered enrolled.

**ADJOURN IN MEMORY**

Assembly Member Krekorian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Cordero, of Burbank.

(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 Congresswoman Stephanie Tubbs Jones, of Cleveland, Ohio.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Mullin and Ruskin were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ben Goldman, of Monte Sereno.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 30, 2008

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

Assembly Bill No. 2265

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

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

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

Assembly Bills Nos. 2165 and 2265, to the Committee on Natural Resources.

**JOINT RULE 62(a) WAIVED**

Assembly Member De León was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 2165 and 2265 for hearing in the Committee on Natural Resources, today, upon adjournment of Floor session.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee schedule was announced:

Committee on Education, today, upon adjournment of Floor session, in the Tom Bane Rules Committee Meeting Room;

Committee on Judiciary, today, upon adjournment of Floor session, in Room 4202;

Committee on Natural Resources, today, upon adjournment of Floor session, in Room 447.

**SENATE BILL NO. 1118 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Speaker pro Tempore Lieber was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1118 was refused passage; and that the bill be placed upon the inactive file.

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

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, and Assembly Constitutional Amendment No. 15 were continued until the next legislative day.

**VOTE ADDS**

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

**Assembly Bill No. 437, Concurrence:** Calderon, Carter, Coto, De La Torre, Hayashi, and Parra—Aye; Horton, Houston, Nakanishi, Strickland, and Villines—No.

**Assembly Bill No. 3048, Concurrence:** Adams, Beall, Calderon, De La Torre, Fuller, Houston, Leno, Nakanishi, Parra, Ruskin, Strickland, and Swanson—Aye.

**Assembly Bill No. 214, Concurrence:** Adams, Blakeslee, Calderon, De La Torre, De León, DeSaulnier, Garcia, Hancock, Hayashi, La Malfa, Leno, Maze, Nakanishi, Plescia, Ruskin, Solorio, and Strickland—Aye; Benoit, Houston, and Jeffries—No.

**Assembly Bill No. 354, Urgency and Concurrence:** Calderon, Coto, De La Torre, DeSaulnier, Evans, Fuentes, Hancock, Hayashi, Houston, Leno, Levine, Nakanishi, Portantino, Solorio, and Strickland—Aye.

**Torrico Motion to Suspend Joint Rule 62(a):** Calderon, Hayashi, Leno, and Ruskin—Aye; Houston, Nakanishi, and Villines—No.

**Assembly Bill No. 2070, Concurrence:** Adams, Benoit, Calderon, Coto, Davis, De La Torre, De León, DeSaulnier, Fuller, Galgiani, Hayashi, Houston, Krekorian, Levine, Mendoza, Niello, Plescia, Smyth, and Strickland—Aye; Anderson, La Malfa, and Villines—No.

**Assembly Bill No. 1806, Concurrence:** Calderon, Davis, De La Torre, De León, DeSaulnier, Garcia, Hayashi, Houston, Krekorian, La Malfa, Levine, Niello, Smyth, Strickland, and Walters—Aye; Anderson and Villines—No.

**Assembly Bill No. 2648, Concurrence:** Aghazarian, Calderon, De La Torre, DeSaulnier, Hayashi, and Mendoza—Aye; Houston and Strickland—No.

**Suspend the Rules:** Davis, De León, Hayashi, Hernandez, and Mendoza—Aye; Houston and Huff—No.

**Assembly Bill No. 583, Concurrence:** Nava—Aye; Blakeslee, Parra, Strickland, and Villines—No.

**De León Motion to Suspend Joint Rule 62(a):** Hancock, Lieu, Mendoza, and Swanson—Aye; Adams, Strickland, and Villines—No.

**Senate Bill No. 1522, Jones Motion to Reconsider:** Hancock, Mendoza, Nava, Ruskin, and Solorio—Aye; Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 2738, Concurrence:** Arambula, Calderon, Krekorian, Levine, Lieu, Strickland, Swanson, and Villines—Aye.

**Assembly Bill No. 2844, Concurrence:** Aghazarian, Arambula, Calderon, Levine, Lieu, and Swanson—Aye; Adams, Garcia, Spitzer, Strickland, and Villines—No.

**Assembly Bill No. 2044, Concurrence:** Adams, Arambula, Calderon, Levine, Lieu, Strickland, and Villines—Aye.

**Assembly Bill No. 2171, Concurrence:** Adams, Calderon, De León, Hancock, Levine, Parra, Solorio, Strickland, and Villines—Aye.

**Assembly Bill No. 2341, Concurrence:** Adams, Calderon, Huffman, Jones, Levine, Strickland, and Villines—Aye.

**Assembly Bill No. 2651, Concurrence:** Calderon and Levine—Aye; Blakeslee—No.

**Assembly Bill No. 2763, Concurrence:** Blakeslee, Calderon, Davis, Krekorian, Levine, Ruskin, Strickland, Swanson, and Villines—Aye.

**Assembly Bill No. 2992, Concurrence:** Calderon, Hayashi, Krekorian, Levine, Maze, Plescia, Portantino, Ruskin, Strickland, and Villines—Aye.

**Assembly Bill No. 3033, Concurrence:** Adams, Calderon, Hayashi, Krekorian, Levine, Parra, Ruskin, and Strickland—Aye.

**Assembly Bill No. 2, Concurrence:** Calderon, Hancock, Krekorian, Levine, and Solorio—Aye; Aghazarian and Garrick—No.

**Assembly Bill No. 2494, Concurrence:** Calderon, Hancock, Krekorian, Levine, Solorio, and Swanson—Aye; Aghazarian, Blakeslee, Cook, Niello, and Strickland—No.

**Assembly Bill No. 2945, Concurrence:** Aghazarian, Calderon, De La Torre, Hancock, Krekorian, Levine, Plescia, and Solorio—Aye.

**Assembly Concurrent Resolution No. 150, Concurrence:** Aghazarian, De La Torre, Hancock, Krekorian, Levine, and Solorio—Aye.

**Assembly Concurrent Resolution No. 114, Concurrence:** Blakeslee, Hancock, Krekorian, Levine, Ruskin, and Solorio—Aye.

**Assembly Bill No. 2262, Concurrence:** Keene, Nakanishi, and Saldaña—Aye; Villines—No.

**Assembly Bill No. 1221, Concurrence:** Núñez—Aye; Garcia, Houston, Huff, Keene, La Malfa, and Villines—No.

**Assembly Bill No. 2447, Concurrence:** De La Torre and Hayashi—Aye; Houston—No.

**Assembly Bill No. 3050, Concurrence:** Adams—Aye; Houston and Villines—No.

**Assembly Bill No. 2918, Concurrence:** Houston—No.

**Assembly Bill No. 13, Concurrence:** Houston—No.

**Assembly Bill No. 952, Concurrence:** Brownley, Levine, Ma, Mendoza, and Swanson—Aye; Gaines, Houston, and Villines—No.

**Assembly Bill No. 2917, Concurrence:** Adams, Davis, Garrick, La Malfa, Levine, Mendoza, Smyth, and Strickland—Aye; Anderson and Villines—No.

**Consent Calendar:** Anderson, Beall, Davis, Jones, Levine, Mendoza, and Villines—Aye.

**De León Motion to Suspend the Rules:** Villines—No.

**Senate Bill No. 1762:** Villines—No.

**Senate Bill No. 191:** Adams and Villines—No.

**Assembly Bill No. 2269, Concurrence:** Adams and Villines—No.

**Assembly Bill No. 371, Concurrence:** Villines—No.

**Assembly Bill No. 2586, Concurrence:** Jones and Saldaña—Aye; Villines—No.

#### MOTION TO ADJOURN

At 5:29 p.m., Assembly Member Swanson moved that the Assembly do now adjourn.

Assembly Member Emmerson seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:29 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**REPORTS OF STANDING COMMITTEES**

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

- Assembly Bill No. 169
- Assembly Bill No. 1879

With the recommendation: That Senate amendments be concurred in.

HUFFMAN, Chair

Above bills ordered to unfinished business file.

**Committee on Governmental Organization**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

- Assembly Bill No. 1245
- Assembly Bill No. 1289
- Assembly Bill No. 3071
- Assembly Bill No. 3073

With the recommendation: That the Senate amendments be concurred in.

PRICE, Chair

Above bills ordered to unfinished business.

**Committee on Banking and Finance**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

- Assembly Bill No. 3045

With the recommendation: That Senate amendments be concurred in.

NAVA, Chair

Above bill ordered to unfinished business file.

**Committee on Education**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Education reports:

- Assembly Bill No. 916

With the recommendation: That the Senate amendments be concurred in.

MULLIN, Chair

Above bill ordered to unfinished business file.

**Committee on Judiciary**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Judiciary reports:

- Assembly Bill No. 1656

With the recommendation: That Senate amendments be concurred in.

JONES, Chair

Above bill ordered to unfinished business file.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 22, 2008

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

Assembly Bill No. 180

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, August 27, 2008

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

Assembly Bill No. 100

Assembly Bill No. 1830

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 29, 2008

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

Assembly Bill No. 2034

Assembly Bill No. 2569

Assembly Bill No. 2599

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 30, 2008

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

Assembly Bill No. 317

Assembly Bill No. 334

Assembly Bill No. 498

Assembly Bill No. 697

Assembly Bill No. 1851

Assembly Bill No. 1860

Assembly Bill No. 1863

Assembly Bill No. 1955

Assembly Bill No. 1973

Assembly Bill No. 2052

Assembly Bill No. 2871

Assembly Bill No. 2921

Assembly Bill No. 2939

Assembly Bill No. 3005

Assembly Bill No. 3076

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 30, 2008

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

- Assembly Concurrent Resolution No. 87
- Assembly Concurrent Resolution No. 112
- Assembly Concurrent Resolution No. 134

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, August 21, 2008

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

- Assembly Bill No. 2991

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

Above bill ordered enrolled.

Senate Chamber, August 30, 2008

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

- Assembly Bill No. 1975

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

Above bill ordered enrolled.

Senate Chamber, August 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 364
- Senate Bill No. 375

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

**INTRODUCTION OF GUESTS**

Assembly Member Beall, of the 24th Assembly District, introduced his Chief of Staff Cris Forsyth, Cris' mother, Filomena Forsyth, mother-in-law Kiki Lewis, and wife, Kiki Forsyth.

Assembly Member Karnette, of the 54th Assembly District, introduced Hon. Bob Foster, Mayor of Long Beach.

**ADJOURNMENT**

At 6:25 p.m., pursuant to the motion by Assembly Member Swanson, the Assembly adjourned until 10 a.m., Sunday, August 31, 2008, out of respect to the memory of Joseph Cordero, on motion of Assembly Member Krekorian; out of respect to the memory of Congresswoman Stephanie Tubbs Jones, on motion of Assembly Member Dymally; and out of respect to the memory of Ben Goldman, on motion of Assembly Members Mullin and Ruskin.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk





CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Sunday, August 31, 2008**

**TWO HUNDRED FORTIETH SESSION DAY  
SIX HUNDRED THIRTY-SEVENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Sunday, August 31, 2008

The Assembly met at 10:01 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly.

Motion carried.

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

**At 10:36 a.m., Speaker pro Tempore Sally Lieber, presiding**

#### Quorum Present

At 10:36 a.m., Speaker pro Tempore Lieber declared a quorum of the Assembly present.

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

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**PRAYER**

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

*Creator, You have blessed each of us with different gifts and talents. Let us be given the opportunity to give You praise and glory by using them to serve others. Knowing that we falter, be with us. In times of doubt, give us confidence; in times of indecision, give us direction; in times of confusion, give us clarity of purpose, so that in all that we do we may serve the common good and those You have given into our care.*

*Barach atah adonoi eloheynu melech ha'olom, sh'hakol n'heyeh b'dvaroh.*

Blessed are You Creator of the Universe, according to whose word all things will be.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Spitzer 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 Blakeslee.

**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 Runner and Soto.*

*Because of illness in his family: Assembly Member Tran.*

**COMMUNICATIONS**

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

August 31, 2008

*E. Dotson Wilson*

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

Dear Dotson: Please be advised that I have appointed Assemblymember Mark DeSaulnier to replace Assemblymember Nell Soto on the Assembly Local Government Committee for today's hearing only.

Sincerely,

KAREN BASS  
Speaker of the Assembly

August 31, 2008

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

Dear Dotson: Please be advised that I have appointed Assemblymember Tony Mendoza to fill the Democratic vacancy on the Assembly Housing and Community Development Committee for today's hearing only.

Sincerely,

KAREN BASS  
Speaker of the Assembly

August 31, 2008

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

Dear Dotson: Please be advised that I have appointed Assemblymember Joel Anderson to replace Assemblymember Sharon Runner on the Assembly Housing and Community Development Committee for today's hearing only.

Sincerely,

KAREN BASS  
Speaker of the Assembly

August 31, 2008

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

Dear Dotson: Please be advised that I have appointed Assemblymember Bonnie Garcia to replace Assemblymember Van Tran on the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

KAREN BASS  
Speaker of the Assembly

August 26, 2008

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

RE: Appointment of Julia Brownley  
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Julia Brownley to the State Allocation Board for September 24, 2008 only. Assemblymember Brownley will be replacing Assemblymember Gene Mullin.

Sincerely,

KAREN BASS  
Speaker of the Assembly

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

**Explanation of Vote—Assembly Concurrent Resolution No. 21**

August 20, 2008

*Dotson Wilson, Chief Clerk*  
*California State Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: On August 15, 2008, I inadvertently recorded a “no” vote on ACR 21 (Portantino). My intention was to vote “aye” on this measure, as I am a co-author of the bill and a strong supporter of academic exchange programs.

Thank you in advance for your assistance.

Sincerely,

TED GAINES, Assembly Member  
Fourth District

The following communication was presented by the Chair of the Committee on Rules, and ordered printed in the Journal:

August 25, 2008

*Hon. Ted Lieu, Chair*  
*Assembly Rules Committee*  
*State Capitol, Room 3016*  
*Sacramento, California*

Dear Assemblymember Lieu: I would like to waive my per diem for the week of August 25, 2008, through August 29, 2008. In addition, I will not be requesting a per diem reimbursement at a later date.

Thank you for your prompt attention to this matter. If you have any questions please do not hesitate to contact Gayl Jaaskelainen, my Chief of Staff, at (619) 409-7979.

Sincerely,

MARY SALAS, Assembly Member  
Seventy-ninth District

**REPORTS OF STANDING COMMITTEES**  
**Committee on Business and Professions**

August 8, 2008

Mme. Speaker: Your Committee on Business and Professions reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1849	Assembly Bill No. 2348
Assembly Bill No. 1869	Assembly Bill No. 2539
Assembly Bill No. 2089	Assembly Bill No. 2600
Assembly Bill No. 2102	Assembly Bill No. 2888

ENG, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Public Safety**

June 24, 2008

Mme. Speaker: Your Committee on Public Safety reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1582

SOLORIO, Chair

Above bill ordered filed with the Chief Clerk.

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

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

Assembly Bill No. 2569, to the Committee on Health;  
Assembly Bill No. 317, to the Committee on Health;  
Assembly Bill No. 697, to the Committee on Local Government;  
Assembly Bill No. 1955, to the Committee on Housing and  
Community Development;  
Assembly Bill No. 2921, to the Committee on Local Government;  
Assembly Bill No. 3076, to the Committee on Health.

**SPECIAL COMMITTEE MEETINGS**

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

Utilities and Commerce to convene jointly with Natural Resources and the Senate Committee on Energy, Utilities and Communications, on Wednesday, September 10, 2008;

Select Committee on Youth Violence Prevention, on Monday, September 15, 2008, in Fresno.

**CONSIDERATION OF SENATE BILL NO. 110 BY UNANIMOUS CONSENT**

Assembly Member Leno was granted unanimous consent to take up Senate Bill No. 110 out of order, for purpose of consideration.

**SENATE BILL NO. 110 (Romero)**—An act to amend Sections 11105, 11150.6, 11153, 11162.5, 11162.6, 11350, 11351, 11351.5, 11352, 11352.1, 11353, 11353.1, 11353.4, 11353.5, 11353.6, 11353.7, 11354, 11355, 11356.5, 11357, 11358, 11359, 11360, 11361, 11363, 11364.7, 11366, 11366.5, 11366.6, 11366.7, 11366.8, 11368, 11370, 11370.1, 11370.2, 11370.4, 11370.6, 11370.9, 11371, 11371.1, 11372, 11374, 11374.5, 11375, 11377, 11378, 11378.5, 11379, 11379.2, 11379.5, 11379.6, 11379.7, 11379.8, 11379.9, 11380, 11380.1, 11380.7, 11382, 11383, 11383.5, 11383.6, 11383.7, 11390, 11391, 11536, and 11550, of the Health and Safety Code, to amend Sections 18, 19, 126, 186.10, 186.11, 191.5, 193, 193.5, 204, 205, 208, 209, 209.5, 210, 210.5, 213, 214, 215, 220, 222, 236.1, 237, 241, 241.1, 241.2, 241.3, 241.4, 241.6, 241.7, 241.8, 243, 243.10, 243.2, 243.25, 243.3, 243.35, 243.4, 243.6, 243.7, 243.8, 243.9, 244, 244.5, 245, 245.2, 245.3, 245.5, 245.6, 246, 246.3, 247, 247.5, 261.5, 264, 264.1, 266, 266a, 266b, 266c, 266d, 266e, 266f, 266g, 266h, 266i, 266j, 266k, 267, 269, 270, 271, 271a, 272, 273a, 273ab, 273d, 273.4, 273.5, 273.6, 273.65, 278, 278.5, 280, 285, 286, 286.5, 288, 288a, 288.2, 288.4, 288.5, 288.7, 289, 289.5, 289.6, 311.1, 311.2, 311.3, 311.4, 311.5, 311.6, 311.7, 311.9, 311.10, 311.11, 313.4, 314, 368, 380, 381, 381b, 422, 422.75, 451, 451.1, 451.5, 452, 452.1, 453, 454, 455, 456, 461, 462, 462.5, 463, 473, 474, 476a, 478, 479, 487, 487a, 487b, 487c, 487d, 487e, 487f, 487g, 487h, 488, 489, 490, 490.1, 490.5, 490.7, 496, 498, 499, 499b, 499c, 499d, 520, 524, 530.5, 646.9, 664, 666, 666.5, 667.10, 667.15, 667.16, 667.17, 667.5, 67.51, 667.6, 667.61, 667.7, 667.71, 667.75, 667.8, 667.85, 667.9, 668, 674, 675, 2931, 2932, 2932.5, 2933, 2933.1, 2933.2, 2933.3, 2933.4, 2933.5, 2933.6, 3000, 3000.1, 3001, 3046, 3049, 3057, 4019, 12022, 12022.1, 12022.2, 12022.3, 12022.4, 12022.5, 12022.53, 12022.55, 12022.6, 12022.7, 12022.75, 121022.8, 12022.85, 12022.9, and 12022.95 of, and to add Title 6.5 (commencing with Section 4950) to Part 3 of, the Penal Code, relating to sentencing.

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

**Request For Use of Visual Aids**

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

**Further Consideration of Senate Bill No. 110**

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:23 a.m.

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

**CONSIDERATION OF SENATE BILL NO. 1522 BY UNANIMOUS CONSENT**

Assembly Member Jones was granted unanimous consent to take up Senate Bill No. 1522 out of order, for purpose of consideration.

**SENATE BILL NO. 1522 (Steinberg)**—An act to add Sections 1399.819 and 127664.5 to the Health and Safety Code, and to add Section 10903 to the Insurance Code, relating to health care coverage.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:33 a.m.

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



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

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

Assembly Bill No. 1973, to the Committee on Utilities and Commerce;

**Assembly Bill No. 2267, to the Committee on Jobs, Economic Development, and the Economy.**

(NOTE: Later today, the action was rescinded whereby Assembly Bill No. 2267 was re-referred pursuant to Assembly Rule 77.2 to the Committee on Jobs, Economic Development, and the Economy. See page 7156.)

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2474 (Galgiani)**—An act to amend, repeal, and add Section 14105.18 of the Welfare and Institutions Code, relating to health care, 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	Niello
Aghazarian	Duvall	Huffman	Núñez
Anderson	Dymally	Jeffries	Parra
Arambula	Emmerson	Jones	Plescia
Beall	Eng	Karnette	Portantino
Benoit	Evans	Keene	Price
Berg	Feuer	Krekorian	Ruskin
Berryhill	Fuentes	La Malfa	Salas
Blakeslee	Fuller	Laird	Saldaña
Brownley	Furutani	Leno	Silva
Caballero	Gaines	Levine	Smyth
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Strickland
Cook	Garrick	Ma	Swanson
Coto	Hancock	Maze	Torrigo
Davis	Hayashi	Mendoza	Villines
De La Torre	Hernandez	Mullin	Walters
De León	Horton	Nakanishi	Wolk
DeSaulnier	Houston	Nava	Mme. Speaker

**NOES—None**

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2293 (De León)**—An act to add and repeal Section 25600.5 of the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Assembly Rule 112 Suspended**

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

**Further Consideration of Assembly Bill No. 2293**

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

**AYES—52**

Aghazarian	Duvall	Huffman	Núñez
Anderson	Dymally	Jeffries	Parra
Arambula	Emmerson	Karnette	Plescia
Berg	Eng	Krekorian	Portantino
Berryhill	Evans	La Malfa	Price
Caballero	Fuentes	Laird	Ruskin
Calderon	Furutani	Leno	Silva
Cook	Galgiani	Levine	Smyth
Coto	Garcia	Lieu	Solorio
Davis	Hayashi	Mendoza	Strickland
De La Torre	Hernandez	Mullin	Torrico
De León	Houston	Nava	Walters
DeSaulnier	Huff	Niello	Mme. Speaker

**NOES—18**

Adams	DeVore	Horton	Swanson
Beall	Feuer	Ma	Villines
Benoit	Fuller	Maze	Wolk
Blakeslee	Gaines	Salas	
Brownley	Hancock	Spitzer	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2293: Assembly Member Brownley from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 169 (Levine)**—An act to amend Section 71205 of, and to amend the heading of Division 36 (commencing with Section 71200) of, the Public Resources Code, relating to ballast water management.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1879 (Feuer)**—An act to add Sections 25252, 25252.5, 25253, 25254, 25255, and 25257 to the Health and Safety Code, relating to hazardous materials.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

**AYES—64**

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

**NOES—12**

Anderson	Gaines	Huff	Spitzer
DeVore	Galgiani	La Malfa	Villines
Fuller	Garrick	Silva	Walters

Above bill ordered enrolled.

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard today in committees as noted:

Committee on Revenue and Taxation to hear Assembly Bill No. 2781, upon Call of the Chair;

Committee on Housing and Community Development to hear Assembly Bill No. 1496 and Assembly Bill No. 1955, upon Call of the Chair;

Committee on Health to hear Assembly Bills Nos. 211, 1060, 2569, 317, and 3076, upon Call of the Chair;

Committee on Local Government to hear Assembly Bills Nos. 697 and 2921, upon Call of the Chair;

Committee on Utilities and Commerce to hear Assembly Bill No. 1973, upon Call of the Chair;

Committee on Jobs, Economic Development, and the Economy to hear Assembly Bill No. 2267, upon Call of the Chair.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Saldaña announced that the Committee on Housing and Community Development would meet immediately, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 11:57 a.m., by unanimous consent, the members of the Committee on Housing and Community Development were excused for the purpose of attending a meeting of the committee at this time in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2944 (Leno)**—An act to amend, repeal, and add Section 309 of the Corporations Code, relating to corporations.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:59 a.m.

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

**ASSEMBLY BILL NO. 2321 (Feuer)**—An act to amend Section 130350.5 of, and to add Section 130350.4 to, the Public Utilities Code, relating to transportation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—49**

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

**NOES—25**

Adams	Duvall	Jeffries	Spitzer
Aghazarian	Fuller	Keene	Strickland
Anderson	Gaines	La Malfa	Villines
Benoit	Galgiani	Maze	Walters
Berryhill	García	Nakanishi	
Blakeslee	Garrick	Plescia	
DeVore	Houston	Silva	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1245 (Torrico)**—An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—64**

Adams	Dymally	Huffman	Núñez
Aghazarian	Emmerson	Jeffries	Parra
Anderson	Eng	Jones	Plescia
Arambula	Evans	Karnette	Portantino
Berryhill	Feuer	Keene	Ruskin
Brownley	Fuentes	Krekorian	Silva
Caballero	Fuller	Laird	Smyth
Calderon	Furutani	Leno	Solorio
Cook	Gaines	Levine	Spitzer
Coto	Galgiani	Lieu	Strickland
Davis	García	Maze	Swanson
De La Torre	Garrick	Mendoza	Torrico
De León	Hayashi	Mullin	Villines
DeSaulnier	Hernandez	Nakanishi	Walters
DeVore	Houston	Nava	Wolk
Duvall	Huff	Niello	Mme. Speaker

**NOES—8**

Beall	Berg	Hancock	Ma
Benoit	Blakeslee	Horton	Salas

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1245: Assembly Members Hancock and Salas from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1289 (Price)**—An act to amend Sections 19601.2 and 19605.77 of the Business and Professions Code, relating to horse racing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3071 (Committee on Governmental Organization)**—An act to amend Sections 23039, 23104.2, 25608, and 25663 of, to add Section 23405.3 to, and to repeal Section 25667 of, the Business and Professions Code, relating to alcoholic beverages.

Bill presented by Assembly Member Price.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—63**

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

**NOES—10**

Adams	Feuer	Horton	Villines
Blakeslee	Fuller	Maze	
DeVore	Gaines	Spitzer	

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Torrico requested unanimous consent that Assembly Rule 96 be suspended for the purpose of withdrawing Senate Bills Nos. 292, 458, 1012, 1454, 1466, and 1570 from the Committee on Appropriations.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Withdraw from Committee**

Assembly Member Torrico moved that Assembly Rule 96 be suspended for the purpose of withdrawing Senate Bills Nos. 292, 458, 1012, 1454, 1466, and 1570 from the Committee on Appropriations.

Assembly Member Davis seconded the motion.



Rules suspended by the following vote:

**AYES—46**

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

**NOES—29**

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

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Torrico requested unanimous consent that the Rules be suspended for the purpose of taking up Senate Bills Nos. 292, 458, 1012, 1454, 1466, and 1570 without reference to file for purpose of consideration.

Assembly Member Benoit withheld unanimous consent.

**MOTION TO SUSPEND RULES**

Assembly Member Torrico moved that the Rules be suspended for the purpose of taking up Senate Bills Nos. 292, 458, 1012, 1454, 1466, and 1570 without reference to file for purpose of consideration.

Assembly Member Davis seconded the motion.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:26 p.m.

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

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 3073 (Committee on Governmental Organization)**—An act to amend Sections 19406 and 19568 of the Business and Professions Code, and to amend Section 337f of the Penal Code, relating to horse racing.

Bill presented by Assembly Member Price.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**REQUEST TO DISPENSE WITH BENOIT CALL OF THE ASSEMBLY**

Assembly Member Torrico requested that Assembly Member Benoit lift the Call of the Assembly on the Motion to Suspend Rules.

Assembly Member Benoit withheld.

**Torrico Motion to Lift Benoit Call of the Assembly  
on the Motion to Suspend Rules**

Assembly Member Torrico moved to lift the Benoit Call of the Assembly on the Motion to Suspend the Rules.

Assembly Member Feuer seconded the motion.

Motion to lift Benoit Call of the Assembly carried by the following vote:

**AYES—45**

Arambula	Eng	Krekorian	Price
Beall	Evans	Laird	Ruskin
Berg	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	Núñez	
DeSaulnier	Jones	Parra	
Dymally	Karnette	Portantino	

**NOES—29**

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

**Parliamentary Inquiry**

Assembly Member Blakeslee arose to the following parliamentary inquiry:

Under the Rules of the House is it the practice of the House for the mover of the call to lift the call?

**Reply by Speaker pro Tempore Lieber**

The Speaker pro Tempore replied that the House can decide otherwise to lift a call by a majority of those present and voting under Assembly Rule 101.

**Further Consideration of the Motion to Dispense With the Benoit Call of the Assembly**

At 12:36 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Torrice Motion to Suspend Rules carried by the following vote:

**AYES—47**

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

**NOES—29**

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

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 3045 (Committee on Jobs, Economic Development, and the Economy)**—An act to amend Section 13997.2 of the Government Code, relating to economic development.

Bill presented by Assembly Member Arambula.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Torrice
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**At 12:40 p.m., Acting Speaker Lloyd Levine, 40th District, presiding**

**ASSEMBLY BILL NO. 916 (Niello)**—An act to add and repeal Section 35567 of the Education Code, relating to school facilities construction, 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—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1656 (Jones)**—An act to amend Sections 1798.29 and 1798.82 of, and to add Sections 1724.4, 1724.5, 1724.6, 1798.295, and 1798.825 to, the Civil Code, relating to personal information.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—74**

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

**NOES—1**

Walters

Above bill ordered enrolled.

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard today in committees as noted:

Committee on Natural Resources to hear Assembly Bill No. 2265, upon Call of the Chair;

Committee on Health to hear Assembly Bill No. 1951, upon Call of the Chair.

**CAUCUS ANNOUNCEMENTS**

At 12:46 p.m., by unanimous consent the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 12:47 p.m., Acting Speaker Levine declared the Assembly recessed.

**RECONVENED**

At 1:59 p.m., the Assembly reconvened.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, August 31, 2008

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

Assembly Bill No. 1945

Assembly Bill No. 2861

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 31, 2008

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

Assembly Bill No. 2167

Assembly Bill No. 2537

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 31, 2008

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

Assembly Concurrent Resolution No. 156

Assembly Joint Resolution No. 36

Assembly Joint Resolution No. 51

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

Above resolutions ordered enrolled.

Senate Chamber, August 31, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 53

Senate Bill No. 60

Senate Bill No. 158

Senate Bill No. 191

Senate Bill No. 509

Senate Bill No. 658

Senate Bill No. 691

Senate Bill No. 732

Senate Bill No. 823

Senate Bill No. 840

Senate Bill No. 981

Senate Bill No. 1313

Senate Bill No. 1351

Senate Bill No. 1407

Senate Bill No. 1420

Senate Bill No. 1440

Senate Bill No. 1447

Senate Bill No. 1550

Senate Bill No. 1604

Senate Bill No. 1762

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

**REPORTS OF STANDING COMMITTEES****Committee on Natural Resources**

Date of Hearing: August 30, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2165

With the recommendation: That Senate amendments be concurred in.

HANCOCK, Chair

Above bill ordered to unfinished business file.

**Committee on Housing and Community Development**

Date of Hearing: August 31, 2008

Mme. Speaker: Your Committee on Housing and Community Development reports:  
Assembly Bill No. 1496  
Assembly Bill No. 1955

With the recommendation: That Senate amendments be concurred in.

SALDAÑA, Chair

Above bills ordered to unfinished business file.

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

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

Assembly Bill No. 1945, to the Committee on Health.

**JOINT RULE 62(a) WAIVED**

Assembly Member Torrico was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Health to hear Assembly Bill No. 1945, upon Call of the Chair.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Dymally announced that the Committee on Health would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2 p.m., by unanimous consent, the members of the Committee on Health were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 180 (Bass)**—An act to amend Sections 1632, 2945.2, 2945.3, and 2945.4 of, and to add Section 2945.45 to, the Civil Code, relating to mortgages.

Bill presented by Assembly Member Lieu.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:05 p.m.

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



**ASSEMBLY BILL NO. 100 (Mullin)**—An act to amend Section 17072.10 of, to add Sections 17072.19 and 17214.2 to, and to repeal Section 17072.11 of, the Education Code, relating to public education facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 2:07 p.m.

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

**ASSEMBLY BILL NO. 1830 (Lieu)**—An act to amend Section 10177 of the Business and Professions Code, to add Section 2923.1 to the Civil Code, and to amend Section 50505 of, to add Sections 1242, 14961, and 22346 to, and to add Division 1.9 (commencing with Section 4995) to, the Financial Code, relating to lending.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

#### AYES—51

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

#### NOES—26

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

#### Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1830: Assembly Member Benoit from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2034 (Núñez)**—An act to add Section 51204.7 to the Education Code, relating to public schools.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—57**

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

**NOES—17**

Adams	Fuller	La Malfa	Villines
Berryhill	Gaines	Maze	Walters
Blakeslee	Huff	Niello	
Duvall	Jeffries	Plescia	
Emmerson	Keene	Smyth	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2034: Assembly Member Nakanishi from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 334 (Levine)**—An act to add Section 326.45 to the Penal Code, relating to bingo, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—69**

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

**NOES—3**

Gaines	Hancock	Niello
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**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 334: Assembly Member Berg from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Caballero announced that the Committee on Local Government would meet in Room 447, immediately.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:24 p.m., by unanimous consent, the members of the Committee on Local Government were excused for the purpose of attending a meeting of the committee at this time, in Room 447, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1860 (Huffman)**—An act to add Chapter 2 (commencing with Section 108040) to Part 3 of Division 104 of, and to repeal the heading of Chapter 2 of Part 3 of Division 104 of, the Health and Safety Code, relating to product safety.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:28 p.m.

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

**ASSEMBLY BILL NO. 1863 (Portantino)**—An act to add Section 51221.45 to the Education Code, relating to pupil instruction.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—61**

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

**NOES—15**

Anderson	Emmerson	Huff	Silva
Benoit	Fuller	Keene	Villines
Blakeslee	Gaines	Maze	Walters
Duvall	Garrick	Niello	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1863: Assembly Member Nakanishi from “No” to “Aye”.

Above bill ordered enrolled.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Calderon announced that the Committee on Revenue and Taxation would meet, immediately, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:30 p.m., by unanimous consent, the members of the Committee on Revenue and Taxation were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2052 (Lieu)**—An act to add Section 1946.7 to the Civil Code, and to amend, repeal, and add Section 1161 of the Code of Civil Procedure, relating to tenancies, 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.  
The roll was opened.

### Call of the Assembly

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

Motion carried. Time, 2:31 p.m.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 87 (Hayashi)**—Relative to a Legislative Task Force on Peripheral Neuropathy.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

### Call of the Assembly

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

Motion carried. Time, 2:35 p.m.

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

**ASSEMBLY BILL NO. 3005 (Jones)**—An act to amend Section 65460.1 of, and to add, repeal, and add Section 66005.1 of, the Government Code, relating to community development.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

### AYES—74

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

### NOES—None

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 112 (Dymally)**—Relative to a Legislative Task Force on Fibromyalgia.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The Assembly concurred in Senate amendments.

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 2599 (De León)**—An act to amend Sections 124977, 124991, and 125002 of the Health and Safety Code, relating to public health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Levine announced that the Committee on Utilities and Commerce would meet, immediately, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:45 p.m., by unanimous consent, the members of the Committee on Utilities and Commerce were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2871 (Tran)**—An act to add and repeal Chapter 3.6 (commencing with Section 8298.50) of Division 1 of Title 2 of the Government Code, relating to the Abraham Lincoln Bicentennial and American Civil War Sesquicentennial Commission.

Bill presented by Assembly Member Adams.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 2381**, on request of Assembly Member Mullin.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2939 (Hancock)**—An act to amend Sections 17958.5, 17958.7, and 18941.5 of the Health and Safety Code, relating to building standards.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:51 p.m.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 134 (DeSaulnier)**—Relative to Legislative Task Force on Summer and Intersession Enrichment.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 2:54 p.m.

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

**ASSEMBLY BILL NO. 498 (Hernandez)**—An act to add Article 13 (commencing with Section 10475) to Chapter 2 of Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

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

#### AYES—75

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

#### NOES—None

Above bill ordered enrolled.



**CONSIDERATION OF SUPPLEMENTAL FILE NO. 1**

Speaker pro Tempore Lieber was granted unanimous consent to take up Supplemental File No. 1.

**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2861 (Hayashi)**—An act to amend Section 1317.1 of the Health and Safety Code, relating to emergency services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3 p.m.

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

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Hancock announced that the Committee on Natural Resources would meet, at this time, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:05 p.m., by unanimous consent, the members of the Committee on Natural Resources were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2167 (De León)**—An act to add Sections 45139.5 and 88041 to the Education Code, relating to public school employees.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Assembly Rule 112 Suspended**

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

**Further Consideration of Assembly Bill No. 2167**

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:10 p.m.

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

**REQUEST UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1301**

Assembly Member De León requested unanimous consent that the Rules be suspended to rescind the actions whereby the Assembly, on August 7, 2008 (Assembly Journal, page 6244) and on August 22, 2008 (Assembly Journal, page 6794) read and adopted Floor amendments to Senate Bill No. 1301 and returned the May 6, 2008 version of the bill to the Senate Third Reading File.

Assembly Member Benoit withheld unanimous consent.

**Motion to Rescind Action on Senate Bill No. 1301**

Assembly Member De León moved that the Rules be suspended to rescind the action whereby the Assembly, on August 7, 2008 (Assembly Journal, page 6244), and on August 22, 2008 (Assembly Journal, page 6794), read and adopted Floor amendments to Senate Bill No. 1301 and returned the May 6, 2008 version of the bill to the Senate Third Reading File.

Assembly Member Torrico seconded the motion.

Rules suspended by the following vote:

**AYES—44**

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

**NOES—30**

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

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2537 (Furutani)**—An act to amend Section 1720.4 of the Labor Code, relating to public works, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2165 (Karnette)**—An act relating to tidelands and submerged lands granted by the state to the City of Long Beach, 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—73**

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

**NOES—None**

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

**AYES—73**

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

**NOES—None****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. 2165: Assembly Member Brownley from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1496 (Leno)**—An act to amend Section 5 of Chapter 898 of the Statutes of 1997, relating to redevelopment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

### Call of the Assembly

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

Motion carried. Time, 3:32 p.m.

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

**ASSEMBLY BILL NO. 1955 (Plescia)**—An act to add Section 1366.4 to the Civil Code, relating to common interest developments, 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—71

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

#### NOES—None

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

#### AYES—71

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

#### NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 110**

At 3:34 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**Request for Unanimous Consent to Rescind and Expunge**

Assembly Member Torrico requested unanimous consent that the Rules be suspended to rescind and expunge the record whereby a roll call vote was taken on Senate Bill No. 110.

Assembly Member Spitzer withheld unanimous consent.

**Motion to Rescind and Expunge**

Assembly Member Torrico moved that the Rules be suspended to rescind and expunge the record whereby a roll call vote was taken on Senate Bill No. 110.

Assembly Member Feuer seconded the motion.

Rules suspended by the following vote:

**AYES—47**

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

**NOES—30**

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

**RECORD EXPUNGED AND ACTION RESCINDED ON SENATE BILL NO. 110**

The record was expunged and the action rescinded whereby a roll call vote was taken on this day on Senate Bill No. 110, and the bill was passed on file, to retain its place on file.

**CONSIDERATION OF SENATE BILL NO. 1301  
WITHOUT REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Torrico and a roll call vote taken earlier this day, Senate Bill No. 1301 was taken up, without reference to file, for purpose of consideration.

**SENATE BILL NO. 1301 (Cedillo)**—An act to add Section 66021.6 to the Education Code, relating to student financial aid.

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

Bill passed by the following vote:

**AYES—46**

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

**NOES—29**

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

Bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES****Committee on Health**

Date of Hearing: August 31, 2008

Mme Speaker: Your Committee on Health reports:

Assembly Bill No. 211

Assembly Bill No. 2569

Assembly Bill No. 317

Assembly Bill No. 3076

Assembly Bill No. 1060

Assembly Bill No. 1945

Assembly Bill No. 1951

With the recommendation: That Senate amendments be concurred in.

DYMALLY, Chair

Above bills ordered to unfinished business file.

**Committee on Local Government**

Date of Hearing: August 31, 2008

Mme. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 697

Assembly Bill No. 2921

With the recommendation: That Senate amendments be concurred in.

CABALLERO, Chair

Above bills ordered to unfinished business file.

**Committee on Natural Resources**

Date of Hearing: August 31, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2265

With the recommendation: that Senate amendments be concurred in.

HANCOCK, Chair

Above bill ordered to unfinished business file.

**CONSIDERATION OF SUPPLEMENTAL FILE NO. 2**

Speaker pro Tempore Lieber was granted unanimous consent to take up Supplemental File No. 2.

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 211 (Jones)**—An act to amend Section 56.36 of the Civil Code, and to add and Division 109 (commencing with Section 130200) to, the Health and Safety Code, relating to health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—54**

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

**NOES—22**

Adams	Fuller	Jeffries	Silva
Anderson	Gaines	Keene	Spitzer
Berryhill	Garrick	La Malfa	Villines
Blakeslee	Horton	Maze	Walters
DeVore	Houston	Nakanishi	
Duvall	Huff	Niello	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 317 (Berg)**—An act to add Section 14571.6 to the Welfare and Institutions Code, relating to adult day health care, 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—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1060 (Laird)**—An act to amend Section 1635.1 of the Health and Safety Code, relating to tissue banks, 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—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

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

**AYES—77**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1951 (Hayashi)**—An act to add Section 5701.7 to the Welfare and Institutions Code, relating to mental health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—46**

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

**NOES—30**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2569 (De León)**—An act to add Sections 1389.7 and 1389.8 to the Health and Safety Code, and to add Sections 10119.2 and 10119.3 to the Insurance Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—65**

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

**NOES—9**

Anderson	Jeffries	Maze
Blakeslee	Keene	Villines
DeVore	La Malfa	Walters

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3076 (Huffman)**—An act to amend Section 42007 of the Vehicle Code, relating to vehicles, 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—74

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

#### NOES—3

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

#### AYES—74

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

#### NOES—3

Anderson	DeVore	Villines
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Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2944**

At 4:31 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2944 by the following vote:

**AYES—46**

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

**NOES—29**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 180**

At 4:31 p.m., on motion of Assembly Member Lieu, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 180 by the following vote:

**AYES—48**

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

**NOES—28**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 100**

At 4:32 p.m., on motion of Assembly Member Mullin, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 100 by the following vote:

**AYES—48**

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

**NOES—28**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1860**

At 4:32 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.

The Assembly concurred in Senate amendments to Assembly Bill No. 1860 by the following vote:

**AYES—47**

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

**NOES—30**

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

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2052**

At 4:32 p.m., on motion of Assembly Member Lieu, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments which add an urgency clause to Assembly Bill No. 2052 by the following vote:

**AYES—74**

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

**NOES—2**

Anderson                      Walters

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

**AYES—74**

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

**NOES—2**

Anderson                      Walters

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY CONCURRENT RESOLUTION NO. 87**

At 4:33 p.m., on motion of Assembly Member Hayashi, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 87 by the following vote:

**AYES—59**

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

**NOES—16**

Anderson	Fuller	Keene	Plescia
Berryhill	Garrick	La Malfa	Spitzer
DeVore	Houston	Maze	Villines
Duvall	Jeffries	Niello	Walters

Above resolution ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2939**

At 4:33 p.m., on motion of Assembly Member Hancock, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2939 by the following vote:

**AYES—44**

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

**NOES—32**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY CONCURRENT RESOLUTION NO. 134**

At 4:33 p.m., on motion of Assembly Member DeSaulnier, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 134 by the following vote:

**AYES—47**

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

**NOES—30**

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

Above resolution ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1522**

At 4:34 p.m., on motion of Assembly Member Jones, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**REQUEST FOR UNANIMOUS CONSENT TO RESCIND AND EXPUNGE**

Assembly Member Torrico requested unanimous consent that the Rules be suspended to rescind and expunge the record whereby a roll call vote was taken on Senate Bill No. 1522.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Rescind and Expunge**

Assembly Member Torrico moved that the Rules be suspended to rescind and expunge the record whereby a roll call vote was taken on Senate Bill No. 1522.

Assembly Member Davis seconded the motion.

Rules suspended by the following vote:

**AYES—44**

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

**NOES—29**

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

**RECORD EXPUNGED AND ACTION RESCINDED ON SENATE BILL NO. 1522**

The record was expunged and the action rescinded whereby a roll call vote was taken on this day on Senate Bill No. 1522, and the bill was passed on file, to retain its place on file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2861**

At 4:36 p.m., on motion of Assembly Member Hayashi, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2861 by the following vote:

**AYES—47**

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

**NOES—28**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2167**

At 4:36 p.m., on motion of Assembly Member De León, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2167 by the following vote:

**AYES—47**

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

**NOES—30**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1496**

At 4:37 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1496 by the following vote:

**AYES—50**

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

**NOES—26**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1496: Assembly Member Garcia from “No” to “Aye”.

Above bill ordered enrolled.



**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member DeVore requested that the Assembly do now adjourn.

Speaker Bass withheld unanimous consent.

**Motion to Adjourn**

Assembly Member DeVore moved that the Assembly do now adjourn.

Assembly Member Keene seconded the motion.

Motion to adjourn lost by the following vote:

**AYES—23**

Adams	Gaines	Keene	Silva
Anderson	Garrick	La Malfa	Smyth
Cook	Horton	Maze	Spitzer
DeVore	Houston	Nakanishi	Villines
Duvall	Huff	Niello	Walters
Fuller	Jeffries	Plescia	

**NOES—48**

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

**ACTION RESCINDED ON ASSEMBLY BILL NO. 2267**

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, earlier today (Assembly Journal, page 7108), re-referred Assembly Bill No. 2267, pursuant to Assembly Rule 77.2, to the Committee on Jobs, Economic Development, and the Economy.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2267 (Fuentes)**—An act to amend Sections 25620 and 25620.5 of, the Public Resources Code, and to amend Section 379.6 of the Public Utilities Code, relating to energy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—47**

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

**NOES—24**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2267: Assembly Member Arambula from “No” to “Not Voting”.

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1851**, on request of Assembly Member Nava.

**At 4:45 p.m., Speaker Karen Bass, 47th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1945 (De La Torre)**—An act to add Sections 1389.9, 1389.10, 1389.11, 1389.13, 1389.14, 1389.15, 1389.16, 1389.17, 1389.18, 1389.19, 1389.20, 1389.22, and 1389.24 to, and to repeal and add Section 1389.1 of, the Health and Safety Code, and to amend Sections 10270.95, 10291.5, and 12957 of, and to add Sections 10384.1, 10384.12, 10384.14, 10384.16, 10384.18, 10384.2, 10384.22, 10384.24, 10384.26, 10384.28, 10384.29, 10384.3, 10384.32, and 10396 to, the Insurance Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member De La Torre moved a call of the Assembly.

Motion carried. Time, 5:05 p.m.

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

**ASSEMBLY BILL NO. 697 (Hancock)**—An act to add Section 53084.5 to the Government Code, relating to local government.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—72**

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

**NOES—3**

Blakeslee	Keene	Villines
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**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 697: Assembly member Huff from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2921 (Laird)**—An act to amend Sections 51201, 51250, 51256, 51257, 51282, 51283, and 51297 of, and to add Section 51223 to, the Government Code, relating to local government.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2265 (Jones)**—An act to add Sections 5003.16 and 5080.41 to the Public Resources Code, relating to state property, 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—74**

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

**NOES—3**

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

**AYES—74**

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

**NOES—3**

DeVore	Villines	Walters
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**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. 2265: Assembly Member Anderson from “No” to “Aye”.

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Blakeslee requested unanimous consent to Recess the Regular Session for the purpose of convening the Third Extraordinary Session.

Assembly Member Torrico withheld unanimous consent.

**Motion to Recess**

Assembly Member Blakeslee moved that the Rules be suspended to Recess the Regular Session for the purpose of convening the Third Extraordinary Session.

Assembly Member Benoit seconded the motion.

Motion for suspension of the Rules lost by the following vote:

**AYES—32**

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

**NOES—45**

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

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

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

**Legislative Intent—Assembly Bill No. 2165**

August 31, 2008

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

Dear Mr. Wilson: Upon action by Senate Natural Resources Committee, Section Eight of AB 2165 incorporated language which states that to the extent any provision of this act conflicts with the Long Beach City Charter, or any law or ordinance of the City of Long Beach, the provisions of this act shall prevail. This language was necessary to ensure that representatives of the city, state and tidelands oil contractor would have authority to negotiate and enter into a contract of appropriate length. Neither the Long Beach City code nor the Long Beach City Charter can circumvent state environmental laws. It is not the intent of AB 2165 to circumvent any local or state environmental protections.

Respectfully,

BETTY KARNETTE, Assembly Member  
 Fifty-fourth District

**Legislative Intent—Assembly Bill No. 2369**

August 30, 2008

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

Dear Mr. Wilson: The purpose of this letter is to clarify the intent of specific provisions contained in Assembly Bill 2369, which would add apprenticeship standards enforcement to the duties of the City of Los Angeles Labor Compliance Program. Existing Labor Compliance Programs currently does not have this authority.

On August 18, 2008, this Assembly concurred in amendments taken in the Senate and the bill was sent to enrollment. It was not until a few days after this occurred that it was noted that there is an erroneous cross-reference in the bill. Section 3072 (c) of the bill refers to Section 1742 of the Labor Code to describe the procedure for a contractor to file an appeal of a labor compliance enforcement action pertaining to Section 1777.5. The correct reference to describe this appeal process is actually an existing process that is found in Labor Code Section 1777.7. This was merely a drafting error.

Due to schedule limitations at the conclusion of the 2007–08 Legislative Session, I was unable to amend my AB 2369 to make this correction. However, it is my intent that should this bill be signed into law, I will correct this cross-reference in legislation to be introduced in the 2008–2009 Legislative Session.

Sincerely,

FELIPE FUENTES, Assembly Member  
Thirty-ninth District**Legislative Intent—Assembly Bill No. 2381**

August 31, 2008

*E. Dotson Wilson**Chief Clerk of the Assembly*

Dear Mr. Wilson,

I respectfully request this letter be entered into the Assembly Journal to clarify the intent of AB 2381.

AB 2381, as amended August 11, 2008, represents an agreement between the stakeholders. On August 12, 2008, the Independent Citizens Oversight Committee adopted this language as an interim regulation defining “California Supplier.” The regulation is effective immediately and will remain in effect for 270 days, or when superseded by a regulation adopted pursuant to the Administrative Procedure Act, whichever occurs first. In recognition of the adoption of this language AB 2381 has been placed on the inactive file. If the agreement does not hold, a bill may be introduced next year that represents the consensus language.

Sincerely,

GENE MULLIN, Assembly Member  
Nineteenth District

**Legislative Intent—Assembly Bill No. 100**

August 28, 2008

*The Honorable E. Dotson Wilson*  
*Chief Clerk of the Assembly*

Dear Mr. Wilson,

I respectfully request this letter be entered into the Assembly Journal to clarify the intent of AB 100 (Mullin) in regards to the provisions related to the six percent supplemental project funding grant for projects that included special education facilities and received a special day class grant in the 2008 calendar year.

AB 127 (Nunez and Senator Perata), Chapter 35, Statutes of 2006, provided the State Allocation Board (SAB), under Education Code (EC) Section 17072.11(b), with broad authority to decrease or increase the per-unhoused-pupil grants by amounts not to exceed six percent. SB 132 (Committee on Education), Chapter 730, Statutes of 2007, amended EC Section 17072.11 for the purpose of correcting a drafting error made in AB 127 and inadvertently eliminated the SAB's authority to provide increases to severe and nonsevere pupil grants.

The School Facility Program (SFP) provides that funding apportioned under chapter 12.5, the Leroy Greene School Facilities Act of 1998, shall constitute the State's full and final contribution to the project. This is a fundamental principle of the SFP established to prevent the State from having ongoing fiscal obligations to a project. The provisions of this bill to provide a six percent retroactive increase to projects including special education pupils apportioned in 2008 shall not be construed as an exception to the full and final provision but rather a correction to a statute that erroneously prohibited an adjustment which would have otherwise been granted by the SAB.

This bill corrects the unintended error made by SB 132 and clarifies the intent of the legislature to preserve the integrity of the full and final apportionment provision set forth in EC Section 17070.63(a).

Sincerely,

GENE MULLIN, Assembly Member  
Nineteenth District

**Legislative Intent—Assembly Bill No. 214**

August 30, 2008

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: I respectfully submit this letter to be printed in the Assembly Journal regarding my Assembly Bill 214.

The purpose of this letter is to clarify my intent with respect to the deletion from the current version of the bill of formerly proposed Business and Professions § 2345.5. That section would have provided that a hospital's referral of a physician to the Physician Health Program would not constitute a Business and Professions Code section 805 reporting event.

Upon review, it was my view that the proposed section 2345.5 was not needed because existing law regarding 805 reporting is sufficiently



clear. I removed it from the bill because I did not feel that it was necessary. Nothing in AB 214 is intended to change existing law regarding 805 reporting.

Respectfully submitted,

FELIPE FUENTES, Assembly Member  
Thirty-ninth District

**Legislative Intent—Senate Bill No. 658**

August 25, 2008

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

Dear Mr. Wilson,

This letter is written to confirm the intent of Senate Bill 658. SB 658 (Romero) was approved by the California State Assembly on August 19, 2008 on a vote of 74-1. Section 42270 (c) of that measure, as approved on by the Assembly on that date, states the following:

*Notwithstanding any other law, commencing with the 2008–09 fiscal year, the Superintendent shall not approve new year-round school grants.*

In casting votes in favor of SB 658, it is the understanding and legislative intent of the undersigned that the prohibition on approval of new year-round school grants specified in Section 42270 (c) would not apply to qualifying grant applications received by the Superintendent of Public Instruction/California Department of Education prior to the bill's enactment into law.

Sincerely,

JOHN BENOIT, Assemblyman  
Sixty-fourth District

PAUL COOK, Assemblyman  
Sixty-fifth District

**Legislative Intent—Assembly Bill No. 815**

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

Dear Mr. Wilson: I authored Assembly Bill (AB) 815 in order to affirm State preemption over hunting and fishing matters and thereby ensure comprehensive, science-based control over fish and game resources by the California Fish and Game Commission and Department of Fish and Game. AB 815 also helps protect public access to hunting and fishing opportunities, including those provided on navigable waters.

I submit this letter to clarify that nothing in AB 815 is intended to preclude a city or county from adopting an ordinance within its jurisdiction that is necessary for public health and safety and has only an incidental effect on the State preempted fields of hunting and fishing.

Sincerely,

TOM BERRYHILL, Assembly Member  
Twenty-fifth District

**Legislative Intent—Senate Bill No. 1608**

August 14, 2008

*Greg Schmidt**Secretary of the Senate  
State Capitol, Room 3044  
Sacramento, California**E. Dotson Wilson**Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Letter to the Senate and Assembly Journals regarding SB 1608

Dear Mr. Schmidt and Mr. Wilson: SB 1608 is a bipartisan comprehensive reform measure intended to promote compliance with disability access laws with the complementary goal of reducing unnecessary litigation.

A key feature of the bill is the early evaluation conference held by the court for certain cases involving construction-related accessibility claims. Where a business has obtained a Certified Access Specialist (CASP) inspection and report to determine whether construction-related accessibility standards are met in a place of public accommodation, the CASp inspection report entitles the business to request a limited stay and an early evaluation conference on the construction-related accessibility claim. At least 15 days before the early evaluation conference date, SB 1608 would require that defendant to submit to the court under seal and serve on the plaintiff a copy of the CASp inspection report, which shall be subject to a protective order maintaining the confidentiality of the report. It is our legislative intent that the Notice of Stay of Proceedings and Early Evaluation Conference issued by the court include orders (1) to the defendant that the CASp report shall be filed as a confidential document and served on the plaintiff at least 15 days before the conference, and (2) to the plaintiff and the defendant that the CASp report filed with the court and served on the plaintiff must be kept confidential and may be disclosed only to the court and the parties to the action, their attorneys, and those individuals employed or retained by the attorneys to assist in the litigation. Further, it is our intent that the CASp inspection report continue to be kept confidential for the duration of the litigation, until the conclusion of the claim, whether by dismissal, settlement, or final judgment, unless a party makes a showing of good cause for lifting the protective order and unsealing the court record at any time after the conclusion of the stay.

We intend to introduce legislation next session to clarify the language in the statute to reflect this intent, and intend that the Judicial Council rely on this letter of legislative intent in carrying out its responsibilities under the statute.

Respectfully submitted,

Senator Ellen M. Corbett  
Senator Tom Harman  
Senator Darrell Steinberg  
Senator George Runner  
Senator Ron Calderon

Assembly Member Cameron Smyth  
Assembly Member Lois Wolk  
Assembly Member Dave Jones

**Legislative Intent—Assembly Bill No. 2045**

August 29, 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 2045.

The intent of AB 2045 is to update the California Urban Forestry Act (Act) of 1978 to highlight the role trees play in sequestering greenhouse gases, improving air and water quality, conserving energy, and providing other environmental benefits. Additionally, the measure adds programs that are eligible for grant funds, including developing projects or programs that use urban forests for water conservation, reducing greenhouse gas emissions, heat island effect, improving air and water quality, or stormwater capture.

Concerns were raised that this bill, coupled with existing provisions of the Act, could be interpreted to expand the authority of the Department of Forestry and Fire Protection (CDF) such that this authority would supersede or conflict with the State Water Resources Control Board's stormwater regulatory authority. This is not the case.

To be clear, the bill only authorizes a local government or non-profit grantee to use urban forests for stormwater capture and in no way exempts these grantees from any law or regulation governing the control of stormwater.

Moreover, since the Act takes an integrated approach to solving complex urban environmental problems, it is also my intent that CDF carry out the stormwater or water quality elements of the bill in cooperation with the State Water Resources Control Board, in addition to other agencies specified in the bill.

Sincerely,

HECTOR DE LA TORRE, Assembly Member  
Fiftieth District

**Legislative Intent—Assembly Bill No. 2046**

August 18, 2008

*Mr. E. Dotson Wilson, Chief Clerk*  
*California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: I write to explain my intent with regard to a section of AB 2046. Water Code Section 10631(c)(3)(A) in AB 2046 provides that a plan to treat contaminated groundwater that is to be part of the planned water supply include "a financial plan to achieve that supply."

As I explained in the hearing on this matter in Senate Local Government on June 18, 2008, the intent of the proposed statute is that this financial plan generally should allow decision makers or members of the public who rely upon urban water management plans to know the estimated cost of the project or management option, potential types and sources of revenue, and other fiscal elements that the water supplier knows will be needed to help bring the planned water to users. It is not

intended that the plan meet the more stringent requirements of the basic financial statements prepared by the water supplier.

Sincerely,

DAVE JONES, Assembly Member  
Ninth District

**Legislative Intent—Assembly Bill No. 2071**

August 29, 2008

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

Dear Mr. Wilson: The intent of AB 2071 is to establish penalties where there were none before for failure to comply with labeling requirements for compostable, biodegradable, and degradable plastic bags and plastic food and beverage containers sold in California.

The specific words in Section 42358 (a), and Section 42359.8 (a), “. . . may impose civil liability” are intended to mean that monetary penalties may be pursued by filing suit in a civil court action.

Respectfully,

BETTY KARNETTE, Assembly Member  
Fifty-fourth District

**Legislative Intent—Assembly Bill No. 2296**

August 29, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*

Dear Mr. Wilson,

I respectfully request this letter be entered into the Assembly Journal to clarify the intent of AB 2296.

It is the intent of the Legislature that the definition of “academic freedom” apply to the criminal statute and is not intended to alter, subvert or take precedence over the University of California’s policy on academic freedom.

Sincerely,

GENE MULLIN, Assembly Member  
Nineteenth District

**Legislative Intent—Assembly Bill No. 2321**

August 29, 2008

*Mr. E. Dotson Wilson*  
*Chief Clerk*  
*California State Assembly*  
*Sacramento, California*

Dear Mr. Wilson: Proposed section 130350.5(b)(3) of the Public Utilities Code provides that the net revenues of the tax specified in the AB 2321 do not include “costs of administration” by the Metropolitan Transportation Agency (MTA). It further specifies that those costs shall not exceed 1.5% of the revenues derived from the tax.

It was my intention as the author of this legislation that MTA costs of administration shall, consistent with other similar types of revenue expenditures, be borne by each spending category in proportion to the

total amount of net revenues expended by that particular program. Thus, for example, if bus or rail operations constitute 20% of the revenues expended under the voter approved ordinance in a given year, then 20% of the 1.5% authorized for the cost of administration shall be allocated to bus and rail operations.

Sincerely,

MIKE FEUER, California State Assembly  
Forty-second District

**Legislative Intent—Assembly Bill No. 2426**

August 21, 2008

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

Dear Mr. Wilson,

This letter is written to confirm the intent of Assembly Bill 2426. The purpose of AB 2426 (adopting Business and Professions Code Section 25503.41) is to authorize the issuance, to qualifying persons, of only Type 75 licenses from the Department of Alcohol Beverage Control under Business and Professions Code Section 23396.3.

Sincerely,

PAUL COOK, Assembly Member  
Sixty-fifth District

**Legislative Intent—Assembly Bill No. 2437**

August 27, 2008

*Mr. E. Dotson Wilson  
Chief Clerk  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: Assembly Bill 2437 (Ruskin, et al) is now law (Chapter 99, Statutes of 2008). This new law continues the protections that the Wholesale Regional Water System Security and Reliability Act (Water Code Division 20.5, added by AB 1823 of 2002) provides to the 2.5 million Californians who depend on the City and County of San Francisco's (City's) regional water system until 2015.

Water Code Section 73502(c) requires San Francisco to submit a report annually to the Joint Legislative Audit Committee, the Seismic Safety Commission and the State Department of Public Health, describing the progress made on implementing the capital improvement program adopted by the City to seismically strengthen the regional water system. Section 2 of AB 2437 would require the City to identify in the annual report "any project that is behind schedule" and, for each project so identified, "to describe the City's plan and timeline for either making up the delay or adopting a revised schedule," as permitted by the Wholesale Regional Water System Security and Reliability Act.

In determining whether or not a project is "behind schedule," the bill's intent is that the City look to the schedule most recently adopted pursuant to Water Code Section 73502(d) rather than to the initial or any previous version of the schedule.

The General Manager of the San Francisco Public Utilities Commission and the Chief Executive Officer of the Bay Area Water Supply and Conservation Agency want to publicly clarify what schedule is intended in the legislation, and to memorialize that mutual understanding in the Assembly Journal.

Thank you for entering this letter into the Assembly Journal.

Sincerely,

IRA RUSKIN, Assembly Member  
Twenty-first District

**Legislative Intent—Assembly Bill No. 2595**

August 13, 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 provide context for my Assembly Bill 2595.

Public records document government actions and are a means for the public to keep government accountable. Government is charged with holding these records for the public and, in most instances, must make governmental records available for public inspection. However, on some occasions, these records have without permission of the state or local agency, found their way into private hands. Moreover, on some occasions, these records are finding their way into the marketplace. While the sale or trade of private records may well be appropriate, the same cannot be said for government records, which are often created with public resources and belong to all Californians rather than individuals.

While existing provisions of law provide a level of protection from theft or destruction of governmental records, the state lacks a law that would allow governmental agencies to recover public records that have been removed from public custody. AB 2595 would establish a procedure by which the Secretary of State or a local agency may recover governmental records, belonging to the state or a local agency, that are in the unauthorized possession of individuals, organizations, or institutions.

While the state and many local agencies maintain historical records internally, some jurisdictions have chosen to transfer records to cultural institutions. This bill recognizes the value provided to government through the willingness of such organizations and institutions to take on the responsibility for preservation and access to records, and the bill is not intended to prevent or discourage future agreements between local agencies and organizations or institutions for preservation and inspection of records. Moreover, the bill provides a safe harbor provision for organizations and institutions not authorized to possess, but who are nonetheless properly preserving the record and providing the public access.

I believe that AB 2595 will allow better enable the state and local agencies to ensure preservation of important historical information on the operation of government without restricting options for lawful transfers of records.

Respectfully submitted,

JOHN LAIRD, Assembly Member  
Twenty-seventh District

**Legislative Intent—Assembly Bill No. 2599**

August 30, 2008

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

Dear Mr. Wilson: This letter is submitted to the Daily Journal to clarify current legislative intent of AB 2599.

In current law, there exists a California Umbilical Cord Collection Banking Fund to fund the collection of umbilical cord blood units for transplant purposes. This fund is different from the Cord Blood Banking Fund established in AB 2599. The funds for the AB 2599 program will be collected from researchers using cord blood samples that were routinely collected for the testing and research program established in law pursuant to SB 962 (Migden, Chapter 517, Statutes of 2007) as distinguished from umbilical cord blood collected and banked for medical treatment for the California Umbilical Cord Blood Collection Program.

It is the intent of the Legislature to differentiate umbilical cord blood samples obtained for testing and research obtained by authority of AB 2599, and umbilical cord blood units that are specifically collected for medical treatment as authorized and funded by Assembly Bill 34 (Chapter 516, Statutes of 2007—Portantino).

Sincerely,

KEVIN DE LEÓN  
Assistant Assembly Majority Leader  
Forty-fifth District



**Legislative Intent—Assembly Bill No. 2637**

August, 29, 2008

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

Dear: Mr. Wilson: The purpose of this letter is to provide background information and to clarify the intent of certain provisions of AB 2637 (Eng) in the Journal of the Assembly. Specifically, the bill does the following:

- 1) Repeals prior legislation that was scheduled to take effect January 1, 2010, but which created an overly burdensome structure for dentists and for those wishing to enter or expand within the dental assisting profession.
- 2) Develops more substantive duties for the three dental assistant categories currently in place—dental assistant, registered dental assistant, and registered dental assistant in extended functions.
- 3) Establishes two permits—Orthodontic Assistant Permit and Dental Sedation Assistant Permit—for those who want to perform additional duties in specialty-specific dental practices. Specified training, a state-administered examination, and continuing education are required for each permit.
- 4) Establishes detailed training and education requirements for each category and permit, which will sunset on January 1, 2011.

Creation of the Dental Sedation Assistant Permit will bring appropriately-educated and trained individuals into the dental surgery environment to assist dentists in their administration of anesthesia, while retaining the dentist's responsibility in this area. The bill specifically requires the duties to be performed "under the direct supervision of a licensed dentist or other licensed health care professional authorized to administer conscious sedation or general anesthesia in the dental office." A question has been raised regarding who specifically meets the qualifications to supervise a permit holder. The intent of this bill is that only licensed dentists or physicians and surgeons, who have been issued a permit by the Dental Board of California to administer general anesthesia or conscious sedation in a dental office (pursuant to Business and Professions Code Sections 1646.1 or 1647.2) may supervise a dental sedation assistant permit holder. Additionally, this bill specifically requires the supervising licensee to be at the patient's chairside, to make all anesthesia decisions, and to instruct and verify the permitted dental assistant's actions.

Detailed education and training requirements are contained in this legislation to ensure that dental assisting education institutions can modify their programs prior to the effective date of the new duties and permit categories. While the legislation establishes minimum requirements, every student must be trained to competency and must pass a state-administered examination. Additional instruction, experience, repetitions or testing may be necessary for a student to achieve competency to the satisfaction of his or her educational program. All of the education and training provisions will sunset on January 1, 2011, requiring the Dental Board to revisit and evaluate the



curricula through regulation. A regulatory process provides the opportunity for reanalysis by those in the dental community and other interested parties to ensure that the requirements are sufficient, accommodate competency in all duties, and make the fullest use of training hours. Likewise, if additional training is deemed necessary, the Assembly Business and Professions Committee reserves the right to revisit the issue.

Lastly, while this bill allows a physician and surgeon or certified registered nurse anesthetist to serve as a course director or faculty member for dental sedation assistant education courses, nothing in this bill is intended to permit such individuals to perform or instruct in any duties outside of their scope of practice. Section 1755 (c) of the Business and Professions Code, which is added by this bill, specifically states that “No faculty member shall instruct in any procedure that he or she is not licensed or permitted to perform.”

This legislation represents a significant consensus effort among dental health care providers in California, who are committed to maintaining an impeccable record of patient care and patient safety in dental offices.

Sincerely,

MIKE ENG, Assembly Member  
Forty-ninth District

**Legislative Intent—Assembly Bill No. 2750**

August 29, 2008

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: I am writing this letter to you for the purpose of clarifying my intent in introducing and pursuing the passage of Assembly Bill 2750.

AB 2750 proposes a clearer standard for restitution and direction to the courts in cases involving the piracy of creative works, including music and movies. The two major purposes of this bill are: (1) to make clear that restitution specifically related to these types of cases, including investigative and legal costs, should be considered and awarded; and (2) to provide a rational guidance for the amount of restitution that shall be ordered. On the latter point, it is clear, for example, that legal retailers must access or purchase the genuine article from a legitimate and authorized wholesale source in order to offer such goods for sale. Thus, when “pirates” are caught in violation of the laws relating to possession of illicit copies for sale, that act constitutes the displacement of what would normally be a wholesale purchase.

By creating a new subsection in the statute pertaining to restitution that directly relates to this issue, it is my intent to provide the courts with the direction they need to more appropriately correlate restitution awards to the degree of losses suffered as a result of such displacement.

Please do not hesitate to contact me if I may be of further assistance to you on this or other matters.

Sincerely,

PAUL KREKORIAN, Assembly Member  
Forty-third District

**Legislative Intent—Assembly Bill No. 2859**

August 18, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Dear Madam Speaker and Members: I submit this letter to the Assembly Journal to address industry concerns that changes proposed by Assembly Bill 2859 to the definition of “timber operations” contained in Public Resources Code (PRC) §4527 would override the existing exemptions described in PRC §4584(k) and the Fuel Hazard Reduction emergency provisions of Title 14 California Code of Regulations (CCR) §1052, §152.1 and §1052.4.

The proposed revisions to PRC §4527 in AB 2859 are designed to modify the definition of timber operations to exclude certain limited types of activities. The exemption for fuel treatment proposed under the revisions contained in this bill only narrowly apply to activities that generate, as part of a fuel treatment activity, minor forest products that would have little or no commercial value. All private landowners who decide to make commercial use of saw logs or other solid wood products would still have that option.

Cased harvesting activities would fall under the Forest Practice Act and applicable regulations adopted by the Board of Forestry and Fire Protection (Board). In instances where activities fall within the provisions and limitations of the Board’s Fuel Hazard Reduction emergency exemption pursuant to Title 14 CCR §1038(i), both options would be available and timber operations could proceed under applicable limitations specified by the Board. There is no intent expressed or implied to limit these currently available options.

Respectfully,

TED GAINES, Assembly Member  
Fourth District

**Legislative Intent—Assembly Bill No. 2921**

August 30, 2008

*Mr. E. Dotson Wilson*  
*Chief Clerk*  
*California Assembly*

Dear Mr. Wilson: I request that this letter be printed in the Assembly Journal.

The purpose of this letter is to clarify the application of the term “open-space use” as proposed to be added by Section 51223 of the Government Code by AB 2921.

The Williamson Act (Chapter 7 (commencing with Sec. 51200), Pt. 1, Div. 1, Title 5, Gov. C.) provides landowners with reduced property taxes in exchange for an agreement to retain the land in agriculture or open-space use. Current law allows the conversion of an agricultural Williamson Act contract to (1) an open-space Williamson Act contract, or (2) an open-space agreement under the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Sec. 51070), Pt. 1, Div. 1, Title 5, Gov. C.) . However, the Williamson Act and the Open-Space Easement Act of 1974 have different definitions of “open-space use.”

For conversions, Section 51223, as proposed to be added by AB 2921, would establish conditions to assure that subsequent use is consistent with either agriculture or open-space, or both. The issue is which definition of “open-space use” applies.

It is clear that the definition of “open-space use” in the Williamson Act should be used for the purposes of proposed Section 51223 for land converted to an open-space Williamson Act contract. It is not obvious which definition should be used for the purposes of Section 51223 for lands converted to an open-space easement agreement pursuant to the Open-Space Easement Act of 1974.

It is the intent of the author that for the purposes of proposed Section 51223, (1) lands under open-space Williamson Act contracts should be subject to the definition of “open-space use” in the Williamson Act, and (2) lands under open-space easement agreements pursuant to the Open-Space Easement Act of 1974 should be subject to the definition of “open-space use” in the Open-Space Easement Act of 1974.

It would be appropriate for this to be expressed in statute in an omnibus bill next year.

Thank you for your consideration.

Sincerely,

JOHN LAIRD, Assembly Member  
Twenty-seventh District

**Legislative Intent—Assembly Bill No. 3030**

August 29, 2008

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

Dear Mr. Wilson: I wish to express my intent with regard to Assembly Bill 3030 which allows an agency to adopt a schedule of fees or charges that authorize automatic adjustments for pass through increases in wholesale charges for water or adjustments for inflation, while maintaining the protections of Proposition 218.

It was my intention that this bill deal with only the issue of pass-throughs relating to wholesale charges or inflation. This bill was intended as an optional tool to simplify the process of adjusting rates for wholesale water purchases or inflation adjustments, while maintaining the protections of Proposition 218.

Sincerely,

JULIA BROWNLEY, Assembly Member  
Forty-first District**Legislative Intent—Assembly Bill No. 3052**

August 21, 2008

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

Dear Mr. Wilson: Assembly Bill 3052 clarifies the Judicial Council's authority to develop and submit a Performance Based Infrastructure proposal for new courthouse construction. The measure identifies a range of financing options to create public-private partnerships, as well as the process the Judicial Council must undertake to complete the submission of a Performance Based Infrastructure proposal to the Legislature. Subdivision (e) of Government Code section 70391.5, as amended by AB 3052, states that the "Judicial Council may delegate any action required by this section to the Administrative Director of the Courts."

Recently, it has been brought my attention that some might interpret subdivision (e) of Government Code section 70391.5 as an inappropriate transfer of authority between the Judicial Council and the Administrative Director of the Courts. AB 3052 was never intended to alter the constitutional authority of the Judicial Council to oversee the administration of justice within California.

I note that the first definition of "delegation" found in Black's Law Dictionary (8th ed. 2004) p. 459 provides "The act of entrusting another with authority or empowering another to act as an agent." Thus, by definition, delegation requires an act on the part of the Judicial Council to delegate its powers.

In a different context, one court has noted that the authority to delegate is separate and distinct from the exercise of that authority, and absent the delegating body's exercise of its authority to delegate, the delegated body lacks authority to act. (*County of Madera v. Superior Court* (1974) 39 Cal.App.3d 665, 671.) Thus, the Judicial Council

would set the policy that the Administrative Director of the Courts would then be delegated to implement pursuant to this section.

Finally, I note that this specific provision authorizing the Judicial Council to delegate its authority to the Administrative Director of the Courts is consistent with Article VI, section 6(c) of the California Constitution. That subdivision authorizes the creation of the position of Administrative Director of the Courts and more generally allows the Judicial Council to delegate certain duties to the Administrative Director of the Courts.

I hope this correspondence ensures the proper interpretation of subdivision (e) of Government Code section 70391.5, which maintains the existing constitutional relationship between the Judicial Council and the Administrative Director of the Courts.

Sincerely,

DAVE JONES

Chair, Assembly Judiciary Committee

#### **REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Torrico requested unanimous consent that Assembly Rule 42(c) be suspended for the purpose of permitting the letter of legislative intent regarding Assembly Concurrent Resolution No. 69, to be printed in the Journal.

Assembly Member Blakeslee withheld unanimous consent.

#### **Motion to Suspend the Rules**

Assembly Member Torrico moved that Assembly Rule 42(c) be suspended for the purpose of permitting the letter of legislative intent regarding Assembly Concurrent Resolution No. 69, to be printed in the Journal.

Assembly Member Davis seconded the motion.

Rules suspended by the following vote:

#### **AYES—46**

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

#### **NOES—22**

Anderson	Emmerson	Houston	Silva
Benoit	Fuller	Jeffries	Spitzer
Berryhill	Gaines	Keene	Villines
Blakeslee	Garcia	La Malfa	Walters
DeVore	Garrick	Maze	
Duvall	Horton	Niello	

**LETTER OF LEGISLATIVE INTENT**

Pursuant to a roll call vote, the following letter of legislative intent was ordered printed in the Journal:

**Legislative Intent—Assembly Concurrent Resolution No. 69**

August 13, 2008

*E. Dotson Wilson, Chief Clerk  
California Assembly  
State Capitol  
Sacramento, California*

Dear Chief Clerk Wilson,

Although Assembly Concurrent Resolution 69 has been passed and enrolled, it is important to note that the task force created by this resolution will continue to honor the existing collective bargaining agreements.

ACR 69 sets out a process to involve all stakeholders in the Compton service area and assist the Compton Community Education Center to regain its accreditation and become, once again, Compton Community College.

Although the Special Trustee of the Compton Community College District is authorized to organize the task force into various groups to review a number of topics, the issue of the restoration of the Merit System is not specifically included. My intent is that the commission created by ACR 69 restores the Merit System, and the Personnel Commission, which has been suspended.

Very simply, the Merit System is a method of personnel management, governed by a Personnel Commission, designed to promote the efficiency and economy of the work-force and the good of the public by providing for the selection and retention of employees, promotional opportunities, in-service training, and other related matters, on the basis of merit, fitness and the principle of “like pay for like work.”

Personnel Commissions represent the public’s interest by providing a personnel system dedicated to the hiring and retaining of the best-qualified employees. Restoration of the Personnel Commission will ensure that classified employees receive fair and equitable treatment.

As Compton moves forward, it is particularly important that hiring and promotions be conducted in a fair and impartial manner. Since Personnel Commissions work in cooperation with governing boards and administrators in the quest for competent employees and good personnel administration, they can ensure that personnel decisions are unaltered by Board and management pressures, protecting the rights of unrepresented employees and acting as an independent body to hear employee appeals in an impartial manner. Prompt attention to these employee issues is vital to the efficient and economic operations of a college district and benefits both the public and employees.

This letter will affirm my desire that the Personnel Commission be restored as soon as possible and that restoration of the Merit System will not become a pawn in any discussions about regaining accreditation for Compton College.

Sincerely

MERVYN M. DYMALLY, Assembly Member  
Fifty-second District

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1945**

At 5:16 p.m., on motion of Assembly Member De La Torre, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1945 by the following vote:

**AYES—55**

Aghazarian	DeSaulnier	Jones	Portantino
Arambula	Eng	Karnette	Price
Beall	Evans	Krekorian	Ruskin
Berg	Feuer	Laird	Salas
Berryhill	Fuentes	Leno	Saldaña
Brownley	Furutani	Levine	Silva
Caballero	Galgiani	Lieber	Smyth
Calderon	Garcia	Lieu	Solorio
Carter	Hancock	Ma	Spitzer
Cook	Hayashi	Mendoza	Swanson
Coto	Hernandez	Mullin	Torrico
Davis	Horton	Nava	Wolk
De La Torre	Houston	Núñez	Mme. Speaker
De León	Huffman	Plescia	

**NOES—17**

Adams	Fuller	Keene	Villines
Anderson	Gaines	La Malfa	Walters
Benoit	Garrick	Maze	
DeVore	Huff	Niello	
Duvall	Jeffries	Strickland	

Above bill ordered enrolled.

**VOTE ADDS**

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

**Assembly Bill No. 2474, Urgency and Concurrence:** Berg, Blakeslee, Brownley, Caballero, Calderon, De La Torre, Garcia, Hancock, Hayashi, Houston, Jones, Krekorian, Leno, Ma, Mendoza, Nakanishi, Nava, Núñez, Parra, Portantino, Silva, and Swanson—Aye.

**Assembly Bill No. 2293, Concurrence:** Calderon, Cook, De La Torre, DeSaulnier, Fuentes, Garcia, Hayashi, Houston, La Malfa, Leno, Portantino, and Silva—Aye; Adams, DeVore, Feuer, Gaines, Hancock, Horton, Ma, Maze, Swanson, and Wolk—No.

**Assembly Bill No. 169, Concurrence:** Adams, Caballero, Calderon, Coto, De La Torre, De León, DeSaulnier, DeVore, Hayashi, Houston, Jones, La Malfa, Leno, Ma, Portantino, Silva, Swanson, and Walters—Aye.

**Assembly Bill No. 1879, Concurrence:** Adams, Caballero, Calderon, De La Torre, Hayashi, Houston, Jones, Keene, Levine, Ma, Portantino, and Swanson—Aye; Anderson, Fuller, Galgiani, La Malfa, Silva, and Villines—No.

**Assembly Bill No. 2321, Concurrence:** Calderon, De La Torre, Leno, Ma, Mendoza, Mullin, Portantino, and Swanson—Aye; Adams, Anderson, Benoit, Blakeslee, Garcia, Houston, Maze, Nakanishi, Plescia, and Silva—No.

**Assembly Bill No. 1245, Concurrence:** Adams, Calderon, De La Torre, Houston, Mendoza, Portantino, Silva, and Swanson—Aye; Ma—No.

**Assembly Bill No. 1289, Concurrence:** Adams, Brownley, Calderon, De La Torre, Dymally, Eng, Hernandez, Houston, La Malfa, Ma, Mendoza, Mullin, Nava, Portantino, Silva, and Swanson—Aye.

**Assembly Bill No. 3071, Concurrence:** Arambula, Beall, Calderon, De La Torre, De León, Dymally Eng, Houston, Keene, La Malfa, Ma, Mendoza, Nava, Portantino, Salas, Silva, Swanson, and Walters—Aye; Adams, Feuer, Fuller, and Maze—No.

**Torrigo Motion to Withdraw:** Calderon, Ma, Nava, Portantino, and Swanson—Aye; Adams and Houston—No.

**Assembly Bill No. 3073, Concurrence:** Benoit, Blakeslee, Brownley, Calderon, De La Torre, De León, Dymally, Garrick, Hayashi, Houston, Jones, Ma, Nava, Portantino, Silva, and Swanson—Aye;

**Torrigo Motion to Lift Call Placed by Benoit:** Calderon, Hancock, Ma, Portantino, and Swanson—Aye; Houston—No.

**Torrigo Motion to Suspend the Rules:** Calderon, Ma, Nava, Portantino, and Swanson—Aye; Houston—No.

**Assembly Bill No. 3045, Concurrence:** Adams, Anderson, Calderon, De La Torre, Eng, Hayashi, Houston, Krekorian, Ma, Maze, Nava, Parra, Portantino, Silva, Strickland, and Swanson—Aye.

**Assembly Bill No. 916, Urgency and Concurrence:** Adams, Arambula, Beall, Calderon, De La Torre, Evans, Fuller, Hayashi, Houston, Huffman, Keene, Ma, Nava, Portantino, Silva, and Swanson—Aye.

**Assembly Bill No. 1656, Concurrence:** Calderon, De La Torre, Hayashi, Houston, Krekorian, La Malfa, Maze, Nava, Portantino, Silva, Swanson, and Villines—Aye.

**Assembly Bill No. 1830, Concurrence:** Aghazarian, Brownley, Carter, De León, Hayashi, Hernandez, Jones, Ma, and Salas—Aye; Houston, Huff, Strickland, and Villines—No.

**Assembly Bill No. 2034, Concurrence:** Carter, Furutani, Hayashi, Hernandez, Horton, Houston, Levine, Ma, Salas, and Strickland—Aye; Emmerson, Huff, La Malfa, and Villines—No.

**Assembly Bill No. 334, Concurrence:** Carter, Emmerson, Evans, Furutani, Galgiani, Hernandez, Houston, Huff, Jones, Ma, Ruskin, Salas, Strickland, and Villines—Aye.

**Assembly Bill No. 1863, Concurrence:** Adams, Caballero, Carter, Galgiani, Hayashi, Hernandez, Houston, Laird, Ma, Mullin, Salas, Smyth, Strickland, and Swanson—Aye; Emmerson, Gaines, Huff, Maze, and Villines—No.

**Assembly Bill No. 3005, Concurrence:** Adams, Anderson, Caballero, Calderon, DeSaulnier, Dymally, Eng, Furutani, Hancock, Houston, La Malfa, Lieu, Ma, Maze, Mendoza, Nakanishi, Núñez, Parra, Plescia, Smyth, Strickland, and Villines—Aye.

**Assembly Bill No. 2599, Concurrence:** Caballero, Calderon, DeSaulnier, Hancock, Houston, Mendoza, Smyth, and Villines—Aye.



**Assembly Bill No. 2871, Concurrence:** Caballero, Calderon, Davis, De La Torre, DeSaulnier, Fuentes, Galgiani, Hancock, Houston, Jones, Krekorian, Mendoza, Ruskin, Smyth, and Villines—Aye.

**Assembly Bill No. 498, Concurrence:** Calderon, Davis, De La Torre, DeSaulnier, Fuentes, Furutani, Hancock, Houston, Huffman, Krekorian, Levine, Maze, Mendoza, Parra, Ruskin, Salas, and Smyth—Aye.

**De León Motion to Rescind Floor Amendments on Senate Bill No. 1301:** Caballero, Calderon, and Ruskin—Aye; Anderson, Garcia, Houston, and Smyth—No.

**Assembly Bill No. 2537, Concurrence:** Adams, Calderon, Davis, De La Torre, De León, Fuentes, Houston, Huffman, Krekorian, Levine, Parra, and Ruskin—Aye.

**Assembly Bill No. 2165, Urgency and Concurrence:** Calderon, Davis, Dymally, Feuer, Fuentes, Galgiani, Hayashi, Hernandez, Houston, Huffman, Krekorian, Levine, Lieu, Parra, Swanson, Torrico, and Villines—Aye.

**Assembly Bill No. 1955, Urgency and Concurrence:** Beall, Calderon, Davis, De La Torre, Eng, Fuentes, Galgiani, Hayashi, Houston, Huffman, Krekorian, Levine, Lieu, Parra, and Villines—Aye.

**Torrico Motion to Rescind and Expunge, Senate Bill No. 110:** Calderon, Fuentes, Huffman, Krekorian, Levine, and Ruskin—Aye; Houston and Villines—No.

**Senate Bill No. 1301:** Hayashi, Huffman, and Krekorian—Aye.

**Assembly Bill No. 211, Concurrence:** Aghazarian, Cook, Davis, De La Torre, Garcia, Plescia, Smyth, and Strickland—Aye; Houston, Nakanishi, and Niello—No.

**Assembly Bill No. 317, Urgency and Concurrence:** Davis—Aye.

**Assembly Bill No. 1060, Urgency and Concurrence:** Coto, Davis, De La Torre, De León, Fuentes, Houston, Krekorian, and Swanson—Aye.

**Assembly Bill No. 1951, Concurrence:** Calderon, Davis, and Karnette—Aye; La Malfa and Villines—No.

**Assembly Bill No. 2569, Concurrence:** Evans, Fuller, Houston, and Niello—Aye; Villines—No.

**Assembly Bill No. 3076, Urgency and Concurrence:** De León, Fuentes, Gaines, Hayashi, and Houston—Aye; Anderson and Villines—No.

**Assembly Bill No. 2944, Concurrence:** Adams, Cook, La Malfa, and Villines—No.

**Assembly Bill No. 180, Concurrence:** Hayashi—Aye; Villines—No.

**Assembly Bill No. 100, Concurrence:** Aghazarian, Hayashi, and Jones—Aye; Houston and Strickland—No.

**Assembly Bill No. 1860, Concurrence:** Galgiani and Jones—Aye; Adams and Strickland—No.

**Assembly Bill No. 2052, Urgency and Concurrence:** Houston, Plescia, and Villines—Aye.

**Assembly Concurrent Resolution No. 87, Concurrence:** Blakeslee, Gaines, and Strickland—Aye; Houston—No.

**Assembly Bill No. 2939, Concurrence:** Houston—No.

**Torricon Motion to Rescind and Expunge, Senate Bill No. 1522:** De León—Aye; Adams—No.

**Assembly Bill No. 2861, Concurrence:** Davis—Aye; Cook—No.

**Assembly Bill No. 2167, Concurrence:** Aghazarian—No.

**Assembly Bill No. 1496, Concurrence:** Aghazarian, Eng, and Fuentes—Aye.

**DeVore Motion to Adjourn:** Spitzer—Aye.

**Assembly Bill No. 2267, Concurrence:** Aghazarian, Calderon, Parra, and Smyth—Aye; Blakeslee, Houston, and Plescia—No.

**Assembly Bill No. 697, Concurrence:** Anderson, Berryhill, Calderon, De La Torre, De León, Hayashi, La Malfa, Maze, Mendoza, Parra, Portantino, and Spitzer—Aye; Blakeslee and Villines—No.

**Assembly Bill No. 2921, Concurrence:** Adams, Blakeslee, Calderon, De León, Hayashi, Parra, Plescia, Strickland, and Villines—Aye.

**Assembly Bill No. 2265, Urgency and Concurrence:** Calderon and De León—Aye; Villines—No.

**Blakeslee Motion to Recess Regular Session:** De León—Aye; Levine—No.

**Assembly Bill No. 1945, Concurrence:** Aghazarian, De León, Galgiani, Levine, Mendoza, and Núñez—Aye.

#### MOTION TO ADJOURN

At 5:18 p.m., Assembly Member Torrico moved that the Assembly do now adjourn until 12 noon, Wednesday, September 3, 2008, to take up budget-related items and other urgency measures pursuant to Article IV, Sec. 10 of the State Constitution.

Assembly Member Benoit seconded the motion.

#### REMARKS ON CONDITION OF THE FILE

Assembly Members Houston, Cook, Evans, Laird, and Dymally arose to speak on the condition of the file.

#### FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Torrico that the Assembly adjourn.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:38 p.m., Speaker Bass declared the quorum call of the Assembly dispensed with.

#### RESOLUTIONS

The following resolution was offered:

**HOUSE RESOLUTION NO. 34—Aghazarian.** Relative to nonpartisan legislative elections.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Utilities and Commerce**

Date of Hearing: August 31, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:  
Assembly Bill No. 1973

With the recommendation: That the Senate amendments be concurred in.

LEVINE, Chair

Above bill ordered to unfinished business.

**ADJOURNMENT**

At 5:50 p.m., pursuant to the motion by Assembly Member Torrico the Assembly adjourned until 12 noon, Wednesday, September 3, 2008 to take up budget-related items and other urgency measures pursuant to Article IV, Sec. 10 of the State Constitution.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

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CALIFORNIA LEGISLATURE  
2007–08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 8, 2008**

**TWO HUNDRED FORTY-FIRST SESSION DAY  
SIX HUNDRED FORTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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 8, 2008

The Assembly met at 12:01 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 12:20 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—74:

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

**PRAYER**

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

*Lord, You are the Giver of all that is good, true, and noble. We offer thanks to You for the great gift of liberty and the fruits of freedom that we enjoy today. Guide the work of this Assembly, Lord, and bless its members and staff with wisdom and strength as they contribute to the progress and prosperity of our state. For You are the source of these great blessings and we give glory to You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Feuer 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 Blakeslee.

**LEAVES OF ABSENCE FOR THE DAY**

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

*On personal business, and waiving per diem: Assembly Members Caballero, DeSaulnier, Hernandez, and Plescia.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Member Hancock.*

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Select Committee on Procurement on Friday, September 19, 2008, at 10 a.m.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 5, 2008

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

Assembly Concurrent Resolution No. 21  
 Assembly Concurrent Resolution No. 145  
 Assembly Joint Resolution No. 21  
 Assembly Joint Resolution No. 37  
 Assembly Joint Resolution No. 39  
 Assembly Joint Resolution No. 42  
 Assembly Joint Resolution No. 57  
 Assembly Joint Resolution No. 65

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 2008

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

Assembly Concurrent Resolution No. 143  
 Assembly Concurrent Resolution No. 144

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk



Assembly Chamber, September 5, 2008

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

Assembly Concurrent Resolution No. 65  
 Assembly Concurrent Resolution No. 120  
 Assembly Concurrent Resolution No. 139  
 Assembly Concurrent Resolution No. 141  
 Assembly Concurrent Resolution No. 149  
 Assembly Concurrent Resolution No. 152  
 Assembly Concurrent Resolution No. 154

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

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

**SENATE BILL NO. 1072 (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.

**ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced the following session schedule:

Tuesday, September 9, 2008, Floor Session, at 10 a.m.

**ADJOURN IN MEMORY**

Assembly Members Wolk and Evans were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Councilman Matthew T. Garcia, of Fairfield.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Speaker Bass was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jazzmin Davis, of Antioch.

Assembly Members Aghazarian and Galgiani were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard A. Sealy, Jr., of Stockton.

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 Peter Lewis, of Arcata.

Assembly Member Furutani was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Sanford Todd, of Lakewood.

Assembly Member Lieu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gene Drevno, of Torrance.

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

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, and Assembly Constitutional Amendment No. 15 were continued until the next legislative day.

**CAUCUS ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced that the Democratic Caucus would meet in the Assembly Lounge and the Republican Caucus would meet in the Tom Bane Rules Committee Room, upon adjournment of Floor session.

**MOTION TO ADJOURN**

At 12:34 p.m., Assembly Member Torrico moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:35 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Torrico the Assembly adjourned until 10 a.m., Tuesday, September 9, 2008, out of respect to the memory of Councilman Matthew T. Garcia, on motion of Assembly Members Wolk and Evans; out of respect to the memory of Jazzmin Davis, on motion of Speaker Bass; out of respect to the memory of Richard A. Sealy, Jr., on motion of Assembly Members Aghazarian and Galgiani; out of respect to the memory of Peter Lewis, on motion of Assembly Member Berg; out of respect to the memory of John Sanford Todd, on motion of Assembly Member Furutani; and out of respect to the memory of Gene Drevno, on motion of Assembly Member Lieu.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON SEPTEMBER 8, 2008**

The following measure was amended in the Assembly on this day:

**SB RN**

1072 0827651

**Daily Total: 1**

**Cumulative Total: 5760**

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, September 9, 2008**

**TWO HUNDRED FORTY-SECOND SESSION DAY  
SIX HUNDRED FORTY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Tuesday, September 9, 2008

The Assembly met at 10:05 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 10:29 a.m., Speaker pro Tempore Lieber declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—74:

Adams	Dymally	Jones	Price
Aghazarian	Emmerson	Karnette	Runner
Anderson	Eng	Keene	Ruskin
Arambula	Evans	Krekorian	Salas
Beall	Feuer	La Malfa	Saldaña
Berg	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	Horton	Nakanishi	Walters
De León	Houston	Nava	Wolk
DeSaulnier	Huff	Niello	Mme. Speaker
DeVore	Huffman	Núñez	
Duvall	Jeffries	Portantino	

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Ira Ruskin, Assembly Member, District 21:

*Creator, We live in a world of great confusion, despair, and problems. We need, therefore, the strength to recognize our weaknesses and the vision to identify what needs to be done. Give us the wisdom to do that which is right, the will and the determination to stand for truth even though it may be at times unpopular. But above all, help us serve with dignity and honor the good people of this great state.*

*Ba'ruch atah adonoi, eloheynu melech ha'olom. Sh'hecheyanu, v'keyema'nu, v'hegeya'nu, la'z'man hazeh.*

Blessed are you Creator of the Universe, who has given us life, sustained us and brought us to this time and place.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Adams 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 De León, seconded by Assembly Member Emmerson.

**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 Members Benoit, Hernandez, Parra, and Plescia.*

*Because of illness: Assembly Member Soto.*

*Because of jury duty: Assembly Member Berryhill.*

**COMMUNICATIONS**

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

September 8, 2008

*The Honorable Karen Bass*

*Speaker, California State Assembly*

*State Capitol, Room 219*

*Sacramento, California*

Dear Mme. Speaker: I respectfully request to waive my per diem effective September 1, 2008 through the remainder of the current legislative session November 30, 2008.

If you have any questions or concerns please contact Jalene Romo in my office at 319-2031.

Sincerely,

JUAN ARAMBULA, Assembly Member  
Thirty-first District

September 5, 2008

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

Dear Mme. Speaker,

Please direct the Chief Clerk to calculate my per diem in such a way that I receive payment for only days on which I am in Sacramento, or traveling between Sacramento and my home in Eureka, on official state business. I waive all other accrual of per diem pay.

Respectfully,

PATTY BERG, Assembly Member  
First District

September 8, 2008

*The Honorable Ted Lieu  
Chair, Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, California*

Dear Chairman Lieu: Due to the fact that legislators are meeting for the sole purpose of solving a budget stalemate that is more than two months past due, I am writing to waive per diem effective August 31st, until a budget is enacted.

As you know, legislators do not generally receive per diem during summer periods, and while schools and state programs face such uncertainty during the impasse, I do not feel comfortable profiting from the Legislature's inability to reach a consensus.

Please feel free to contact me at 319-2033 with any questions.

Sincerely,

SAM BLAKESLEE, Assembly Member  
Thirty-third District

September 5, 2008

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

Dear Speaker Bass: In light of the severe budget deficit, I am writing to voluntarily waive my per diem until the state budget is passed. I cannot in good conscience accept per diem, knowing that our seniors, poor and disabled are currently being asked to live with less than what they need.

Thank you for taking the time to process my request. If you or your staff have any questions, please have them call Julio Martinez in my Capitol office at (916) 319-2049.

Kind regards,

MIKE ENG, Assembly Member  
Forty-ninth District

September 8, 2008

*Dotson Wilson*  
*Assembly Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Chief Clerk Wilson: This letter is to officially notify you of my intention to decline per diem for the remainder of the current state budget impasse.

Please withhold all per diem, effective September 1st, 2008, until further notice.

Please do not hesitate to contact me or my Chief of Staff, Steve Davey, at 319-2004 should you have any questions regarding this request.

Sincerely,

TED GAINES, Assembly Member  
Fourth District

September 8, 2008

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

Dear Speaker Bass: At this time, our State Budget has not yet been adopted as the Legislature enters into the post session period, which began September 1, 2008.

I understand that generally the period of time beyond August 31st is a time in which legislators do not receive per diem. However, I am also aware that should the Budget issues continue to be stalemated, legislators may continue to receive per diem that would not otherwise be available during this period.

Although I am hopeful that our Budget impasse may find a resolution, I am disturbed by the notion that we as legislators continue to stand to gain by the ongoing impasse of the Budget delay.

It is for the outlined reasons that I respectfully waive any per diem for the period beginning September 1, 2008 and going through the end of this legislative session as we continue to work on resolving this budget dilemma.

Sincerely,

ED HERNANDEZ, O.D., Assembly Member  
Fifty-seventh District



September 8, 2008

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

Dear Mme. Speaker: I respectfully request to waive my per diem effective September 1. I will resume collecting per diem when the budget is signed by the Governor. If you have any questions or concerns please contact Jeanette Garcia in my office at 319-2053.

Sincerely,

TED W. LIEU  
Chair, Assembly Rules Committee

September 1, 2008

*Mr. Jon Waldie, Chief Administrative Officer  
Assembly Rules Committee  
State Capitol  
Sacramento, California*

Dear Mr. Waldie: Upon the conclusion of session, August 31, 2008, until such a time as the budget is adopted I will not be accepting or accruing "per diem" payments for that period.

Thank you for your attention to this request. If you have any questions, please do not hesitate to contact me.

Sincerely,

ANTHONY J. PORTANTINO, Assembly Member  
Forty-fourth District

September 5, 2008

*Hon. Ted Lieu, Chair  
Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, California*

Dear Assemblymember Lieu: I would like to waive my per diem beginning August 31, 2008, through November 30, 2008. I will not be requesting a per diem reimbursement for this time period.

Thank you for your prompt attention to this matter. If you have any questions please do not hesitate to contact Gayl Jaaskelainen, my Chief of Staff, at (619) 409-7979.

Sincerely,

MARY SALAS, Assembly Member  
Seventy-ninth District

September 8, 2008

*The Honorable Ted W. Lieu*  
*Chair, Assembly Committee on Rules*  
*State Capitol, Room 3016*  
*Sacramento, California*

Dear Chairman Lieu: Given the fact legislators are meeting for the sole purpose of solving a budget stalemate that is more than two months past due, I am waiving per diem effective immediately until a budget is enacted. While the State Controller is already withholding checks, I will not expect to receive compensation for this time when payments are eventually made to legislators.

As you know, legislators generally do not receive per diem during summer periods. For every week the Assembly holds session beyond the legislative deadline, members earn \$1,190—money we wouldn't be receiving if the budget situation was resolved and the Legislature was adjourned until the next legislative session.

While schools and state programs face times of uncertainty during the impasse, I do not feel comfortable profiting from the Legislature's inability to reach a consensus.

Should you have any questions, please do not hesitate to contact me at (916) 319-2071.

Sincerely,

TODD SPITZER, Assembly Member  
 Seventy-first District

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Health to convene a joint informational hearing with the Senate Committee on Health, on Tuesday, September 16, 2008, at 1:30 p.m., in Room 4202.

#### **CAUCUS ANNOUNCEMENTS**

At 10:32 a.m., Speaker pro Tempore Lieber was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

Assembly Member Huff was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

#### **RECONVENED**

At 11:23 a.m., the Assembly reconvened.

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

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

**SENATE BILL NO. 1087 (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. 1087 BY UNANIMOUS CONSENT**

Assembly Member Niello was granted unanimous consent to take up Senate Bill No. 1087, as amended, without reference to file, for purpose of consideration.

**SENATE BILL NO. 1087 (Committee on Budget and Fiscal Review)**—An act to amend and supplement the Budget Act of 2008 by amending Items 0250-001-0001, 0250-001-0159, 0250-101-0932, 0250-111-0001, 0552-001-0001, 0650-001-0001, 0690-001-0001, 0690-002-0001, 0690-101-0890, 0690-102-0001, 0820-001-0001, 0840-001-0001, 0855-111-0367, 0860-001-0001, 0860-001-0004, 0860-001-0022, 0860-001-0061, 0860-001-0070, 0860-001-0080, 0860-001-0230, 0860-001-0320, 0860-001-0387, 0860-001-0439, 0860-001-0465, 0860-001-0623, 0860-001-0965, 0860-001-3015, 0860-001-3058, 0860-001-3065, 0950-001-0001, 1100-001-0001, 1700-001-0001, 1730-001-0001, 1760-001-0001, 1760-001-0666, 1880-001-0001, 1955-001-9730, 2240-101-0001, 2240-105-0001, 2640-101-0046, 2660-001-0042, 2660-104-6059, 2660-304-6059, 2660-492, 3340-001-0001, 3340-001-0318, 3540-001-0001, 3540-001-1014, 3560-001-0001, 3600-001-0001, 3720-001-0001, 3720-001-3123, 3790-490, 3860-001-0001, 3900-001-0044, 3940-001-0001, 4170-101-0001, 4200-001-0001, 4200-001-3019, 4200-101-0001, 4200-102-0001, 4200-103-0001, 4200-105-0001, 4260-001-0001, 4260-101-0001, 4260-101-0890, 4260-111-0001, 4260-111-0890, 4265-111-0001, 4280-101-0001, 4280-101-0890, 4280-102-0001, 4280-102-0890, 4300-101-0001, 4440-101-0001, 4440-103-0001, 5180-001-0001, 5180-101-0001, 5180-001-0890, 5180-101-0001, 5180-101-0890, 5180-111-0001, 5180-141-0001, 5180-141-0890, 5180-151-0001, 5180-151-0890, 5180-153-0001, 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, 6120-150-0001, 6120-160-0001, 6120-211-0001, 6120-213-0001, 6120-221-0001, 6420-001-0001, 6440-001-0001, 6440-302-6041, 6440-304-6048, 6870-001-0001, 6870-101-0001, 7980-001-0001, 7980-001-0890, 7980-101-0001, 7980-101-0890, 7100-001-0514, 8380-001-0001, 8570-001-0001, 8570-001-0111, 8620-001-0001, 8640-001-0001, 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, 0855-101-0367, 3790-494, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9210-105-0001, and 9350-104-6065 to, and by repealing Items 0520-490, 0690-001-1014, 0690-011-0214, 1100-301-0001, 1100-301-0267, 3940-490, 4260-001-8040, 4260-006-0001, 4260-119-8040, 4700-001-0001, 4700-101-0001, 6110-135-0890, 7300-001-0001, and 8940-001-1014 of, Section 2.00 of, and by amending Sections 4.07, 12.40, 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 Niello.

**Urgency Clause**

Urgency clause read.

**Assembly Rule 112 Suspended**

Assembly Members DeVore, Huff, and Speaker Bass were granted unanimous consent that Assembly Rule 112 be suspended to permit them to read a paper on the Floor of the Assembly.

**Further Consideration of Senate Bill No. 1087**

The urgency clause to Senate Bill No. 1087 refused adoption by the following vote:

**AYES—27**

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

**NOES—45**

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

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Blakeslee requested unanimous consent that the Rules be suspended for the purpose of taking up Senate Bill No. 1072 for the purpose of consideration.

Assembly Member De León withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member Blakeslee moved that the Rules be suspended for the purpose of taking up Senate Bill No. 1072 for the purpose of consideration.

Assembly Member Garrick seconded the motion.

Motion for suspension of the Rules lost by the following vote:

**AYES—30**

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

**NOES—43**

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

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Houston requested unanimous consent to Recess the Regular Session for the purpose of convening the Third Extraordinary Session.

Assembly Member Torrico withheld unanimous consent.

**Motion to Recess**

Assembly Member Houston moved that the Rules be suspended in order to Recess the Regular Session for the purpose of convening the Third Extraordinary Session.

Assembly Member Huff seconded the motion.

**Parliamentary Inquiry**

Assembly Member Spitzer arose to the following parliamentary inquiry:

Is Assembly Member Torrico allowed to object to a motion without stating on the record why he is objecting?

**Reply by Speaker pro Tempore Lieber**

The Speaker pro Tempore replied that Assembly Member Torrico does not have to explain why he is objecting. He is simply objecting to the motion to recess.

Motion for suspension of the Rules lost by the following vote:

**AYES—29**

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

**NOES—43**

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

**ADJOURN IN MEMORY**

Assembly Member DeSaulnier was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William John Hooy, of Concord and Carole Schroder, Sgt. Paul Starzyk, and Catalina Torres, of Martinez.

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 Val Shearer, of Sandy, Oregon and Arthur Roy Smith, of Camp Verde, Arizona.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gayle Madeline Sandy, of Woodland.

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

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, and Assembly Constitutional Amendment No. 15 were continued until the next legislative day.

**ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced the following session schedule:

Wednesday, September 10, 2008, Floor Session, at 9 a.m.

**CAUCUS ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced that the Democratic Caucus would meet in the Assembly Lounge and the Republican Caucus would meet in the Tom Bane Rules Committee Room, upon adjournment at Floor session.

**MOTION TO ADJOURN**

At 12:58 p.m., Assembly Member De León moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:58 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member De León the Assembly adjourned until 9 a.m., Wednesday, September 10, 2008, out of respect to the memory of William John Hooy, Carole Schroder, Sgt. Paul Starzyk, and Catalina Torres, on motion of Assembly Member DeSaulnier; out of respect to the memory of Val Shearer and Arthur Roy Smith, on motion of Assembly Member Runner; and out of respect to the memory of Gayle Madeline Sandy, on motion of Assembly Member Wolk.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON SEPTEMBER 9, 2008**

The following measure was amended in the Assembly on this day:

**SB RN**

1087 0827704

**Daily Total: 1**

**Cumulative Total: 5761**





CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 15, 2008**

**TWO HUNDRED FORTY-THIRD SESSION DAY  
SIX HUNDRED FIFTY-SECOND CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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.

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**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 16, 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 16, 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.

**MESSAGES FROM THE SENATE**

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 Senate amendments to 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, 6110-101-0890, 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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.

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 Senate amendments to 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 Senate amendments to 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	Torrigo
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	Torrigo
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 Senate amendments to 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 Senate amendments to 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 Senate amendments to 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.)*

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 Senate amendments to 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 Senate amendments to 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 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 URGENCY CLAUSE AND 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.

**Urgency Clause**

Urgency clause read, and 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	

The roll was opened, and the 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	Garcia	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 enrolled: 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.

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, Urgency and 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.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk



## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 15, 2008

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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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CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, September 19, 2008**

**TWO HUNDRED FORTY-FOURTH SESSION DAY  
SIX HUNDRED FIFTY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Friday, September 19, 2008

Pursuant to a communication from Speaker Bass, the Assembly Rules, and California Constitution Article IV, Section 10(c), the Assembly met at 5:04 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

Assembly Member Garcia moved a quorum call of the Assembly.

Motion carried.

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

#### Quorum Present

At 5:12 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—76:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Mike Feuer, Assembly Member, District 42:

*Creator, We live in a world of great confusion, despair, and problems. We need, therefore, the strength to recognize our weaknesses and the vision to identify what needs to be done. Give us the wisdom to do that which is right, the will and the determination to stand for truth even though it may be at times unpopular. But above all, help us serve with dignity and honor the good people of this great state.*

*Ba'ruch atah adonoi, eloheynu melech ha'olom sh'hecheyanu, v'keymanu, v'hegeyanu, la'z'man hazeh.*

Blessed are you Creator of the Universe, who has given us life, sustained us and brought us to this time and place.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Garcia 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 Blakeslee.

**LEAVES OF ABSENCE FOR THE DAY**

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

*On personal business, and waiving per diem: Assembly Members Levine and Plescia.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays, and waiving per diem: Assembly Member Ma.*

**COMMUNICATIONS**

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

September 19, 2008

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

Dear Dotson: Pursuant to the Assembly Rules and Article IV, Section 10(c), I am reconvening the Assembly on September 19, 2008 for the purpose of conducting business relating to legislative matters.

Sincerely,

KAREN BASS  
Speaker of the Assembly

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

September 17, 2008

*The Honorable Ted W. Lieu*  
*Chair, Assembly Committee on Rules*  
*State Capitol, Room 3016*  
*Sacramento, California*

Dear Chairman Lieu: Now that the Legislature has passed a budget, I am writing to request per diem for any future legislative business from this day forward.

Should you have any questions, please do not hesitate to contact me at (916) 319-2071.

Sincerely,

TODD SPITZER, Assembly Member  
 Seventy-first District

#### **SPECIAL COMMITTEE MEETINGS**

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

Select Committee on Alcohol and Drug Abuse, on Friday, September 26, 2008, at 10 a.m., in Room 127;

Elections and Redistricting, on Monday, September 29, 2008, at 10 a.m., in Room 444;

Judiciary, on Thursday, October 2, 2008, at 10 a.m., in Los Angeles;

Health, on Friday, October 3, 2008, at 1:30 p.m., in Room 4202;

Select Committee on Community Colleges, on Wednesday, October 15, 2008, in Hayward.

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 16, 2008

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

Assembly Bill No. 16	Assembly Bill No. 290
Assembly Bill No. 55	Assembly Bill No. 531
Assembly Bill No. 86	Assembly Bill No. 865
Assembly Bill No. 131	Assembly Bill No. 926
Assembly Bill No. 152	Assembly Bill No. 996
Assembly Bill No. 171	Assembly Bill No. 1141
Assembly Bill No. 225	Assembly Bill No. 1405
Assembly Bill No. 264	Assembly Bill No. 1565

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2008

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

Assembly Bill No. 1724	Assembly Bill No. 2308
Assembly Bill No. 1852	Assembly Bill No. 2465
Assembly Bill No. 1870	Assembly Bill No. 2994
Assembly Bill No. 1885	Assembly Bill No. 2996
Assembly Bill No. 1917	Assembly Bill No. 3062

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2008

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

- Assembly Bill No. 1684
- Assembly Bill No. 1884

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 499  | Assembly Bill No. 2001 |
| Assembly Bill No. 983  | Assembly Bill No. 2069 |
| Assembly Bill No. 1028 | Assembly Bill No. 2078 |
| Assembly Bill No. 1751 | Assembly Bill No. 2100 |
| Assembly Bill No. 1866 | Assembly Bill No. 2103 |
| Assembly Bill No. 1903 | Assembly Bill No. 2143 |
| Assembly Bill No. 1935 | Assembly Bill No. 2180 |
| Assembly Bill No. 1974 | Assembly Bill No. 2213 |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 352  | Assembly Bill No. 1846 |
| Assembly Bill No. 360  | Assembly Bill No. 1906 |
| Assembly Bill No. 501  | Assembly Bill No. 1962 |
| Assembly Bill No. 638  | Assembly Bill No. 1972 |
| Assembly Bill No. 815  | Assembly Bill No. 2000 |
| Assembly Bill No. 1129 | Assembly Bill No. 2042 |
| Assembly Bill No. 1763 | Assembly Bill No. 2050 |
| Assembly Bill No. 1780 | Assembly Bill No. 2111 |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2008, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2231 | Assembly Bill No. 2654 |
| Assembly Bill No. 2258 | Assembly Bill No. 2750 |
| Assembly Bill No. 2299 | Assembly Bill No. 2768 |
| Assembly Bill No. 2508 | Assembly Bill No. 2849 |
| Assembly Bill No. 2567 | Assembly Bill No. 3054 |
| Assembly Bill No. 2610 | Assembly Bill No. 3065 |
| Assembly Bill No. 2641 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2008, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

- Assembly Bill No. 88
- Assembly Bill No. 1781

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 357	Assembly Bill No. 2045
Assembly Bill No. 1062	Assembly Bill No. 2064
Assembly Bill No. 1088	Assembly Bill No. 2090
Assembly Bill No. 1333	Assembly Bill No. 2105
Assembly Bill No. 1569	Assembly Bill No. 2136
Assembly Bill No. 1816	Assembly Bill No. 2151
Assembly Bill No. 1910	Assembly Bill No. 2270
Assembly Bill No. 1946	Assembly Bill No. 2295

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 2214	Assembly Bill No. 2669
Assembly Bill No. 2327	Assembly Bill No. 2697
Assembly Bill No. 2436	Assembly Bill No. 2706
Assembly Bill No. 2470	Assembly Bill No. 2754
Assembly Bill No. 2527	Assembly Bill No. 2846
Assembly Bill No. 2565	Assembly Bill No. 2881
Assembly Bill No. 2589	Assembly Bill No. 2956
Assembly Bill No. 2595	Assembly Bill No. 2968

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 3052

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 2448	Assembly Bill No. 2950
Assembly Bill No. 2550	Assembly Bill No. 3014
Assembly Bill No. 2607	Assembly Bill No. 3030
Assembly Bill No. 2619	Assembly Bill No. 3079
Assembly Bill No. 2828	Assembly Bill No. 3080
Assembly Bill No. 2922	

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 190	Assembly Bill No. 1519
Assembly Bill No. 419	Assembly Bill No. 1898
Assembly Bill No. 524	Assembly Bill No. 1900
Assembly Bill No. 534	Assembly Bill No. 1915
Assembly Bill No. 567	Assembly Bill No. 1996
Assembly Bill No. 725	Assembly Bill No. 2033
Assembly Bill No. 876	Assembly Bill No. 2097
Assembly Bill No. 990	Assembly Bill No. 2123

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 12:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 642  | Assembly Bill No. 2370 |
| Assembly Bill No. 1942 | Assembly Bill No. 2413 |
| Assembly Bill No. 1952 | Assembly Bill No. 2749 |
| Assembly Bill No. 2028 | Assembly Bill No. 2838 |
| Assembly Bill No. 2160 | Assembly Bill No. 2885 |
| Assembly Bill No. 2223 | Assembly Bill No. 2899 |
| Assembly Bill No. 2259 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 12:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 873  | Assembly Bill No. 2150 |
| Assembly Bill No. 1927 | Assembly Bill No. 2162 |
| Assembly Bill No. 2023 | Assembly Bill No. 2244 |
| Assembly Bill No. 2043 | Assembly Bill No. 2304 |
| Assembly Bill No. 2096 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 12:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 697  | Assembly Bill No. 2737 |
| Assembly Bill No. 837  | Assembly Bill No. 2878 |
| Assembly Bill No. 2454 | Assembly Bill No. 2946 |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2211 | Assembly Bill No. 2806 |
| Assembly Bill No. 2286 | Assembly Bill No. 2854 |
| Assembly Bill No. 2326 | Assembly Bill No. 2882 |
| Assembly Bill No. 2344 | Assembly Bill No. 2937 |
| Assembly Bill No. 2440 | Assembly Bill No. 3015 |
| Assembly Bill No. 2468 | Assembly Bill No. 3056 |
| Assembly Bill No. 2560 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 30  | Assembly Bill No. 759  |
| Assembly Bill No. 69  | Assembly Bill No. 1225 |
| Assembly Bill No. 117 | Assembly Bill No. 1451 |
| Assembly Bill No. 507 | Assembly Bill No. 1517 |
| Assembly Bill No. 529 | Assembly Bill No. 1574 |
| Assembly Bill No. 599 | Assembly Bill No. 1709 |
| Assembly Bill No. 681 | Assembly Bill No. 1722 |
| Assembly Bill No. 749 | Assembly Bill No. 1754 |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk



Assembly Chamber, September 17, 2008

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

Assembly Bill No. 1871	Assembly Bill No. 2046
Assembly Bill No. 1872	Assembly Bill No. 2059
Assembly Bill No. 1874	Assembly Bill No. 2094
Assembly Bill No. 1897	Assembly Bill No. 2095
Assembly Bill No. 1907	Assembly Bill No. 2115
Assembly Bill No. 1928	Assembly Bill No. 2138
Assembly Bill No. 1960	Assembly Bill No. 2149
Assembly Bill No. 1982	

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 2181	Assembly Bill No. 2438
Assembly Bill No. 2222	Assembly Bill No. 2443
Assembly Bill No. 2315	Assembly Bill No. 2466
Assembly Bill No. 2337	Assembly Bill No. 2498
Assembly Bill No. 2369	Assembly Bill No. 2504
Assembly Bill No. 2400	Assembly Bill No. 2629
Assembly Bill No. 2401	Assembly Bill No. 2671
Assembly Bill No. 2403	Assembly Bill No. 2686

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2008

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

Assembly Bill No. 2702	Assembly Bill No. 2954
Assembly Bill No. 2770	Assembly Bill No. 2969
Assembly Bill No. 2794	Assembly Bill No. 2970
Assembly Bill No. 2796	Assembly Bill No. 2973
Assembly Bill No. 2825	Assembly Bill No. 3018
Assembly Bill No. 2842	Assembly Bill No. 3083
Assembly Bill No. 2874	

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2008, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 31	Assembly Bill No. 2319
Assembly Bill No. 1461	Assembly Bill No. 2352
Assembly Bill No. 1844	Assembly Bill No. 2540
Assembly Bill No. 1948	Assembly Bill No. 2617
Assembly Bill No. 1950	Assembly Bill No. 3016
Assembly Bill No. 2125	Assembly Bill No. 3041
Assembly Bill No. 2168	Assembly Bill No. 3058
Assembly Bill No. 2210	

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 163  | Assembly Bill No. 2426 |
| Assembly Bill No. 433  | Assembly Bill No. 2804 |
| Assembly Bill No. 994  | Assembly Bill No. 2923 |
| Assembly Bill No. 1188 | Assembly Bill No. 3072 |
| Assembly Bill No. 2356 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 733  | Assembly Bill No. 2250 |
| Assembly Bill No. 919  | Assembly Bill No. 2287 |
| Assembly Bill No. 1894 | Assembly Bill No. 2911 |
| Assembly Bill No. 1911 | Assembly Bill No. 3028 |
| Assembly Bill No. 1981 | Assembly Bill No. 3068 |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1112 | Assembly Bill No. 2252 |
| Assembly Bill No. 1230 | Assembly Bill No. 2300 |
| Assembly Bill No. 1418 | Assembly Bill No. 2347 |
| Assembly Bill No. 1825 | Assembly Bill No. 2376 |
| Assembly Bill No. 2002 | Assembly Bill No. 2402 |
| Assembly Bill No. 2049 | Assembly Bill No. 2928 |
| Assembly Bill No. 2241 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1366 | Assembly Bill No. 2433 |
| Assembly Bill No. 2233 | Assembly Bill No. 2472 |
| Assembly Bill No. 2243 | Assembly Bill No. 2522 |
| Assembly Bill No. 2309 | Assembly Bill No. 2594 |
| Assembly Bill No. 2346 | Assembly Bill No. 2670 |
| Assembly Bill No. 2379 | Assembly Bill No. 2729 |
| Assembly Bill No. 2411 | Assembly Bill No. 2757 |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 717  | Assembly Bill No. 2099 |
| Assembly Bill No. 1209 | Assembly Bill No. 2427 |
| Assembly Bill No. 1407 | Assembly Bill No. 2584 |
| Assembly Bill No. 1823 | Assembly Bill No. 2704 |
| Assembly Bill No. 1859 | Assembly Bill No. 2859 |
| Assembly Bill No. 1867 | Assembly Bill No. 3038 |
| Assembly Bill No. 1908 | Assembly Bill No. 3059 |
| Assembly Bill No. 1954 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 2031	Assembly Bill No. 2261
Assembly Bill No. 2065	Assembly Bill No. 2275
Assembly Bill No. 2071	Assembly Bill No. 2570
Assembly Bill No. 2132	Assembly Bill No. 2578
Assembly Bill No. 2139	Assembly Bill No. 2622
Assembly Bill No. 2158	Assembly Bill No. 2630
Assembly Bill No. 2179	Assembly Bill No. 2679
Assembly Bill No. 2205	Assembly Bill No. 2696

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 2423	Assembly Bill No. 2733
Assembly Bill No. 2455	Assembly Bill No. 2855
Assembly Bill No. 2467	Assembly Bill No. 2857
Assembly Bill No. 2471	Assembly Bill No. 2986
Assembly Bill No. 2479	Assembly Bill No. 3013
Assembly Bill No. 2532	Assembly Bill No. 3066
Assembly Bill No. 2726	Assembly Bill No. 3075

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 359	Assembly Bill No. 1203
Assembly Bill No. 541	Assembly Bill No. 1340
Assembly Bill No. 659	Assembly Bill No. 1391
Assembly Bill No. 734	Assembly Bill No. 1674
Assembly Bill No. 887	Assembly Bill No. 2133
Assembly Bill No. 981	Assembly Bill No. 2173
Assembly Bill No. 1017	Assembly Bill No. 2220
Assembly Bill No. 1057	Assembly Bill No. 2339

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 109	Assembly Bill No. 1163
Assembly Bill No. 239	Assembly Bill No. 1394
Assembly Bill No. 550	Assembly Bill No. 1701
Assembly Bill No. 660	Assembly Bill No. 1755
Assembly Bill No. 830	Assembly Bill No. 1873
Assembly Bill No. 885	Assembly Bill No. 1916
Assembly Bill No. 1021	Assembly Bill No. 2020

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 842  | Assembly Bill No. 2279 |
| Assembly Bill No. 1358 | Assembly Bill No. 2818 |
| Assembly Bill No. 1605 | Assembly Bill No. 2935 |
| Assembly Bill No. 1760 | Assembly Bill No. 3025 |
| Assembly Bill No. 2019 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 13   | Assembly Bill No. 2586 |
| Assembly Bill No. 371  | Assembly Bill No. 2917 |
| Assembly Bill No. 952  | Assembly Bill No. 2918 |
| Assembly Bill No. 1221 | Assembly Bill No. 2991 |
| Assembly Bill No. 1975 | Assembly Bill No. 3033 |
| Assembly Bill No. 2262 | Assembly Bill No. 3050 |
| Assembly Bill No. 2269 | Assembly Bill No. 3063 |
| Assembly Bill No. 2447 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2081 | Assembly Bill No. 2618 |
| Assembly Bill No. 2280 | Assembly Bill No. 2637 |
| Assembly Bill No. 2296 | Assembly Bill No. 2680 |
| Assembly Bill No. 2386 | Assembly Bill No. 2742 |
| Assembly Bill No. 2412 | Assembly Bill No. 2759 |
| Assembly Bill No. 2518 | Assembly Bill No. 2863 |
| Assembly Bill No. 2541 | Assembly Bill No. 2898 |
| Assembly Bill No. 2592 | Assembly Bill No. 2947 |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 214  | Assembly Bill No. 2341 |
| Assembly Bill No. 354  | Assembly Bill No. 2648 |
| Assembly Bill No. 583  | Assembly Bill No. 2738 |
| Assembly Bill No. 1806 | Assembly Bill No. 2763 |
| Assembly Bill No. 2044 | Assembly Bill No. 2844 |
| Assembly Bill No. 2070 | Assembly Bill No. 2992 |
| Assembly Bill No. 2171 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2747 | Assembly Bill No. 2964 |
| Assembly Bill No. 2765 | Assembly Bill No. 2971 |
| Assembly Bill No. 2785 | Assembly Bill No. 3078 |
| Assembly Bill No. 2824 | Assembly Bill No. 3081 |
| Assembly Bill No. 2901 | Assembly Bill No. 3084 |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 346	Assembly Bill No. 1133
Assembly Bill No. 572	Assembly Bill No. 1284
Assembly Bill No. 578	Assembly Bill No. 1502
Assembly Bill No. 619	Assembly Bill No. 1720
Assembly Bill No. 844	Assembly Bill No. 1778
Assembly Bill No. 856	Assembly Bill No. 1821
Assembly Bill No. 978	Assembly Bill No. 1887
Assembly Bill No. 1022	Assembly Bill No. 1889

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 38	Assembly Bill No. 2272
Assembly Bill No. 368	Assembly Bill No. 2291
Assembly Bill No. 1510	Assembly Bill No. 2529
Assembly Bill No. 1725	Assembly Bill No. 2627
Assembly Bill No. 2016	Assembly Bill No. 2953
Assembly Bill No. 2048	Assembly Bill No. 3048
Assembly Bill No. 2135	Assembly Bill No. 3064
Assembly Bill No. 2189	Assembly Bill No. 3074

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 100	Assembly Bill No. 1060
Assembly Bill No. 169	Assembly Bill No. 1245
Assembly Bill No. 180	Assembly Bill No. 1289
Assembly Bill No. 211	Assembly Bill No. 1496
Assembly Bill No. 317	Assembly Bill No. 1656
Assembly Bill No. 498	Assembly Bill No. 1830
Assembly Bill No. 916	Assembly Bill No. 1860

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

Assembly Bill No. 2599	Assembly Bill No. 2944
Assembly Bill No. 2651	Assembly Bill No. 3005
Assembly Bill No. 2810	Assembly Bill No. 3045
Assembly Bill No. 2861	Assembly Bill No. 3071
Assembly Bill No. 2871	Assembly Bill No. 3073
Assembly Bill No. 2921	Assembly Bill No. 3076
Assembly Bill No. 2939	

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1863 | Assembly Bill No. 2167 |
| Assembly Bill No. 1879 | Assembly Bill No. 2265 |
| Assembly Bill No. 1951 | Assembly Bill No. 2267 |
| Assembly Bill No. 1955 | Assembly Bill No. 2293 |
| Assembly Bill No. 2034 | Assembly Bill No. 2321 |
| Assembly Bill No. 2052 | Assembly Bill No. 2474 |
| Assembly Bill No. 2165 | Assembly Bill No. 2569 |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 437  | Assembly Bill No. 2040 |
| Assembly Bill No. 1945 | Assembly Bill No. 3010 |

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2008

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

- Assembly Bill No. 1290

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2008, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2008

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

- Assembly Concurrent Resolution No. 87
- Assembly Concurrent Resolution No. 112
- Assembly Concurrent Resolution No. 114
- Assembly Concurrent Resolution No. 126
- Assembly Concurrent Resolution No. 134
- Assembly Concurrent Resolution No. 137
- Assembly Concurrent Resolution No. 138
- Assembly Concurrent Resolution No. 146
- Assembly Concurrent Resolution No. 147
- Assembly Concurrent Resolution No. 150
- Assembly Concurrent Resolution No. 151
- Assembly Concurrent Resolution No. 153
- Assembly Concurrent Resolution No. 155
- Assembly Concurrent Resolution No. 156

And reports the same correctly enrolled, and presented to the Secretary of State on the 19th day of September, 2008, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2008

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

- |                                  |                                  |
|----------------------------------|----------------------------------|
| Assembly Joint Resolution No. 36 | Assembly Joint Resolution No. 67 |
| Assembly Joint Resolution No. 51 | Assembly Joint Resolution No. 68 |
| Assembly Joint Resolution No. 64 | Assembly Joint Resolution No. 69 |
| Assembly Joint Resolution No. 66 | Assembly Joint Resolution No. 70 |

And reports the same correctly enrolled, and presented to the Secretary of State on the 19th day of September, 2008, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Benoit was granted unanimous consent that Assembly Rule 118 be suspended granting privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his son, Ben Benoit.

**MESSAGES FROM THE SENATE**

Senate Chamber, September 19, 2008

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

Senate Constitutional Amendment No. 30

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

**FIRST READING OF SENATE BILLS**

The following resolution was read the first time:

**SENATE CONSTITUTIONAL AMENDMENT NO. 30**—A resolution directing the Secretary of State to make amendments in Senate Constitutional Amendment No. 13 (Resolution Chapter 144 of the Statutes of 2008).

**RESOLUTION TO DISPENSE WITH  
ARTICLE IV, SEC. 8(a) OF THE CONSTITUTION  
AND SUSPEND JOINT RULE 55**

*Resolved*, That, pursuant to Article IV, Section 8(a) of the Constitution, Senate Constitutional Amendment No. 30 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed since introduction and that Joint Rule 55 be suspended to permit such hearing and action prior to being in print for 30 days.

Resolution read, and adopted by the following vote:

**AYES—68**

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

**NOES—2**

Maze                      Spitzer

Article IV, Section 8(a) of the Constitution was declared dispensed with, and Joint Rule 55 suspended.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Senate Constitutional Amendment No. 30 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 resolution be read on three separate days in each house is hereby dispensed with, and it is ordered that the resolution be placed upon its adoption.

Resolution read, and adopted by the following vote:

**AYES—66**

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

**NOES—2**

Maze                      Spitzer

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

**Second Reading of Senate Constitutional Amendment No. 30**

**SENATE CONSTITUTIONAL AMENDMENT NO. 30**—A resolution directing the Secretary of State to make amendments in Senate Constitutional Amendment No. 13 (Resolution Chapter 144 of the Statutes of 2008).

Resolution read second time.



**CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 30  
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Constitutional Amendment No. 30 without reference to committee or file, for purpose of consideration.

**SENATE CONSTITUTIONAL AMENDMENT NO. 30 (Ashburn)**—A resolution directing the Secretary of State to make amendments in Senate Constitutional Amendment No. 13 (Resolution Chapter 144 of the Statutes of 2008).

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

Resolution adopted by the following vote:

**AYES—55**

Adams	Duvall	Karnette	Price
Aghazarian	Dymally	Keene	Runner
Anderson	Emmerson	La Malfa	Ruskin
Arambula	Fuentes	Laird	Saldaña
Beall	Fuller	Leno	Silva
Benoit	Gaines	Lieber	Smyth
Berg	Galgiani	Lieu	Spitzer
Berryhill	Garcia	Maze	Strickland
Blakeslee	Garrick	Mullin	Tran
Carter	Horton	Nakanishi	Villines
Cook	Houston	Nava	Walters
Coto	Huff	Niello	Wolk
De La Torre	Huffman	Núñez	Mme. Speaker
DeVore	Jeffries	Parra	

**NOES—17**

Brownley	Evans	Jones	Swanson
Caballero	Feuer	Mendoza	Torrico
Calderon	Furutani	Portantino	
De León	Hancock	Salas	
DeSaulnier	Hayashi	Solorio	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Constitutional Amendment No. 30: Assembly Members De León and Jones from “Aye” to “No”.

Resolution ordered transmitted to the Senate.

**RECESS**

By unanimous consent, at 5:22 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**RECONVENED**

At 5:29 p.m., the Assembly reconvened.

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

**ADJOURN IN MEMORY**

Assembly Member Davis was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pastor Otto McClinton, of Los Angeles.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Krekorian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel Joseph Scott II, of Burbank.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Lieber, Hancock, and Leno were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Robert Steinberg, of San Francisco.

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Harriet Blue, of Aptos and Elmer W. Grimes, of Rancho Palos Verdes.

Assembly Member Price was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charlie “C.W. The Boss” Walker, Jr., of Los Angeles.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Samuel A. Hart, of Davis.

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

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

**CAUCUS ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced that the Democratic Caucus would meet in the Assembly Lounge upon adjournment of Floor session.

**VOTE ADDS**

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

**Resolution to Invoke Constitution:** Caballero, Coto, Emmerson, Hayashi, La Malfa, Mendoza, and Silva—Aye.

**Resolution to Invoke Constitution:** Coto, Hayashi, Mendoza, and Silva—Aye.

**Senate Constitutional Amendment No. 30:** Coto—Aye; Brownley, Caballero, and Torrico—No.

**MOTION TO ADJOURN**

At 5:29 p.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) of the California State Constitution, 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 5:35 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 5:36 p.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, out of respect to the memory of Pastor Otto McClinton, on motion of Assembly Member Davis; out of respect to the memory of Daniel Joseph Scott II, on motion of Assembly Member Krekorian; out of respect to the memory of Dr. Robert Steinberg, on motion of Assembly Members Lieber, Hancock, and Leno; out of respect to the memory of Harriet Blue and Elmer W. Grimes, on motion of Assembly Member Karnette; out of respect to the memory of Charlie “C.W. The Boss” Walker, Jr., on motion of Assembly Member Price; and out of respect to the memory of Samuel A. Hart, on motion of Assembly Member Wolk.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 16

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FINAL RECESS

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Assembly Chamber, Sacramento  
Tuesday, September 23, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Regular Session was printed while the Assembly was in Final Recess.

**COMMUNICATIONS**

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

September 23, 2008

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

RE: Appointment of Betty Karnette  
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Betty Karnette to the State Allocation Board for September 24, 2008 only. Assemblymember Karnette will be replacing Assemblymember Kevin de León.

Sincerely,

KAREN BASS  
Speaker of the Assembly

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The following communications were presented by the Chief Clerk from:

Margo Reid Brown, Board Chair, California Integrated Waste Management Board, dated July 18, 2008, submitting letter of transmittal relative to a delay on submitting a report regarding Waste Tires (pursuant to Supplemental Report of the 2007 Budget Act, Item 3910-001-0226).

Referred by the Speaker to the Committee on Natural Resources.

John A. Wagner, Director, Department of Social Services, dated August 10, 2008, submitting letter of transmittal relative to a delay on submitting a report on Assembly Bill 1808 County Plan Addendum Strategies for Increasing the Work Participation Rate in the California Work Opportunity and Responsibility to Kids (CalWORKs) Program (pursuant to Senate Bill 84, Chapter 177, Statutes of 2007, Section 19).

Referred by the Speaker to the Committee on Human Services.

James M. Humes, Chief Deputy Attorney General, Office of the Attorney General, dated August 22, 2008, submitting letter of transmittal relative to the availability of criminal justice statistics reports located on the agency website at [www.ca.ag.gov](http://www.ca.ag.gov).

Referred by the Speaker to the Committee on Public Safety.

#### REPORTS

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2008-008  
July 24, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: The Bureau of State Audits presents its audit report of the State Treasurer's Office statement of securities accountability as of December 31, 2007.

The statement of securities accountability presents the securities owned by or pledged to the State directly, or under investment agreements, and those securities held for safekeeping. The State Treasurer's Office is responsible for the safekeeping of all these securities held in the treasury or other depositories. It is not responsible for securities owned by or pledged to the University of California, or for securities in other depositories owned by or pledged to the Public Employees' Retirement System, the State Teachers' Retirement System, the Legislators' Retirement System, or the Judges' Retirement System. For the statement of securities accountability, the State Treasurer's Office assigned dollar amounts to each security for ease of accountability rather than for purposes of valuing securities at cost or market. The dollar amounts assigned represent various values, including the par or face value, the original principal value, or the current outstanding principal balance. Therefore, the dollar amounts presented in the statement of securities accountability should not be used to determine the value of investments owned by, or pledged to, the State. We found that the statement presents fairly the securities accountability of the State Treasurer's Office as of December 31, 2007.

We conducted this audit to comply with the California Government Code, Section 13299.1.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Business and Professions.

California State Auditor

2007-120.2  
July 29, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning California Department of Corrections and Rehabilitations' (Corrections) efforts to build a new condemned inmate complex (CIC) and the projected costs of building a new CIC. This report concludes that, based on analyses performed by our consultant, it will cost \$395.5 million to construct the CIC at San Quentin State Prison (San Quentin), \$39.3 million more than Corrections' most recent estimate. In addition, our consultant estimates the cost to activate the new CIC will reach \$7.3 million and that the average net new staffing costs to operate the CIC will be \$58.8 million per year, totaling \$1.2 billion over 20 years. To maximize the CIC's capacity, Corrections plans to double-cell certain condemned inmates; however, experts we spoke with and our consultant expressed legal confidentiality and safety concerns with double-celling. If double-celling occurs as planned, we estimate the CIC will reach capacity in 2035; however, if the plan to double-cell is not a feasible approach, the CIC will reach capacity in 2014, less than three years after it is expected to open.

We also considered whether an alternative prison site would be a feasible location for a new CIC and compared the cost of building and operating a CIC at the currently proposed site at San Quentin with the cost of doing so at three other locations. Our analysis indicates that it would have been less expensive to construct a CIC at one of the alternative locations if construction could begin at the same time as is planned for San Quentin. However, because a significant amount of work has already been conducted to prepare for constructing a CIC at San Quentin, Corrections' current proposal is the least expensive alternative that we considered. Specifically, building a CIC at an alternate site would involve various processes such as obtaining legislative approval, assessing the environmental impacts, and designing a new facility all resulting in a later start date for construction.

Therefore, although it would have been less expensive to construct a CIC at one of the alternative sites we identified if construction began this fall, due to the later construction start date building a CIC at an alternate site would result in increased construction costs, increased transition and activation costs, and increased 20-year operating costs.

Finally, another option is delaying the construction of the new CIC. For instance, we determined that the State would avoid spending approximately \$93.2 million, or an average of \$18.6 million per year, if it delayed the construction of a CIC at San Quentin for five years because the net new operating costs avoided would exceed the costs of delaying construction. However, there are unquantifiable costs associated with such a delay. For example, our consultant's projection of growth indicates that by the end of 2010, there will be more condemned inmates than Corrections can house in the three cellblocks currently used for this purpose. Thus, if the CIC is not built, Corrections will need to find additional space for these inmates.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Public Safety.

California State Auditor

2007-129  
July 31, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Santa Clara Valley Transportation Authority (VTA) and our review of its governance structure, fiscal management, and project planning and monitoring.

This report concludes that the average tenure of VTA's board of directors (board) is shorter than that of comparable transit agencies because of a shorter statutory term length and a rotation schedule devised to share five of the 12 board seats. VTA has improved the operations of its board but could use its advisory committees more effectively in developing policies and building regional consensus. Moreover, VTA has been operating without a comprehensive strategic plan for the past two years, but is developing a new plan to be published at the end of 2008.

VTA's financial reports and plans generally conform to best practices, and recent improvements have made these reports clearer and more useful to decision makers. However, VTA's capital budgets could be improved by including clearer information about the timing of expected project costs. Such an understanding could help the organization manage debt, investments, and cash flows more effectively. Although VTA specified the assumptions behind its operating forecasts in its short-range transit plans, it did not do the same for its capital program

forecasts. VTA is working to improve its long-term financial planning by establishing two debt reduction funds and updating its forecasting tools.

While VTA meets most best practices for project planning, it has not always identified funding for future operating costs or estimated the potential project revenues for its capital projects. In general, VTA has adequate policies in place to monitor projects, but it implements these policies inconsistently.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

2007-116  
August 12, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the affordability of college textbooks in the University of California (UC), California State University (CSU), and California Community Colleges (community colleges) systems. This report concludes that increases in textbook prices have significantly outpaced median household income, which makes it more likely that some students will forgo or delay attending college because of the financial burden that postsecondary education imposes. However, students can somewhat offset the rising costs by using strategies such as purchasing used books or purchasing their textbooks from third parties that advertise their textbooks with online retailers, such as Amazon.com. Further, several key players in the textbook industry believe the used textbook market drives up the cost of new textbooks and may play a role in how frequently publishers issue new editions. We noted that for selected textbooks we reviewed, publishers released a new edition every 3.9 years on average; however, several of the deans, department chairs, and faculty members that we interviewed stated that revisions to textbooks are often minimal and are not always warranted.

Nearly all of the faculty members we interviewed were unaware of state laws encouraging them to participate in efforts to reduce textbook costs and many did not understand how their decisions and priorities when selecting a textbook could affect student costs. This lack of awareness may partially explain why the majority of textbook adoptions are submitted by faculty after the initial deadline, despite bookstore managers' claims that timely textbook adoptions enable them to pay students more for their used textbooks and also allow them to procure more used books for sale in the next term. Additionally, campus bookstores have implemented several strategies to reduce students' textbook costs, but they have not consistently employed them. Finally, the system offices for the community colleges and CSU, with some



participation from UC, have explored possible solutions for the rising costs of textbooks, including open educational resources and the Digital Marketplace, both of which offer means of content delivery that differ from that of traditional textbooks.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Higher Education.

California State Auditor

2008-104  
August 26, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Corrections and Rehabilitation's (Corrections) adult parole discharge practices.

This report concludes that Corrections does not always follow its policies when discharging parolees. With the exception of deported parolees, its policies require parole agents to initiate a discharge review report for all eligible parolees. Corrections' data indicate that a total of 56,329 parolees were discharged between January 1, 2007, and March 31, 2008. During this 15-month period, Corrections' data also shows that responsible parole units did not complete discharge review reports for 2,458 deported parolees and 2,523 other parolees, and that Corrections lost jurisdiction over these individuals. We also found that Corrections' district administrators, operating within their authority to exercise judgment, often discharged parolees without documenting the basis for their decisions despite staff recommendations to retain parolees. Moreover, we found that the appropriate authority did not participate in making the decisions to retain or discharge six of 83 parolees whose discharge reviews we evaluated for compliance with Corrections' policies. In four cases, Corrections' Board of Parole Hearings (board) should have made the final decision to retain or discharge the parolees, but was not given that opportunity. Corrections' staff should have sent the other two cases to a district administrator for either a decision to discharge or a recommendation to the board to retain the parolees, but staff did not do so.

In response to these issues, Corrections reported that it has taken certain immediate corrective measures and has drafted new regulations and a new policy memorandum that, if implemented, will govern its parole discharge process. Among other things, Corrections reported that its new draft policy will require that discharge review reports be prepared for deported parolees, and that district administrators

document the basis for discharging parolees contrary to staff recommendations. Finally, changes to state law and proposed revisions to Corrections' policies, if implemented, could increase the district administrator's role and authority in the discharge review process.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Public Safety.

California State Auditor

2008-102  
August 28, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning planning, oversight, and administrative activities of the Department of Fish and Game's (Fish and Game) Office of Spill Prevention and Response (spill office), and the coordinated response of the spill office, the Governor's Office of Emergency Services (Emergency Services), and private entities to the November 7, 2007, Cosco Busan oil spill in the San Francisco Bay.

This report concludes that the spill office has meet many of its key responsibilities related to the oversight of contingency planning and oil spill response organizations, although it needs to update the state contingency plan as required by law and improve its efforts to involve local governments in the contingency planning process. Additionally, we found that the spill office, Emergency Services, and private entities fulfilled their fundamental responsibilities under contingency plans in response to the Cosco Busan oil spill. However, response efforts pointed out weaknesses in the spill office's coordination with local governments, its communications with the public, and its immediate response procedures. These failings caused intense media scrutiny and may have reduced the efficiency of the overall response effort. We also found that the reserves of the Oil Spill Prevention and Administration Fund (fund) totaled \$17.6 million as of June 30, 2007, but are projected to drop by half over the next two years, and that Fish and Game needs to better assure that only allowed oil spill prevention activities are charged to the fund.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Governmental Organization.

## California State Auditor

2007-040  
September 4, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As required by Chapter 74, Statutes of 2006, the Bureau of State Audits presents its audit report concerning the Department of Public Health's oversight of clinical laboratories. This report concludes that Laboratory Field Services (Laboratory Services) within the Department of Public Health has not provided the clinical laboratory oversight state law and regulations mandate. Specifically, Laboratory Services is not inspecting licensed laboratories every two years as the law requires and has inconsistently monitored laboratory proficiency testing. Also, Laboratory Services has struggled to respond to complaints. It closed many complaints without taking action, and its recently revised policies and procedures lack sufficient controls. Finally, Laboratory Services has the authority to sanction laboratories that do not comply with state laws and regulations, but it has imposed few sanctions recently and has no plans to increase its sanction efforts based on existing resources.

Laboratory Services attributes much of its inability to meet mandated responsibilities to a lack of resources and has only been successful in obtaining approval for two funding proposals for clinical laboratories in recent years. A lack of complete and accurate management data has also contributed to Laboratory Services' struggles in meeting its mandated responsibilities. Laboratory Services relies on a system that does not support all of its functions and on internal databases that lack necessary controls. Also, Laboratory Services has opportunities, such as through its license and registration renewal process and through contracting with external parties, to better leverage current resources to meet its mandated responsibilities. Finally, we determined that Laboratory Services raised its fees improperly one year and failed to impose two subsequent fee increases called for in the budget act. As a result, Laboratory Services did not collect more than \$1 million in fees from clinical laboratories.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Health.

## California State Auditor

2008-106  
September 18, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the county elections officials' training of poll workers. Specifically, the report addresses the role of the Office of the Secretary of State (office) in providing guidelines to county elections officials for training poll workers and certain aspects of county poll worker training programs.

Based on recommendations from a task force established by state law, in 2006 the office adopted poll worker training guidelines (training guidelines) that establish a minimum set of requirements that counties must meet. However, the guidelines do not cover the rights of voters who register to vote without declaring a political party affiliation (decline-to-state voters). The law does not require the office to update the training guidelines and it has not done so since issuing them in 2006. Nevertheless, senior management stated that the office plans to update the training guidelines but would need to convene a task force similar to the one used to develop the original guidelines. Though not required, the office has performed some monitoring of counties' administration of elections through its Election Day Observation Program. During the February 2008 primary election the office visited 31 counties and afterwards shared its observations with each county to help identify how to strengthen their respective training programs. According to the deputy director of operations, future election observations will depend upon available resources and whether changes in the law require changes in polling place operations.

The eight counties we reviewed substantially complied with the content of the office's training guidelines when training their inspectors and other poll workers. However, some counties appeared to only partially train poll workers in certain areas, such as voters' rights and the operation of voting machines. Some of the eight counties we reviewed had embraced noteworthy training practices such as optional workshops with more opportunities for hands-on training and online training, and some varied the content of their training to match the experience level of attendees to promote greater training attendance. However, not all counties required inspectors to attend training prior to working elections and many had difficulty providing complete and accurate lists of inspectors that received training prior to the February 2008 election.

The eight counties we visited told us they use a variety of sources for collecting information to identify needed improvements in their poll worker training programs. Although all eight counties asserted that they used some variation of feedback to evaluate their training programs, none of the counties could clearly demonstrate how the information collected from the February 2008 election was summarized and used to make changes in their training programs for the June 2008 election. Most of the counties we reviewed discussed procedures for handling voter complaints in their poll worker training; however, the emphasis the counties placed on handling complaints varied, and many of the counties were unable to provide reliable data that described how they resolve complaints. Finally, all eight counties said their poll worker recruitment goals were based on projected voter turnout, projected absenteeism, and the need for multilingual workers, and many of the counties reported challenges in recruiting an adequate number of poll workers.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Elections and Redistricting.

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The following reports were presented by the Chief Clerk:

**First Quarter 2008  
Non-Toll Seismic Retrofit Program Quarterly Report  
(Pursuant to Assembly Bill 144, Chapter 71, Statutes of 2005)**

Above transmitted report, together with letter of transmittal from Will Kempton, Director, Department of Transportation, dated July 23, 2008, referred by the Speaker to the Committee on Transportation.

**Investment Income and the Insurance Gross Premiums Tax  
(Pursuant to Assembly Bill 263, Chapter 868, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Legislative Analyst's Office, dated July 24, 2008, referred by the Speaker to the Committee on Revenue and Taxation.

**Compliance Regarding the Use of Restraints  
of the Acute, Skilled and Intermediate Care Nursing Facilities  
in the Veterans Homes of California  
(Pursuant to Budget Act 2007, Item 8955-001-0001)**

Above transmitted report, together with letter of transmittal from Stan Opegard, LFACHE, Deputy Secretary, Department of Veterans Affairs, dated July 16, 2008, referred by the Speaker to the Committee on Veterans Affairs.

**Security Threat Group Identification and Management Policy  
(Pursuant to Budget Act 2006-07)**

Above transmitted report, together with letter of transmittal from Matthew L. Cate, Secretary, Department of Corrections and Rehabilitation, dated July 15, 2008, referred by the Speaker to the Committee on Public Safety.

**Notification of Data Used in the Second Principal Apportionment  
Fiscal Year 2007–08  
(Pursuant to Education Code Section 41339(b))**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated July 24, 2008, referred by the Speaker to the Committee on Budget.

**California 21st Century Community Learning Centers for High Schools  
(Pursuant to Budget Act 2007, Item 6110-197-0890, Provision 1(b))**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated July 24, 2008, referred by the Speaker to the Committee on Education.

**250 California Special Districts with the Largest Revenues  
for the 2006–07 Fiscal Year  
(Pursuant to Senate Bill 282, Chapter 288, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Michael Carter, Chief Operating Officer, California State Controller, dated June 30, 2008, stating availability of report at <http://lgrs.sco.ca.gov/sb282>., referred by the Speaker to the Committee on Local Government.

**Report on the Expenditures and Projections of  
Future Expenditures for the Emergency Repair Program  
(Pursuant to Education Code Section 17592.73)**

Above transmitted report, together with letter of transmittal from William C. Bush, Director, Department of General Services, dated July 23, 2008, stating availability of report at <http://www.legi.dgs.ca.gov/Publications/2008LegislativeReports.htm>., referred by the Speaker to the Committee on Business and Professions.

**Surplus Proprietary Land 2008 Annual Report  
(Pursuant to Government Code Section 11011)**

Above transmitted report, together with letter of transmittal from William C. Bush, Director, Department of General Services, dated July 23, 2008, stating availability of report at <http://www.legi.dgs.ca.gov/Publications/2008LegislativeReports.htm>., referred by the Speaker to the Committee on Business and Professions.

**State General Obligation Bond Measure  
for the School Facility Program  
(Pursuant to Government Code Section 16724.4)**

Above transmitted report, together with letter of transmittal from Will Bush, Director, Department of General Services, dated July 23, 2008, stating availability of report at <http://www.legi.dgs.ca.gov/Publications/2008LegislativeReports.htm>., referred by the Speaker to the Committee on Budget.

**Evaluation of the California Fresh Start Program  
(Pursuant to Senate Bill 281, Chapter 235, Statutes of 2005)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated July 24, 2008, referred by the Speaker to the Committee on Education.

**Renewables Portfolio Standard  
(Pursuant to Budget Act 2006, Item 8660-001-0462)**

Above transmitted report, together with letter of transmittal from Paul Clanon, Executive Director, Public Utilities Commission, dated July 28, 2008, referred by the Speaker to the Committee on Utilities and Commerce.

**Approved Mandate Claims  
January 1, 2007 through December 31, 2007  
(Pursuant to Government Code Section 17600)**

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, the Commission on State Mandates, dated July 28, 2008, referred by the Speaker to the Committee on Appropriations.

**REAL ID Act for the Quarter Ending March 31, 2008  
(Pursuant to Supplemental Language of the 2007 Budget Act)**

Above transmitted report, together with letter of transmittal from George Valverde, Director, Department of Motor Vehicles, dated July 30, 2008, referred by the Speaker to the Committee on Transportation.

**Environmental/Transportation Pilot Program  
(Pursuant to Assembly Bill 1546, Chapter 931, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Richard Napier, C/CAG Executive Director, San Mateo County City/County Association of Governments, dated July 30, 2008, referred by the Speaker to the Committee on Transportation.

**Changes to the Peace Officer/Firefighter (PO/FF) Retirement Category  
During Fiscal Year 2007-08  
(Pursuant to Government Code Section 20398)**

Above transmitted report, together with letter of transmittal from David A. Gilb, Director, Department of Personnel Administration, dated July 30, 2008, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Enforcement Activities Report  
for Period August 1, 2007 through January 31, 2008  
(Pursuant to Supplemental Language of the 2007 Budget Act)**

Above transmitted report, together with letter of transmittal from Preston DuFauchard, Commissioner, Department of Corporations, dated July 30, 2008, referred by the Speaker to the Committee on Banking and Finance.

**Ninth Semiannual Report on Energy Settlements  
and Energy Litigation and Investigation Expenses  
(Pursuant to Government Code Section 16428.6)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 1, 2008, referred by the Speaker to the Committee on Utilities and Commerce.



**Hazardous Waste Fees Report  
April 1, 2008 through June 30, 2008  
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Ramon J. Hirsig, Executive Director, Board of Equalization, dated August 4, 2008, referred by the Speaker to the Committee on Revenue and Taxation.

**2008 OAL Determination No. 16(S) and 17(S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 1, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 18(S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 4, 2008, referred by the Speaker to the Committee on Business and Professions.

**Allocations from the Appropriations Contained in AB 900  
(Pursuant to Assembly Bill 900, Chapter 7, Statutes of 2007)**

Above transmitted report, together with letter of transmittal from Matthew L. Cate, Secretary, Department of Corrections and Rehabilitation, dated August 5, 2008, referred by the Speaker to the Committee on Public Safety.

**California State University  
Channel Islands Site Authority Report  
(Pursuant to Government Code Section 67480(a)(3))**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated August 6, 2008, referred by the Speaker to the Committee on Budget.

**Emergency Medical Services Fund (EMS)  
(Pursuant to Health and Safety Code Section 1797.98a) from:**

Santa Clara County, Hope Ryan, Enterprise Fund and VHP Budget Manager, dated July 10, 2008.

Referred by the Speaker to the Committee on Health.

Trinity County, DeAnna L. Cottone, Deputy Auditor, dated August 11, 2008.

Referred by the Speaker to the Committee on Health.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 19, 2008

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

Assembly Bill No. 268  
Assembly Bill No. 519  
Assembly Bill No. 1183  
Assembly Bill No. 1279  
Assembly Bill No. 1338

Assembly Bill No. 1389  
Assembly Bill No. 1452  
Assembly Bill No. 1526  
Assembly Bill No. 2784

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2008, at 6:30 p.m.

E. DOTSON WILSON, Chief Clerk



**MESSAGES FROM THE GOVERNOR**

The following item veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file.

**Item Veto Message—Assembly Bill No. 1781**

Governor's Office, Sacramento

September 23, 2008

I object to the following appropriations contained in Assembly Bill 1781.

**Item 0690-011-0214**—For support of Office of Emergency Services. I delete this item.

This item would authorize a \$30,000,000 loan from the Restitution Fund to the Emergency Response Fund. The final budget package does not create the Emergency Response Fund nor appropriate any funding from it. However, the final budget package does include this loan, which is no longer necessary. Therefore, on a technical basis, I must delete this item.

**Item 0690-101-6061**—For local assistance, Office of Emergency Services.

I revise this item by deleting Provision 1. This Budget Bill provision is unnecessary, as it simply restates existing law. Specifically, this provision would require the allocation of funding from the Transit System Safety, Security, and Disaster Response Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 to be consistent with the provisions of Chapter 181, Statutes of 2007. Chapter 181 designated administering agencies for the bond funds authorized by the voters via Proposition 1B in November 2006, and imposed various requirements on these agencies for the allocation of the bond funds.

**Item 0690-101-6073**—For local assistance, Office of Emergency Services.

I revise this item by deleting Provision 1. This Budget Bill provision is unnecessary, as it simply restates existing law. Specifically, this provision would require the allocation of funding from the Port and Maritime Security Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 to be consistent with the provisions of Chapter 181, Statutes of 2007. Chapter 181 designated administering agencies for the bond funds authorized by the voters via Proposition 1B in November 2006, and imposed various requirements on these agencies for the allocation of the bond funds.

**Item 1700-001-0001**—For support of Department of Fair Employment and Housing. I reduce this item from \$17,813,000 to \$16,869,000 by reducing:

- (1) 50-Administration of Civil Rights Law from \$23,668,000 to \$22,624,000
- (2) Amount payable from the Federal Trust fund (Item 1700-001-0890) from -\$5,855,000 to -\$5,755,000.

I am reducing this item by \$944,000 which will result in the loss of 9.5 personnel years for the enforcement of civil rights. While this budget bill provides for a modest reserve in 2008–09, it fails to make the

necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also revising this item to conform to the action I have taken in 1700-001-0890.

**Item 1700-001-0890**—For support of Department of Fair Employment and Housing. I reduce this item from \$5,855,000 to \$5,755,000.

I am revising this item to conform to the action I have taken in Item 1700-001-0001 to reflect a reduction in federal funds for processing dual filed housing and employment discrimination claims.

**Item 1730-001-0044**—For support of Franchise Tax Board. I reduce this item from \$2,991,000 to \$2,844,000 to make a technical correction to the Budget Bill.

This technical veto will conform with the Legislature's intent and is consistent with the legislative action taken in Item 1730-001-0001.

**Item 1730-001-0064**—For support of Franchise Tax Board. I reduce this item from \$5,615,000 to \$5,342,000 to make a technical correction to the Budget Bill.

This technical veto will conform with the Legislature's intent and is consistent with the legislative action taken in Item 1730-001-0001.

**Item 2240-001-0001**—For support of Housing and Community Development. I reduce this item from \$4,784,000 to \$4,023,000 by reducing:

- (1) 10-Codes and Standards Program from \$29,964,000 to \$29,118,000.
- (7) Reimbursements from  $-\$1,132,000$  to  $-\$1,047,000$ , and by deleting Provision 2.

I am reducing this item by \$761,000 for the Employee Housing Program. While the budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also eliminating the Legislature's augmentation of reimbursements for this item by \$85,000 and, consistent with this action, I am deleting Provision 2 that expresses legislative intent that the Department of Housing and Community Development increase fees paid by employee housing providers to offset program reductions.

**Item 2240-101-0001**—For local assistance, Department of Housing and Community Development. I reduce this item from \$6,316,000 to \$5,973,000 by reducing:

(1) 20-Financial Assistance Program from \$173,116,000 to \$172,773,000, and deleting Provision 1.

I am reducing this item by \$343,000 to reinstate the budget-balancing reduction to the migrant housing operations program that I proposed. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 2240-101-0890**—For local assistance, Department of Housing and Community Development. I revise this item by deleting Provision 2.

I am deleting Provision 2 which would specify that \$1,800,000 of the amount appropriated in this item shall be made available upon receipt of a federal grant. This language is unnecessary because the Department of Housing and Community Development cannot make the expenditure unless the federal grant is received.

**Item 2240-101-6069**—For local assistance, Department of Housing and Community Development. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would specify that funding in this item shall be subject to legislative review and approval of a request by the Department of Housing and Community Development. This language is unnecessary.

**Item 2240-101-9736**—For local assistance, Department of Housing and Community Development. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would specify that funding in this item shall be subject to legislative review and approval of a request by the Department of Housing and Community Development. This language is unnecessary.

**Item 2240-102-6038**—For local assistance, Department of Housing and Community Development. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would specify that funding for the Building Equity in Neighborhoods program shall be subject to legislative review and approval of a request by the Department of Housing and Community Development. This language is unnecessary because the funding proposed in the Budget is always subject to legislative review and approval.

**Item 2240-105-0001**—For transfer, as an expenditure, upon order of the Director of Finance, to the Emergency Housing and Assistance Fund. I delete this item.

I am reducing this item by \$401,000 to reinstate the budget-balancing reduction to the state grant program for local emergency shelters that I proposed. I am further reducing this item by \$3,599,000. While the budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 2320-001-0317**—For support of Department of Real Estate. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would require the Department of Real Estate to report workload and enforcement data to the Legislature.

This reporting requirement would result in an expenditure increase without regard to the availability of resources. Consequently, I am vetoing this language. Nevertheless, in recognition of the Legislature’s desire to obtain this information, I am instructing the Commissioner to comply with the legislative request for this report to the extent compliance can be achieved using existing resources and without impairing the Department of Real Estate’s ability to perform its essential functions.

**Item 2600-001-0042**—For support of California Transportation Commission. I revise this item by deleting Provision 1.

While the Legislature approved the \$100,000 augmentation to fund a contract with a financial consultant to assist in reviewing the eligibility of high-occupancy toll lane project applications, it also added provisional language requiring that these funds only be used for this purpose. While this provisional language is consistent with the Administration’s intended use of this funding, it is unnecessary.

**Item 2660-104-6063**—For local assistance, Department of Transportation. I reduce this item from \$62,999,000 to \$61,299,000 by reducing:

- (1) 20.30-Highway Transportation-Local Assistance from \$62,999,000 to \$61,299,000.

**Item 2660-302-0042**—For capital outlay, Department of Transportation. I reduce this item from \$847,800,000 to \$747,800,000 by reducing:

- (1) 20-Highway Transportation from \$1,897,800,000 to \$1,797,800,000, and
  - (a) State Highway Operation and Protection Program (\$1,897,800,000) to (\$1,797,800,000).

I am reducing this item by \$100,000,000 to reflect the lower estimated revenues that the State Highway Account is projected to receive from excise taxes on fuel. Continuing increases in prices have reduced consumption, resulting in less tax revenue.

**Item 3340-001-0001**—For support of California Conservation Corps. I reduce this item from \$35,874,000 to \$33,874,000 by reducing:

- (1) 10-Training and Work Program from \$65,032,000 to \$63,032,000.

I am reducing this item by \$2,000,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

Nevertheless, I am sustaining the legislative augmentation of an additional \$1,000,000 from the Collins-Dugan California Conservation Corps Reimbursement Account to maintain three non-residential facilities and 75 corpsmember slots.

**Item 3600-001-0001**—For support of Department of Fish and Game. I reduce this item from \$77,301,000 to \$73,410,000 by reducing:

- (1) 20-Biodiversity Conservation Program from \$150,694,000 to \$147,572,000;
- (2) 25-Hunting, Fishing, and Public Use from \$71,276,000 to \$70,737,000;
- (3) 30-Management of Department Lands and Facilities from \$48,009,000 to \$46,895,000;
- (4) 40-Enforcement from \$61,764,000 to \$61,648,000;
- (6) 70.01-Administration from \$44,359,000 to \$43,672,000;
- (7) 70.02-Distributed Administration from –\$44,359,000 to –\$43,672,000; and
- (21) Amount payable from the Hatchery and Inland Fisheries Fund (Item 3600-001-3103) from –\$17,297,000 to –\$16,297,000.

I am reducing this item by \$3,891,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

In addition, I am reducing \$1,000,000 from the Hatchery and Inland Fisheries Fund.

**Item 3600-001-3103**—For support of Department of Fish and Game. I reduce this item from \$17,297,000 to \$16,297,000.

I am reducing this item by \$1,000,000 to conform to the action I have taken in Item 3600-001-0001.

**Item 3720-001-0001**—For support of California Coastal Commission. I reduce this item from \$11,809,000 to \$11,192,000 by reducing:

- (1) 10-Coastal Management Program from \$16,630,000 to \$16,049,000;
- (2) 20-Coastal Energy Program from \$1,112,000 to \$1,076,000;
- (3) 30.01-Administration from \$1,914,000 to \$1,827,000; and
- (4) 30.02-Distributed Administration from  $-\$1,814,000$  to  $-\$1,727,000$ .

I am reducing this item by \$617,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 3780-001-0001**—For support of Native American Heritage Commission. I reduce this item from \$786,000 to \$707,000 by reducing:

- (1) 10-Native American Heritage Commission from \$792,000 to \$713,000.

I am reducing this item by \$79,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 3790-001-0001**—For support of Department of Parks and Recreation. I revise this item by reducing:

- (1) For support of the Department of Parks and Recreation from \$432,009,000 to \$431,099,000, and by deleting  
(4.5) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 3790-001-0044) ( $-\$910,000$ ).

I am revising this item to conform to the action I have taken in Item 3790-001-0044.

**Item 3790-001-0044**—For support of Department of Parks and Recreation. I delete this item.

I am deleting this item of appropriation which acts as a \$910,000 legislative funding shift from the General Fund to the Motor Vehicle Account (MVA), State Transportation Fund to enable the Department of Parks and Recreation to comply with the State Air Resources Board’s new diesel particulate matter emission regulations for on-road heavy-duty diesel vehicles. I believe regulatory compliance activities



should be funded by the department's own funding sources. Consequently, the MVA is not an appropriate fund source for this purpose.

**Item 3810-001-0140**—For support of Santa Monica Mountains Conservancy.

I am sustaining the provisional language added by the Legislature providing that the Santa Monica Mountains Conservancy (Conservancy) shall reimburse to the Attorney General's Office (AG) for costs associated with grant reviews and attending meetings.

The clear intent of this language is to create an incentive for the AG to provide legal services to the Conservancy and to have the Conservancy to reimburse the AG for its costs related to Proposition 84. However, this new language inadvertently appears to conflict with the language in Provision 1, which requires the AG to otherwise provide legal services to the Conservancy as if it were a General Fund department.

Therefore, by sustaining this language, it is my intent that the Conservancy reimburse the AG for costs associated with Proposition 84 grant reviews and the associated meetings, and that all other legal costs be funded in a manner consistent with past practice. The Department of Finance will revisit this issue next budget year.

**Item 3900-001-0001**—For support of State Air Resources Board. I reduce this item from \$2,189,000 to \$189,000.

I am reducing this item by \$2,000,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 3940-001-0001**—For support of State Water Resources Control Board. I revise this item by deleting sub-schedules (a) and (b) under Program 10—Water Quality, and Provision 2 of this section.

I am eliminating Budget Act language that displays the allocations to the state's nine regional boards and requires additional actions should a reallocation of resources be necessary. The Regional Boards develop and enforce the water quality objectives and implementation plans that are developed by the State Water Board, recognizing local differences in climate, topography, geology and hydrology. The joint authority of water allocation and water quality protection enables the State Water Board to provide comprehensive protection for California's waters. This centralized structure allows the State Board to implement program priorities and to respond to statewide needs through the Regional Board. The State Board should not require a change in authority to move funds from one region to another should events occur that make it necessary—such as a fire, a flood, or a change in priorities. Creating separate line items in the budget for each Regional Board would challenge the State Board's ability to manage and prioritize the needs of the whole state. Alternatively, the Water Board can address the Legislature's intent to

better understand the role of the regional water boards through an anticipated strategic and structural reorganization the Water Board is planning through its Water Quality Initiative.

**Item 3960-001-0001**—For support of Toxic Substances Control. I reduce this item from \$23,325,000 to \$22,170,000.

I am reducing this item by \$1,155,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am revising the dollar amount specified in Provision 1 to conform to the action taken in this item.

“The Director of Toxic Substances Control may expend from this item: (a) \$11,604,000 for the following activities at the federal Stringfellow Superfund site: (1) operation and maintenance of pretreatment plants to treat contaminated groundwater extracted from the site, (2) site maintenance and groundwater monitoring, and (3) implementation of work to stabilize the site, and (b) ~~\$4,266,000~~ \$3,111,000 for the operation of the Illegal Drug Laboratory Removal Program.”

**Item 3960-001-0014**—For support of Toxic Substances Control. I revise this item by reducing:

- (1) 12-Site Mitigation and Brownfields Reuse from \$89,426,000 to \$88,271,000.
- (8) Amount payable from General Fund (Item 3960-001-0001) from –\$23,325,000 to –\$22,170,000.

I am revising this item to conform to the action I have taken in Item 3960-001-0001.

**Item 4170-101-0001**—For local assistance, Department of Aging. I reduce this item from \$56,109,000 to \$42,945,000 by reducing:

- (1) 10-Nutrition from \$73,373,000 to \$72,804,000;
  - (2) 20-Senior Community Employment from \$10,304,000 to \$7,139,000;
  - (3) 30-Supportive Services and Centers from \$71,894,000 to \$65,916,000; and
  - (4) 40-Special Projects from \$50,003,000 to \$46,751,000;
- and by deleting:
- (4.5) 97.20.004-Local Projects (\$200,000).

I am reducing this item by \$13,164,000 for the following programs:

- \$316,000 from the Home Delivered Meals program;
- \$253,000 from the Congregate Nutrition program;
- \$3,165,000 from Senior Community Employment;
- \$5,978,000 from the Long-term Care Ombudsman and Supportive Services programs;
- \$2,526,000 for the Multipurpose Senior Services Program;
- \$416,000 for the Alzheimer’s Day Care Resource Centers;
- \$250,000 for the Linkages program;



- \$60,000 for the Brown Bag program; and
- \$200,000 for the Senior Legal Hotline

While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 4200-001-0001**—For support of Department of Alcohol and Drug Programs. I reduce this item from \$14,701,000 to \$6,019,000 by reducing:

- (1) 15-Alcohol and Other Drug Services Program from \$57,702,000 to \$48,275,000;
- (2) 30.01-Administration from \$11,999,000 to \$8,999,000;
- (3) 30.02-Distributed Administration from –\$11,999,000 to –\$8,999,000;
- (4) Reimbursements from –\$4,932,000 to –\$4,544,000;
- (10) Amount payable from the Substance Abuse Treatment Trust Fund (Item 4200-001-3019) from –\$3,565,000 to –\$3,208,000.

I am reducing this item by \$9,070,000 (\$8,682,000 General Fund and \$388,000 Reimbursements), as follows:

- \$8,000,000 for the California Methamphetamine Prevention Campaign;
- \$776,000 and 5.3 positions for the Drug Medi-Cal Program;
- \$154,000 for the Non-Drug Medi-Cal Program;
- \$110,000 and 0.5 positions for the Drug Court programs; and
- \$30,000 and 0.4 positions for the Offender Treatment Program.

While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also reducing \$357,000 and 3.0 positions in Item 4200-001-3019 to conform to the action I have taken in Item 4200-105-0001.

**Item 4200-001-3019**—For support of Department of Alcohol and Drug Programs. I reduce this item from \$3,565,000 to \$3,208,000.

I am reducing this item by \$357,000 to conform to the action I have taken in Item 4200-105-0001.

**Item 4200-101-0001**—For local assistance, Department of Alcohol and Drug Programs. I reduce this item from \$89,197,000 to \$83,665,000 by reducing:

- (1) 15-Alcohol and Other Drug Services Programs from \$438,351,000 to \$423,168,000;

(4) Amount payable from the Substance Abuse Treatment Fund (Item 4200-101-3019) from -\$96,514,000 to -\$86,863,000.

I am reducing this item by \$5,532,000, as follows:

- \$2,983,000 for the Drug Court programs;
- \$1,970,000 for the Offender Treatment Program; and
- \$579,000 for the Non-Drug Medi-Cal Program.

While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also reducing \$9,651,000 in Item 4200-101-3019 to conform to the action I have taken in Item 4200-105-0001.

**Item 4200-101-3019**—For local assistance, Department of Alcohol and Drug Programs. I reduce this item from \$96,514,000 to \$86,863,000.

I am reducing this item by \$9,651,000 to conform to the action I have taken in Item 4200-105-0001.

**Item 4200-104-0001**—For local assistance, Department of Alcohol and Drug Programs. I reduce this item from \$23,457,000 to \$21,111,000 by reducing:

- (1) 15-Alcohol and Other Drug Services Program from \$40,511,000 to \$38,165,000.

I am reducing this item by \$2,346,000 for perinatal substance abuse treatment programs. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 4200-105-0001**—For transfer by the Controller to the Substance Abuse Treatment Trust Fund. I reduce this item from \$100,079,000 to \$90,071,000.

I am reducing this item by \$10,008,000 for the Substance Abuse and Crime Prevention Act program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order

to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I have taken conforming action in Item 4200-001-3019 and Item 4200-101-3019.

**Item 4260-001-0001**—For support of Department of Health Care Services. I revise this item by reducing:

(1) 20-Health Care Services from \$383,834,000 to \$381,821,000, and by deleting:

(10) Amount payable from the California Discount Prescription Drug Program Fund (Item 4260-001-8040) (–\$2,013,000)

I am deleting \$2,013,000 intended to specifically fund costs for the California Discount Prescription Drug Program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also deleting Item 4260-001-8040 to conform to this action.

**Item 4260-001-8040**—For support of Department of Health Care Services. I delete this item and Provisions 1 and 2.

I am deleting this item to conform to the action I have taken in Item 4260-001-0001 regarding the California Discount Prescription Drug Program.

I am also deleting Provision 1 and 2 to conform to this action.

**Item 4260-006-0001**—For transfer by the Controller to the California Discount Prescription Drug Program Fund. I delete this item and Provision 1.

I am deleting the \$5,870,000 in this item to conform to the action I have taken in Items 4260-001-0001, 4260-001-8040, and 4260-119-8040 regarding the California Discount Prescription Drug Program.

I am also deleting Provisions 1 to conform to this action.

**Item 4260-113-0001**—For local assistance, Department of Health Care Services. I reduce this item from \$208,380,000 to \$206,744,000 by:

(3) Benefits (Medical Care and Services) from \$567,046,000 to \$563,226,000, and

(4) Amount payable from the Federal Trust Fund (Item 4260-113-0890) from –\$363,428,000 to –\$361,244,000.

I am reducing this item by \$1,636,000 to make a technical correction to conform to the Legislature’s action to utilize unanticipated Medi-Cal savings in fiscal year 2007–08 to reduce expenditures in 2008–09.

I am reducing Item 4260-113-0890 by \$2,184,000 to conform with this action.

**Item 4260-113-0890**—For local assistance, Department of Health Care Services. I reduce this item from \$363,428,000 to \$361,244,000 to make a technical correction to the Budget Bill.

I am reducing this item by \$2,184,000 to conform to my action in Item 4260-113-0001.

**Item 4260-119-8040**—For local assistance, Department of Health Care Services. I delete this item.

I am deleting the \$3,857,000 intended specifically to fund local assistance costs for the California Discount Prescription Drug Program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 4265-001-0001**—For support of Department of Public Health. I reduce this item from \$86,147,000 to \$82,850,000 by reducing:

(2) 20-Public and Environmental Health from \$501,031,000 to \$497,734,000.

I am reducing this item by \$3,297,000, as follows:

- \$1,042,000 for the Childhood Lead Poisoning Prevention Branch;
- \$976,000 for the Medical Device and Drug Safety Program;
- \$841,000 for the Epidemiology and Prevention for Injury Control Branch;
- \$277,000 for the Prostate Cancer Treatment Program; and
- \$161,000 for the Cosmetic Safety Program.

While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 4265-111-0001**—For local assistance, Department of Public Health. I reduce this item from \$257,472,000 to \$244,479,000 by reducing:

- (3) 20.20-Infectious Disease from \$365,085,000 to \$358,845,000;
  - (4) 20.30-Family Health from \$1,504,545,000 to \$1,498,477,000;
  - (6) 20.50-County Health Services from \$40,691,000 to \$39,791,000;
  - (7) 20.60-Environmental Health from \$132,541,000 to \$131,557,000;
  - (8) Reimbursements from –\$160,479,000 to –\$159,280,000;
- and by deleting Provision 3.

I am reducing this item by \$5,030,000 (\$3,831,000 General Fund and \$1,199,000 Reimbursements) by eliminating funding to local entities for the following programs:

- \$1,824,000 for the TeenSMART Outreach Program;
- \$1,322,000 for the Male Involvement Program;
- \$984,000 for the Beach Safety Program; and
- \$900,000 for the State Public Health Subvention.

I am also reducing this item by \$3,670,000 by reducing funding to local entities for the following programs:

- \$2,269,000 for the Domestic Violence Program;
- \$748,000 for the Tuberculosis Control Housing Program;
- \$403,000 for the Teen Life Skills Information and Education Program; and
- \$250,000 for the Maternal, Child and Adolescent Health Program.

While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am deleting \$5,492,000 of the \$6,842,000 General Fund legislative augmentation to local health jurisdictions for AIDS/HIV Education and Prevention programs. With this reduction, \$31.8 million still remains to support the AIDS/HIV Education and Prevention programs.

I am also deleting Provision 3, that expresses a legislative wish to have the Department of Public Health not exclude any drugs from the AIDS Drug Assistance Program (ADAP) formulary for the purpose of reducing ADAP expenditures and would require funding to be maintained using the ADAP Rebate Fund. The Office of AIDS within the Department is the appropriate entity to determine the proper alignment of program expenditures within the funding available, including the ADAP Rebate Fund. Provision 3 would restrict the Office of AIDS’ ability to manage ADAP expenditures. Consequently, I am vetoing this language.

**Item 4440-103-0001**—For local assistance, Department of Mental Health. I reduce this item from \$232,856,000 to \$225,136,000 by reducing:

- (1) 10.25-Community Services—Other Treatment from \$232,856,000 to \$225,136,000.

I am reducing this item by \$7,720,000 for the Mental Health Managed Care program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further

ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 4700-001-0001**—For support of Department of Community Services and Development. I delete this item.

I am deleting this item to conform to the action I have taken in 4700-101-0001.

**Item 4700-101-0001**—For local assistance, Department of Community Services and Development. I delete this item.

I am deleting the \$2,565,000 for the for the Naturalization Services program. I am also deleting the \$154,000 in state operations funding for this program (refer to Item 4700-001-0001). While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 5180-001-0001**—For support of Department of Social Services. I reduce this item from \$107,134,000 to \$106,640,000 by reducing:

- (2) 25-Social Services and Licensing from \$168,929,500 to \$168,829,500;
- (3) 35-Disability Evaluation and Other Services from \$260,159,500 to \$259,381,500; and
- (6) Reimbursements from –\$26,048,000 to –\$25,664,000.

I am reducing this item by \$778,000 (\$394,000 General Fund) for the Disability Determination program and \$100,000 General Fund for the Independent Adoptions program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reduction and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6110-123-0001**—For local assistance, Department of Education. I reduce this item from \$120,209,000 to \$114,209,000 by deleting:

- (2) 20-Corrective Actions \$6,000,000.

I am deleting the \$6,000,000 restored by the Legislature that allocates funds to non-Title I Immediate Intervention Underperforming Schools Program (II/USP) schools that are still subject to state sanctions and are working with school assistance and intervention teams (SAITs). Although the II/USP ended in 2004–05, schools continue to receive grants of \$150 per student to implement improvement plans prepared by SAITs. I do not believe that the state should continue to fund these



activities. Earlier this year, the Legislature accepted my proposal to eliminate from the Budget federal Title I funds for these purposes. This veto would be consistent with that agreement.

I am deleting provision 2 to conform to this action.

**Item 6110-125-0890**—For local assistance, Department of Education. I delete Provision 4 of this item.

I am deleting the appropriation located in Section 4 of the provisional language related to a \$1.8 million intervention program for local education agencies not meeting federal Title III benchmarks that was administratively established in the 2007–08 fiscal year as little information has been provided on what the program would achieve.

I am deleting Provision 4 to conform to this action.

**Item 6120-150-0001**—For local assistance, California State Library, for the Civil Liberties Public Education Program. I reduce this item from \$475,000 to \$450,000.

I am reducing this item by \$25,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6120-160-0001**—For local assistance, California State Library, for the California Newspaper Project Program. I reduce this item from \$228,000 to \$216,000.

I am reducing this item by \$12,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6120-211-0001**—For local assistance, California State Library. I reduce this item from \$13,625,000 to \$12,908,000 by reducing:

- (1) 20.30-Direct Loan and Interlibrary Loan Programs from \$10,899,000 to \$10,182,000.

I am reducing this item by \$717,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order

to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6120-213-0001**—For local assistance, California State Library, for the English Acquisition and Literacy Program. I reduce this item from \$4,811,000 to \$4,558,000.

I am reducing this item by \$253,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6120-221-0001**—For local assistance, California State Library, for the Public Library Foundation Program. I reduce this item from \$13,642,000 to \$12,924,000.

I am reducing this item by \$718,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6610-001-0001**—For support of California State University. I revise this item by revising Provision 10.

While I am sustaining the Legislature’s action to earmark funding for student academic preparation and student support services programs, I am vetoing the language requiring the university to report on these programs. This reporting requirement would result in an expenditure increase without regard to the availability of revenues. Nevertheless, in recognition of the Legislature’s desire to obtain this information, I am instructing the Chancellor of the California State University to comply with this legislative request for this report to the extent compliance can be achieved using existing resources and without impairing the university’s ability to perform its essential functions.

I am revising Provision 10 to conform as follows:

“10. Of the amount appropriated in Schedule (1), \$52,000,000 is appropriated for student academic preparation and student support services programs. The California State University shall provide \$45,000,000 to support the Early Academic Assessment Program and the Educational Opportunity Program. It is the intent of the Legislature that the university report on the outcomes and effectiveness of the Early Academic Assessment Program to the fiscal committees of each house of the Legislature no later than March 15, 2009.”



**Item 6870-001-0001**—For support of Board of Governors of the California Community Colleges. I reduce this item from \$10,109,000 to \$9,778,000 by reducing:

(4.5) 97.20.001-Unallocated Reduction from -\$200,000 to -\$531,000.

I am reducing this item by \$331,000. However, I am sustaining the remaining \$500,000 legislative augmentation for the purpose of ensuring sufficient resources to fill key positions that are critical to maintaining accountability and fiscal oversight functions that will ensure the solvency of all districts. I anticipate that the Chancellor's Office will be able to accommodate the remaining reduction. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 7980-001-0784**—For support of California Student Aid Commission. I reduce this item from \$1,000,000 to \$500,000.

I am reducing \$500,000 from the Federal Policy and Program Division (FPPD) to align funding with the FPPD's responsibilities and to preserve resources. The current funding level exceeds what is necessary to support the staff of the FPPD. Furthermore, any savings that can be achieved in the Student Loan Operating Fund will result in the program being more valuable and thus result in additional General Fund revenue upon the sale, or other transaction, involving EdFund that is authorized by Chapter 182 of the Statutes of 2007.

**Item 7100-001-0514**—For support of Employment Development Department. I revise this item by deleting Provision 5.

I am deleting Provision 5 which requires the Employment Training Panel (Panel) to prioritize funding for "green jobs" training. This language is unnecessary because the Panel already identifies clean technology products, services, and processes as a priority in its strategic plan, providing more than \$6,900,000 to these industries.

**Item 8140-001-0001**—For support of State Public Defender. I reduce this item from \$11,551,000 to \$10,928,000 by reducing:

(1) 10-State Public Defender from \$11,551,000 to \$10,928,000.

I am reducing this item by \$623,000 for the Office of the State Public Defender, which provides post-conviction appellate representation in death penalty cases. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 8570-001-0001**—For support of Department of Food and Agriculture. I reduce this item from \$83,730,000 to \$80,341,000 by reducing:

(1) 11-Agricultural Plant and Animal Health; Pest Prevention; Food Safety Services from \$128,861,000 to \$125,472,000, and by deleting Provision 5.

I am reducing this item by \$3,389,000 and 8.6 personnel years for the Agricultural Plant and Animal Health; Pest Prevention; Food Safety Services Program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am deleting Provision 5 because the language is unnecessarily restrictive. These funds are part of the base budget for the Light Brown Apple Moth Eradication Project and should be available for the Department to allocate for use as necessary once the toxicology study that was recently completed has been reviewed and aerial spraying is determined to be a safe tool for the Department to utilize in its eradication efforts.

**Item 8570-004-0001**—For transfer by the Controller to the Pierce’s Disease Management Account. I reduce this item from \$4,380,000 to \$4,150,000.

I am reducing this item by \$230,000 for the Pierce’s Disease Control Program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order for further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 8640-001-0001**—For support of Political Reform Act of 1974. I reduce this item from \$2,745,000 to \$2,470,000 by reducing:

- (1) 10-Secretary of State from \$790,000 to \$711,000;
- (2) 20-Franchise Tax Board from \$1,747,000 to \$1,572,000; and
- (3) 30-Department of Justice from \$216,000 to \$195,000.

I am reducing this item by \$275,000 for the Political Reform Act of 1974. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains

in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 8940-001-1014**—For support of Military Department. I delete this item.

This item contains an appropriation from the Emergency Response Fund, which was not authorized in the final budget package. Therefore, I must delete this item on a technical basis.

**Item 9100-101-0001**—For local assistance, Tax Relief. I reduce this item from \$693,885,000 to \$503,005,000 by deleting:

- (1) 10-Senior Citizens' Property Tax Assistance (\$40,562,000);
  - (3) 30-Senior Citizens Renters' Tax Assistance (\$150,318,000);
- and by deleting Provisions 2, 4, and 6.

I am also revising Provision 5 to conform to this action as follows:

“5. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for Schedules ~~(1)~~, (2), ~~(3)~~, (4), and (5) in excess of or less than the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.”

I am reducing this item by \$190,880,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

With the above deletions, revisions, and reductions, I hereby approve Assembly Bill 1781.

ARNOLD SCHWARZENEGGER

**Item Veto Message—Assembly Bill No. 88**

Governor's Office, Sacramento

September 23, 2008

I object to the following appropriations contained in Assembly Bill 88.

**Item 0690-001-0001**—For support of Office of Emergency Services.

I am sustaining Provision 4, which suspends the Government Code Section 8581.5 requirement for the biennial report on emergency preparedness for catastrophic disasters, which was scheduled to be published in 2008–09. However, I am directing the Office of Emergency Services to prepare this report to the extent possible using existing resources.

**Item 0690-102-0001**—For local assistance, Office of Emergency Services. I revise this item by deleting Provisions 3 and 5.

Provision 3 requires the Office of Emergency Services to allocate \$800,000 to the Central Coast Rural Crime Prevention Program. Funding for this program was reduced by 10 percent, but this language was not amended to reflect the reduced amount. This technical veto is necessary to ensure that all grant recipients receive the same level of reduction. Therefore, I am directing the Office of Emergency Services to allocate the grant funding in a manner consistent with this budget language adjusted for the 10 percent reduction.

Provision 5 would require the Office of Emergency Services to use a competitive grant process for allocating funds to California Multijurisdictional Methamphetamine Enforcement Teams, and would create limitations on the minimum and maximum amounts of grants awarded under this program. This language is unnecessarily restrictive; therefore, I am vetoing this provision.

**Item 2640-101-0046**—For local assistance, State Transit Assistance. I reduce this item from \$406,434,000 to \$306,434,000.

I am reducing this item by \$100,000,000 for the State Transit Assistance program so that sufficient funding will be available in the Public Transportation Account to provide full reimbursement of the General Fund for its Home-to-School Transportation costs. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

With the \$5 billion in transit and intercity rail funding provided in Proposition 1B, this will allow a substantial increase in the capacity, safety, and reliability of public transportation throughout the state. The amount I am retaining in this item also continues program funding at a sustainable level.

**Item 2660-001-0042**—For support of Department of Transportation.

I am sustaining the Legislature's funding for capital outlay support. In the May Revision, I proposed a reduction in positions and dollars for engineering, design, environmental studies, and other work. For the

declining amount of ongoing work, I proposed to use an increased share of contractual services, consistent with the provisions of Proposition 35, approved by the voters in 2000.

The Legislature, however, funded 90 percent state staff and 10 percent contract staff. Because it will take a year or more to hire and train state staff as existing staff leave, I am concerned that this action will delay projects by a year or more and end up costing more than using contractual services. Moreover, because the funding from Proposition 1B is one-time and will be exhausted over the next four years, the hiring of new permanent state staff could lead to the need for future layoffs. An appropriate balance between state staff and contract staff will enable the state to improve its highways, roads, bridges, and railroad crossings immediately. Therefore, I am directing the Director of the Department of Transportation to take all steps necessary to deliver these projects as quickly as possible, including an increased use of contractual services beyond the level reflected in the budget action, but within the funding level the Legislature has provided.

**Item 3540-001-0001**—For support of Department of Forestry and Fire Protection. I reduce this item from \$560,045,000 to \$557,896,000 by reducing:

- (3) 12-Resource Management from \$62,597,000 to \$60,448,000;
- (4) 20.01-Administration from \$67,198,000 to \$66,911,000; and
- (5) 20.02-Distributed Administration from -\$66,536,000 to -\$66,249,000.

I am reducing this item by \$2,149,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

However, I am sustaining \$1,093,000 and 10.0 positions in the Resource Management program to fund vegetation management efforts because fuel reduction projects are a cost-effective way to reduce the number and size of catastrophic wildfires.

**Item 3900-001-0044**—For support of State Air Resources Board. I revise this item by reducing:

- (2) 25-Stationary Source from \$57,232,000 to \$55,232,000.
- (6) Amount payable from the General Fund (Item 3900-001-0001) from -\$2,189,000 to -\$189,000

I am revising this item to conform to the action I have taken in Item 3900-001-0001.

**Item 4260-101-0001**—For local assistance, Department of Health Care Services. I revise this item by reducing:

- (1) 20.10.001-Eligibility (County Administration) from \$2,697,119,000 to \$2,689,743,000,
- (9) Amount payable from the Federal Trust Fund (Item 4260-101-0890) from -\$21,448,993,000 to -\$21,441,617,000; and by deleting Provision 14.

I am revising this item to conform to the action I have taken in Item 4260-101-0890.

I am also deleting Provision 14 from this item, which directs the Department of Health Care Services to provide the Legislature with specific options for improving the Medi-Cal fee-for-service program. While I share the Legislature's interest in improving the coordination of care for Medi-Cal beneficiaries and believe that such efforts will better serve clients and reduce costs, I am deleting the provision as it would limit my discretion in developing a budget proposal.

**Item 4260-101-0890**—For local assistance, Department of Health Services. I reduce this item from \$21,448,993,000 to \$21,441,617,000.

I am reducing this item by \$7,376,000 to conform to my action in Items 4170-101-0001, 4200-001-0001, 4265-111-0001, 4440-001-0001, and 5180-001-0001.

**Item 4300-101-0001**—For local assistance, Developmental Services. I reduce this item from \$2,384,027,000 to \$2,382,799,000 by reducing:

(2) 10.10.020-Purchase of Services from \$3,372,900,000 to \$3,370,854,000, and

(4) Reimbursements from -\$1,308,405,000 to -\$1,307,587,000.

I am reducing this item by \$2,046,000 (\$1,228,000 General Fund and -\$818,000 Reimbursements). This technical veto is consistent with the pass through of the January 1, 2009 federal Supplemental Security Income cost of living adjustment.

**Item 4440-101-0001**—For local assistance, Department of Mental Health. I reduce this item from \$480,163,000 to \$480,111,000 by reducing:

(5) 10.97-Community Services—Healthy Families from \$24,805,000 to \$24,653,000, and

(6) Reimbursements from -\$1,208,165,000 to -\$1,208,065,000.

I am reducing this item by \$152,000 (\$52,000 General Fund and \$100,000 Reimbursements) for the Healthy Families program. While this budget bill provides for a modest reserve in 2008-09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 5180-101-0001**—For local assistance, Department of Social Services. I reduce this item from \$2,808,386,000 to \$2,738,386,000 by reducing:

(1) 16.30-CalWORKs from \$5,290,712,000 to \$5,220,712,000.

I am reducing this item by \$70,000,000 for the CalWORKs program. This funding would have been available to counties as part of their single allocation, which can be used for county administration, employment services, and child care. Even with this reduction in funding, the single allocation provided to counties still increases from 2007-08 to 2008-09. While this budget bill provides for a modest



reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 5180-141-0001**—For local assistance, Department of Social Services. I reduce this item from \$480,516,000 to \$478,478,000 by reducing:

- (1) 16.75-County Administration and Automation Projects from \$1,194,774,000 to \$1,192,736,000.

I am reducing this item by \$2,038,000 for the Work Incentive Nutritional Supplement program. By eliminating this funding, I am delaying implementation of this program for one year. This will allow the Department of Social Services to study this program and ensure it is consistent with federal rules. Further, while this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 5180-151-0001**—For local assistance, Department of Social Services. I reduce this item from \$757,135,000 to \$750,727,000 by reducing:

- (1) 25.30-Children and Adult Services and Licensing from \$2,151,082,000 to \$2,139,650,000;
- (2) 25.35-Special Programs from \$22,682,000 to \$22,101,000;
- (3) Reimbursements from –\$143,894,000 to –\$138,589,000; and
- (6) Amount payable from the Federal Trust Fund (Item 5180-151-0890) from –\$1,263,716,000 to –\$1,263,416,000.

I am reducing this item by \$11,432,000 (\$6,127,000 General Fund) for the Adult Protective Services program, and by \$581,000 (\$281,000 General Fund) for the Deaf Access program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 5180-151-0890**—For local assistance, Department of Social Services. I reduce this item from \$1,263,716,000 to \$1,263,416,000.

I am reducing this item to conform to the action I have taken in 5180-151-0001 related to the Deaf Access program.

**Item 5225-001-0001**—For support of the California Department of Corrections and Rehabilitation. I reduce this item from \$7,173,074,000 to \$7,145,074,000 by reducing:

- (8) 25-Adult Corrections and Rehabilitation Operations from \$4,974,568,000 to \$4,946,568,000.

I am directing the Secretary of the California Department of Corrections and Rehabilitation to implement a Parole Decision-Making Instrument (PDMI) that provides guidelines on how to respond to technical parole violations based on the risk-to-reoffend level of the offender and the seriousness of the violation. I believe that the use of the PDMI by parole agents will facilitate the reintegration into society of low-risk parolees by providing community-based sanctions and programs. By providing alternatives to incarceration for parolees who commit minor technical parole violations, the Department will be able to reduce prison overcrowding. Consistent with this direction, I am reducing \$22,000,000 from this item to reflect lower adult inmate population levels.

I am also reducing this item by an additional \$6,000,000 to reflect a delay in the activation of Female Rehabilitative Community Correctional Center beds that resulted from the state's late budget.

**Item 6110-001-0001**—For support of Department of Education. I revise this item by reducing:

- (2) 20-Instruction Support from \$174,201,000 to \$173,909,000;
- (3) 30-Special Programs from \$54,659,000 to \$54,351,000; and
- (9) Amount payable from Federal Trust Fund (Item 6110-001-0890) from -\$171,015,000 to -\$170,415,000.

I am revising this item to conform to the action I have taken in Item 6110-001-0890.

**Item 6110-001-0890**—For support of Department of Education. I reduce this item from \$171,015,000 to \$170,415,000.

I am deleting the legislative augmentation of \$600,000 federal Title I funds to enhance an evaluation of the Migrant Education program. The Budget Act of 2007 provided \$800,000 for completing a comprehensive needs assessment, developing the state educational agencies service delivery plan, and contracting for an evaluation to meet federal requirements. The appropriation provided in 2007 should be sufficient for producing a useful program evaluation.

I am deleting Provision 30 to conform to this action.

I am deleting provisional language that would appropriate \$1,200,000 of Title III funds proposed for unspecified English learner state level activities (state operations) in 2009–10 as it is premature to appropriate funds for 2009–10, for projects that have not been developed or justified.

I am deleting provision 34 to conform to this action.

**Item 6110-130-0001**—For support of the Department of Education, Instructional Support. I reduce this item from \$9,035,000 to \$8,131,000.

I am reducing this item by \$904,000 for the Advancement Via Individual Determination program. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the



state's structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am revising Provision 1 to conform to this action as follows:

“1. Of the funds appropriated, ~~\$1,300,000~~ *\$1,170,000* is available for administration of the Advancement Via Individual Determination (AVID) centers.”

**Item 6110-196-0001**—For local assistance, Department of Education. I revise this item by deleting Provisions 4(e) and 9(b).

I am deleting Provision 4(e), which would specify principles for the State Department of Education (SDE) to follow when developing the 2008–09 expenditure plan for state and local activities to improve child care. The language is unnecessary and does not specify any clear priorities for development of the expenditure plan.

I am deleting Provision 9(b), which would restrict the start point on the family fee schedule to 40 percent of the State Median Income as adjusted for family size. This Provision is inconsistent with the prior agreement reached between the Administration and the Legislature that families currently paying fees continue to do so as income eligibility is adjusted. Additionally, this language would result in lower fee revenues, increased costs in child care programs, and reduced capacity to serve children.

I am sustaining Provision 2(b), which would provide details for the expenditures of the appropriation and specify the rate limits for alternative payment and other voucher-based programs based on the 85th percentile of the 2007 Regional Market Rate Survey with an effective date of March 1, 2009. While I must sustain this provision because a statute would otherwise control the appropriation and drive the rates, I am concerned that this language will drive considerably higher costs per case in the future, similar to the rate increases experienced in 2007–08.

I am also sustaining Provision 14, which specifies intent to fully fund the third stage (Stage 3) of child care for former CalWORKS families. This intent statement duplicates statutory intent language and, while it reflects a goal to provide sufficient funds, I want to be clear that inclusion of this language in the budget bill is not a commitment to fund any deficiency that might occur.

**Item 6110-202-0001**—For local assistance, Department of Education. I reduce this item from \$11,742,000 to \$10,880,000 by reducing:

- (1) 30.20.010-Child Nutrition Programs from \$11,742,000 to \$10,880,000.

I am reducing this item by \$862,000. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law, and court required payments drive the majority of the spending in any budget, and limit my ability to

reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

**Item 6110-488**—Reappropriation, Proposition 98, Department of Education. I revise this item from \$163,051,000 to \$146,651,000, and by deleting:

I am deleting the \$16,400,000 augmentation to Stage 2 child care to align expenditures with updated caseload estimates. With this reduction, a total of \$516,611,000 still remains in the budget to support the CalWORKs Stage 2 program which should be sufficient for the estimated caseload under the authorized eligibility, copayment, and subsidy policies.

I am revising Provision 3 to conform to this action.

“3. The sum of ~~\$163,051,000~~ *\$146,651,000* is hereby reappropriated to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the purpose of funding CalWORKs Stage 2 child care. The amount reappropriated pursuant to this provision is for use in the 2008–09 fiscal year.”

I am deleting the one-time legislative augmentation of \$295,000 for assessments of the Oakland Unified, Vallejo City Unified, and West Fresno Elementary School Districts. Current law specifies that these emergency loan districts are responsible for the costs of these reports. Therefore, I am eliminating this augmentation.

I am deleting Provision 2 to conform to this action.

**Item 6440-001-0001**—For support of University of California. I reduce this item from \$3,000,920,000 to \$2,995,520,000 by decreasing:

(1) Support from \$3,123,516,000 to \$3,118,116,000, and by revising Provisions 14 and 24 and by deleting Provision 16.

I am reducing this item by \$5,400,000 to eliminate funding that supports research on labor and employment and labor education. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state’s structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also revising Provision 24 of this item to conform as follows:

“24. Of the funds appropriated in Schedule (1), ~~\$5,400,000~~ *\$0* is to support research on labor and employment and labor education throughout the University of California system. ~~Of these funds, 60 percent shall be for labor research and 40 percent shall be for labor education.~~”

Further, while I am sustaining the Legislature’s action to earmark funding for student academic preparation and education programs (SAPEP), I am vetoing the language requiring the university to report on its use of funds for SAPEP activities. This reporting requirement

would result in an expenditure increase without regard to the availability of revenues. Nevertheless, in recognition of the Legislature's desire to obtain this information. I am instructing the President of the University of California to comply with this legislative request for this report to the extent compliance can be achieved using existing resources and without impairing the university's ability to perform its essential functions.

I am revising Provision 14 to conform as follows:

“14. Of the funds appropriated in Schedule (1), \$19,300,000 is for student academic preparation and education programs (SAPEP) and is to be matched with \$12,000,000 from existing university resources, for a total of \$31,300,000 for these programs. The University of California shall provide a plan to the Department of Finance and the fiscal committees of each house of the Legislature for expenditure of both state and university funds for SAPEP by September 1 of each year. It is the intent of the Legislature that the university report on the use of state and university funds provided for these programs, including detailed information on the outcomes and effectiveness of academic preparation programs consistent with the accountability framework developed by the university in April 2005. The report shall be submitted to the fiscal committees of each house of the Legislature no later than April 1, 2009.”

Finally, I am deleting the legislative redirection of \$15,000,000 from funds budgeted for administrator compensation to support salary increases and a step pay system for low-wage service employees. Given the 10 percent reduction to the university's institutional support budget that was adopted by the Legislature, the University should be provided the flexibility to allocate its resources to preserve core administrative functions. Further, employee salaries should be negotiated in collective bargaining agreements between the University and its service employees.

I am deleting Provision 16 to conform to this action.

**Item 7980-001-0001**—For support of California Student Aid Commission. I reduce this item from \$14,206,000 to \$13,527,000 by decreasing:

- (1.5) 50-California Loan Program from \$1,000,000 to \$500,000;
- (3.5) 97.20.001 Unallocated Reduction from -789,000 to -1,468,000;
- (4.5) Amount payable from the Student Loan Operating Fund (7980-001-0784) from -\$1,000,000 to -\$500,000;

and by revising Provision 4.

I am reducing this item by \$679,000. However, I am sustaining the remaining \$111,000 legislative augmentation for the purpose of funding additional ongoing telephone system and Department of Technology Services costs that were identified after the January budget proposal. While this budget bill provides for a modest reserve in 2008–09, it fails to make the necessary statutory spending reductions and revenue increases needed to eliminate the state's structural budget deficit going forward. At the same time, constitutional requirements, federal law and court required payments drive the majority of the spending in any budget, and limit my ability to reduce spending. As a result, I have an obligation to reduce spending when my veto power is adequate to do so. Consequently—and in order to further ensure that this budget remains

in balance—I am taking the difficult but necessary action reflected in this veto to further control state spending.

I am also revising Provision 4 of this item to conform to the action I have taken in Item 7980-001-0784 as follows:

“4. (a) This item reflects ~~\$1,000,000~~ \$500,000 payable from the Student Loan Operating Fund for the purpose of funding, on a limited-term basis, 6.0 positions in the Federal Policy and Programs Division. Those positions shall be continued until a sale or other authorized transaction is completed pursuant to Chapter 182 of the Statutes of 2007, which is anticipated to occur in-the 2009–10 fiscal year.

(b) Additionally, this item reflects an increase of \$1,010,000 available on a one-time basis for necessary moving costs, furnishings, and equipment associated with relocation of the Student Aid Commission. Not later than August 1, 2008, the commission shall detail and submit for approval to the Department of Finance, and for informational purposes to the Chairperson of the Joint Legislative Budget Committee, all one-time costs estimated to be necessary for relocation of the commission. Any funds remaining shall be available for any expenses that may be necessary or convenient to further the intent of the sale or other authorized transaction of EdFund pursuant to Chapter 182 of the Statutes of 2007 upon the written approval of the Department of Finance.”

**Item 7980-101-0001**—For support of California Student Aid Commission. I revise this item by revising Provision 1.

I am deleting the legislative augmentation to Provision 1(d), which increased the number of Assumption Program of Loans for Education (APLE) awards by 800. The remaining amount of authorized awards in the budget is 7,200. I proposed fewer APLE awards to curb the growth in required APLE payments in the context of budget balancing reductions and because the Student Aid Commission has historically not utilized all the awards. This reduction is necessary to limit future ongoing expenditures in line with ongoing resources as we work towards resolving the structural budget imbalance.

I am revising Provision 1 as follows:

“1. Funds appropriated in Schedule (1) are for purposes of all of the following:

(a) Awards in the Cal Grant Program under Chapter 1.7 (commencing with Section 69430) and Article 3 (commencing with Section 69530) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.

(b) Grants under the Law Enforcement Personnel Dependents Scholarship Program pursuant to Section 4709 of the Labor Code.

(c) California Student Opportunity and Access Program contract agreements under Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.

(d) The purchase of loan assumptions under Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. The Student Aid Commission shall issue 8,000 7,200 new warrants.

(e) The purchase of loan assumptions under the Graduate Assumption Program of Loans for Education pursuant to Article 5.5 (commencing with Section 69618) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.

(f) The purchase of loan assumptions under the State Nursing Assumption Program of Loans for Education (SNAPLE) Employees of State Facilities Program pursuant to Article 2 (commencing with Section 70120) of Chapter 3 of Part 42 of Division 5 of Title 3 of the Education Code.

(g) The purchase of loan assumptions under the State Nursing Assumption Program of Loans for Education (SNAPLE) pursuant to Article 1 (commencing with Section 70100) of Chapter 3 of Part 42 of Division 5 of Title 3 of the Education Code.

(h) The Student Aid Commission shall report by April 1, 2009, on the State Nursing Assumption Program of Loans for Education, pursuant to the reporting requirements of Section 70108 of the Education Code.

(i) Of the amount appropriated in Schedule (1), \$297,000 is provided for loan assumption payments to participants in the National Guard Assumption Program of Loans for Education pursuant to Article 12.5 (commencing with Section 69750) of Chapter 2 of Part 42 of the Education Code.

(j) Notwithstanding subdivision (c) of Section 69613.8 of the Education Code, any Assumption Program of Loans for Education participant who meets the requirements of subdivision (a) or (b) of Section 69613.8 of the Education Code may receive the additional loan assumption benefits authorized by those subdivisions.”

**Item 8380-001-0001**—For support of Department of Personnel Administration.

I am revising this item in order to correct a technical error in the Budget Bill:

- (1) 10-Classification and Compensation from \$6,442,000 to \$6,414,000;
- (2) 20-Labor Relations from \$3,480,000 to \$3,464,000;
- (3) 25-Legal from \$7,947,000 to \$7,919,000;
- (5) 40.02-Distributed Administration from -\$4,457,000 to -\$4,370,000; and
- (6) 54-Benefits Administration from \$32,972,000 to \$32,957,000.

With the above deletions, revisions, and reductions, I hereby approve Assembly Bill 88.

ARNOLD SCHWARZENEGGER

#### Receipt of Bills

I acknowledge receipt this 23rd day of September at 12:30 p.m., of the Governor’s statement of the line item veto from Assembly Bill 1781 and Assembly Bill 88 delivered to me personally by Jacque Roberts.

BRIAN S. EBBERT

Chief Assistant Clerk of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 23, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2    | Assembly Bill No. 1829 |
| Assembly Bill No. 334  | Assembly Bill No. 1997 |
| Assembly Bill No. 376  | Assembly Bill No. 2032 |
| Assembly Bill No. 545  | Assembly Bill No. 2390 |
| Assembly Bill No. 547  | Assembly Bill No. 2439 |
| Assembly Bill No. 860  | Assembly Bill No. 2442 |
| Assembly Bill No. 1107 | Assembly Bill No. 2494 |
| Assembly Bill No. 1480 | Assembly Bill No. 2537 |

And reports the same correctly enrolled, and presented to the Governor on the 23rd day of September, 2008, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 23, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2543 | Assembly Bill No. 2945 |
| Assembly Bill No. 2547 | Assembly Bill No. 3021 |
| Assembly Bill No. 2809 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 23rd day of September, 2008, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk



CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 17

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FINAL RECESS

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Assembly Chamber, Sacramento  
Wednesday, October 1, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Regular Session was printed while the Assembly was in Final Recess.

**COMMUNICATIONS**  
**Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Krystal M. Paris, Department of Justice, dated August 4, 2008, transmitting copies of the title, summary and text of the following proposed initiative pursuant to Elections Code Section 9007:

**Wealth Tax. Constitutional Amendment and Statute.**  
**Initiative No. 08-0012, Amdt. #1 NS**

Referred by the Speaker to the Committee on Revenue and Taxation.

Krystal M. Paris, Department of Justice, dated August 4, 2008, transmitting copies of the title, summary and text of the following proposed initiative pursuant to Elections Code Section 9007:

**Election Day Holiday. Initiative Statute.**  
**Initiative No. 08-0013**

Referred by the Speaker to the Committee on Governmental Organization.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Classes or Positions that Have Met the Criteria for**  
**State Safety Membership**  
**(Pursuant to Government Code Section 20405.1(c))**

Above transmitted report, together with letter of transmittal from David A. Gilb, Director, Department of Personnel Administration, dated, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.



**Police Pursuits  
(Pursuant to Senate Bill 719, Chapter 485, Statutes of 2005)**

Above transmitted report, together with letter of transmittal from J. A. Farrow, Commissioner, Department of California Highway Patrol, dated August 6, 2008, referred by the Speaker to the Committee on Public Safety.

**Inmate Treatment and Prison-to-Employment Plan  
(Pursuant to Assembly Bill 900, Chapter 7, Statutes of 2007)**

Above transmitted report, together with letter of transmittal from Matthew L. Cate, Secretary, Department of Corrections and Rehabilitation, dated August 7, 2008, referred by the Speaker to the Committee on Public Safety.

**Chief Business Officer Training Program  
(Pursuant to Senate Bill 352, Chapter 356, Statutes 2005)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated August 11, 2008, referred by the Speaker to the Committee on Education.

**CALFED Independent Panel on Agricultural Water Use  
Report of 2004  
(Pursuant to Supplemental Report of the 2007 Budget Act,  
Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 11, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Bureau of Medi-Cal Fraud and Elder Abuse Annual Report  
(Pursuant to Paragraphs (a)(1) through (a)(5) of Section 1007.15(c)(1) of  
Title 42 of the Code of Federal Regulations)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 12, 2008, referred by the Speaker to the Committee on Public Safety.

**Toll Bridge Seismic Safety Retrofit Program  
Report-Second Quarter—2007 Fiscal Year Ending June 30, 2008  
(Pursuant to Streets and Highways Code Section 30952.2)**

Above transmitted report, together with letter of transmittal from Will Kempton, Director, Department of Transportation, dated August 15, 2008, referred by the Speaker to the Committee on Transportation.

**Energy Use and Purchasing Activities  
(Pursuant to Budget Act 2007, Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 18, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2008 OAL Determination No. 19  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 15, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 20(S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 19, 2008, referred by the Speaker to the Committee on Business and Professions.

**June 2008 Report  
on Status of Compliance with the Consent Judgment with  
the United States Department of Justice  
(Pursuant to Assembly Bill 1807, Chapter 74, Section 74  
Statutes of 2006)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated August 19, 2008, referred by the Speaker to the Committee on Health.

**Annual Carbon Footprint  
of Department of Water Resources Total Operations  
(Pursuant to Budget Act 2007, Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 20, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2007–08 Fourth Quarter Update on the Staff Hiring Plan  
(Pursuant to Budget Act 2007, Item 4440-011-0001, Provision (9))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated August 22, 2008, referred by the Speaker to the Committee on Health.

**Patient Benefit Fund Report 2007–08  
(Pursuant to Senate Bill 1404, Chapter 352, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated August 25, 2008, referred by the Speaker to the Committee on Health.

**Bureau of Medi-Cal Fraud and Elder Abuse  
Quarterly Statistical Report Ending June 30, 2008  
(Pursuant to Budget Act 2007, Item 0820-001-0001, Provision 1)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 27, 2008, referred by the Speaker to the Committee on Public Safety.

**Expenditures and Commitments for Capital Outlay Projects  
(Pursuant to Budget Act 2007, Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 27, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Litigation Deposit Fund—  
Statement of Fund Balance for Quarter Ending June 30, 2008  
(Pursuant to Government Code Section 16427(e))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 27, 2008, referred by the Speaker to the Committee on Budget.

**Purchase and Lease of Electronic Recording Equipment  
by Superior Courts (January 1–June 30, 2008)  
(Pursuant to Government Code Section 69958)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director to the Courts, Judicial Council of California, dated August 28, 2008, referred by the Speaker to the Committee on Judiciary.

**Annual Report on Program Operations  
(Pursuant to Insurance Code Section 10089.13)**

Above transmitted report, together with letter of transmittal from Susie Hernandez, Legislative Coordinator, California Earthquake Authority, dated September 1, 2008, referred by the Speaker to the Committee on Insurance.

**Motor Truck Towing Two Trailers Impact on Public Safety Report  
(Pursuant to Senate Bill 1237, Chapter 450, Statutes of 2006)**

Above transmitted report, together with letter of transmittal from J. A. Farrow, Commissioner, Department of California Highway Patrol, dated September 5, 2008, referred by the Speaker to the Committee on Transportation.

**Child Care Facilities Revolving Fund 2007–08 Annual Report  
(Pursuant to Assembly Bill 1578, Chapter 299, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated September 8, 2008, referred by the Speaker to the Committee on Education.

**Annual Report to the Agricultural Labor Relations Board  
for Fiscal Years Ending 2007–08  
(Pursuant to Agricultural Labor Relations Act of 1975, Section 1143)**

Above transmitted report, together with letter of transmittal from J. Antonio Barbosa, Executive Secretary, ALRB, Agricultural Labor Relations Board, dated September 12, 2008, referred by the Speaker to the Committee on Labor and Employment.

**Reliability Standards for  
Telecommunications Emergency Backup Power Systems  
and Emergency Notification Systems  
(Pursuant to Assembly Bill 2393, Chapter 776, Statutes of 2006)**

Above transmitted report, together with letter of transmittal from Paul Clanon, Executive Director, Public Utilities Commission, dated September 8, 2008, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Railroad Local Safety Hazard Report—Revised Version  
(Pursuant to Public Utilities Code Section 7711)**

Above transmitted report, together with letter of transmittal from Paul Clanon, Executive Director, Public Utilities Commission, dated September 9, 2008, referred by the Speaker to the Committee on Utilities and Commerce.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 25, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 2026

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2008, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 30, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 10  
Assembly Bill No. 158  
Assembly Bill No. 186

Assembly Bill No. 1805  
Assembly Bill No. 2246

And reports the same correctly enrolled, and presented to the Governor on the 30th day of September, 2008, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

**REPORTS OF STANDING COMMITTEES**

**Committee on Arts, Entertainment, Sports, Tourism, and Internet Media**

September 12, 2008

Mme. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports the following bill pursuant to the provisions of Joint Rule 62(a):  
Senate Bill No. 1060

KARNETTE, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Public Employees, Retirement and Social Security**

September 30, 2008

Mme. Speaker: Your Committee on Public Employees, Retirement and Social Security reports the following bills pursuant to the provisions of Joint Rule 62(a):  
Assembly Bill No. 1858  
Assembly Bill No. 2350

HERNANDEZ, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Water, Parks and Wildlife**

September 30, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports the following bill pursuant to the provisions of Joint Rule 62(a):  
Assembly Bill No. 2005

WOLK, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Education**

September 30, 2008

Mme. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1865  
 Assembly Bill No. 2085  
 Assembly Bill No. 2086  
 Assembly Bill No. 2361

Assembly Bill No. 2378  
 Assembly Bill No. 2955  
 Assembly Bill No. 3008

MULLIN, Chair

Above bills ordered filed with the Chief Clerk.

September 30, 2008

Mme. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 493  
 Senate Bill No. 672  
 Senate Bill No. 681

MULLIN, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Banking and Finance**

October 1, 2008

Mme. Speaker: Your Committee on Banking and Finance reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1224  
 Senate Bill No. 1286

NAVA, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Agriculture**

October 1, 2008

Mme. Speaker: Your Committee on Agriculture reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 200  
 Senate Bill No. 1404

PARRA, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Judiciary**

October 1, 2008

Mme. Speaker: Your Committee on Judiciary reports the following resolutions pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 2  
 Assembly Constitutional Amendment No. 14

JONES, Chair

Above resolutions ordered filed with the Chief Clerk.

October 1, 2008

Mme. Speaker: Your Committee on Judiciary reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1581

JONES, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Transportation**

October 1, 2008

Mme. Speaker: Your Committee on Transportation reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 298

DE SAULNIER, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Health**

October 1, 2008

Mme. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1712

DYMALLY, Chair

Above bill ordered filed with the Chief Clerk.

**MESSAGES FROM THE GOVERNOR**

The following messages were received and ordered printed in the Journal:

**Governor’s Message—Assembly Bill No. 1954**

Governor’s Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1954 with the intent that the Riverside County Transportation Commission and the Department of Transportation (Caltrans) will include the California Highway Patrol (CHP) as an active participant on any matters pertaining to the design, operation, and law enforcement services for the proposed I-15 High Occupancy Toll lane corridor to ensure motorist safety.

I am instructing the Business, Transportation and Housing Agency, CHP, and Caltrans to work with the author and the Legislature on making the necessary legislative changes to properly implement this program.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor’s Message—Assembly Bill No. 619**

Governor’s Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am signing Assembly Bill 619.

This bill would require the Department of Motor Vehicles (DMV) to establish an amnesty program to allow vehicle owners who have previously underreported the value or otherwise misrepresented vehicles for registration purposes to pay required fees and taxes, comply with all legal requirements, and to avoid criminal prosecution for their earlier false statements by December 31, 2010.

While I am signing this bill, there are provisions that need to be addressed before it can be successfully implemented. Specifically, this bill could result in significant workload for the Bureau of Automotive Repair’s (BAR) Referee Program without ensuring adequate revenue to

support this program. Statutory authority is required to charge a fee for that work. This cost must rightfully be borne by the vehicle owners who are participating in the program.

I am instructing the Department of Consumer Affairs and BAR to work with the author and the Legislature on making the necessary legislative change to properly implement this program.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1879**

Governor's Office, Sacramento

September 29, 2008

*To the Members of the California State Legislature:*

I am signing Assembly Bill 1879 (Feuer) and Senate Bill 509 (Simitian), which begin the historic implementation of the California Green Chemistry Initiative, started by my Administration in 2007.

These bills provide a foundation for the development of a Green Chemistry program that will build upon existing information and programs and create a model for other states and nations to follow. To ensure that the Green Chemistry Initiative is as visionary and efficient as possible, all administrative agencies involved in this process, including the Department of Toxic Substances Control as lead agency, should take into account programs in other states, countries and regions, such as the European Union, to build upon their experience, data and expertise.

Sincerely,

ARNOLD SCHWARZENEGGER

The following veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file:

**Veto Message—Assembly Bill No. 2115**

Governor's Office, Sacramento

September 24, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2115 without my signature.

Not only would this bill create state mandated costs for charter schools to comply with its provisions, the measure runs counter to the intent of charter schools, which were created to be free from many of the laws governing school districts.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 24th day of September at 4:10 p.m., of Assembly Bill 2115 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 529**

Governor’s Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 529 without my signature.

This bill would require mortgage servicers to provide to consumers of residential loans a notice that a fixed rate loan is scheduled to switch to an adjustable rate loan, or a payment option loan is set to reset to a fully amortizing loan, between 90 and 120 days before the change occurs.

While it appears that the purpose of the bill is to ensure that borrowers are informed in advance of changes in their loan payments to avoid defaults, if implemented it could have the opposite effect. This bill would likely confuse mortgage holders by providing them with multiple notices containing conflicting future payment amounts. By providing mortgage holders with a notice that indicates an “example” payment amount, at or about the same time that they receive another notice that indicates an “actual” payment amount, the multiple notices could cause them to question the real payment amount. As a result, mortgage holders might base their decision to seek assistance with their existing loan or refinance that loan based on erroneous or confusing information.

For these reasons, I am returning this bill without my signature.

Sincerely,

1ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1333**

Governor’s Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1333 without my signature.

This bill would require the legal owner of foreclosed residential rental property to, under certain circumstances, pay a utility service provider for service provided to tenants; permit a water or sewer utility service provider to file a lien on property to collect delinquent charges; and require these providers to report specified information on the liens to the Assembly and Senate Judiciary Committees.

I have already taken significant steps to provide needed protections to tenants during the foreclosure of their homes. For instance, I recently signed SB 1137, which, among other things, doubled the amount of time that tenants have to find a new home before they must vacate foreclosed property. This bill takes the wrong approach of potentially increasing the costs associated with foreclosed property by allowing utility liens for water and sewer, and allows utilities to benefit during a time of financial hardship for many property owners. This bill could further have an adverse economic impact on California as it may complicate and impede the sales of foreclosed property or result in more evictions upon sale of the foreclosed property. By requiring lenders and legal owners of foreclosed property to assume the responsibility for utility payments, this bill may increase the financial costs associated with buying foreclosed property. Finally, landlords must provide habitable housing, and therefore are already obligated to ensure tenants have access to water and sewer services.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1830**

Governor's Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1830 without my signature.

In an attempt to address various issues to come out of the subprime loan meltdown, this bill would enact the Higher-Priced Mortgage Loan Law, restrict the use of various loan features, codify a fiduciary duty for mortgage brokers, and authorize California's mortgage regulators to apply specified federal mortgage lending laws and regulations to their licensees.

The goals of this bill are to be lauded and the work and effort that went into the bill commended. However, I believe the approach of the bill to address the subprime crisis overreaches and may have unintended consequences.

First, its provisions will only apply to state regulated entities, as federally regulated entities will be exempt. This will create an uneven playing field, putting state regulated entities at a competitive disadvantage and consumers will have unequal protections under the law. Secondly, this bill allows for a private right of action and allows a plaintiff to recover attorney fees if he or she prevails. The bill does not allow a defendant to recover costs if he or she prevails. This provision will likely lead to increased litigation based on de minimis violations as plaintiffs attorneys will have much to gain and little to lose.

Many changes have already occurred to curb some of the past lending and brokering abuses. Last year, I signed SB 385 strengthening underwriting criteria to ensure that borrowers can afford loans. The Federal Reserve Board has implemented amendments to the Truth in Lending Act (Regulation Z) to regulate advertising practices and provide additional protections to the lending marketplace. I recently signed SB 1137 to provide homeowners with additional protections against foreclosure and to expand the rights of tenants. Finally, the President recently signed the Housing and Economic Recovery Act, which imposes new oversight requirements on loan originators and contains many other provisions to assist in economic recovery. All of these changes need time to take effect. As a result, further legislation is unnecessary until we can evaluate the effect of the reforms that have already been enacted.

I am directing the appropriate agencies within my Administration to implement any of the appropriate portions of this bill that can be done so administratively. I encourage the Legislature to work with my Administration to implement the many pieces of this legislation that could be helpful to consumers.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1867**

Governor's Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1867 without my signature.

This bill would require public agencies to accept bids for appraisal projects from any appraiser who is a designated member of any appraisal organization that is a member of the Appraisal Foundation and provides an appraiser who was not allowed to submit a bid to a public agency may sue that agency for equitable relief.

I vetoed a substantially similar bill last year on the grounds that it would create a specific cause of action which could result in significant litigation costs for public agencies. This bill does little or nothing to resolve my concerns regarding the threat of increased litigation or costs to the state.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2586**

Governor's Office, Sacramento  
September 25, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2586 without my signature.

This bill would require new owners of foreclosed properties to assume the responsibility of returning the renters' security deposits that were part of a rental agreement made between the landlord and tenant before foreclosure.

I believe this bill is inequitable and fundamentally changes existing provisions in law because it would sign liability to the successor in interest for money never received and for actions not under its control. New owners who acquire property through foreclosure, who never signed an agreement with the tenant, should not be required to take over the legal obligations of the previous owner, including an obligation to return security deposits. As a result, this bill may increase costs and discourage purchases of foreclosed properties, and thus delay economic recovery in California.

Additionally this year, I have signed several other measures to strengthen tenant notifications and rights during foreclosure proceedings, including SB 1137, which, among other things, doubled the amount of time that tenants have to find a new home before they must vacate foreclosed property.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 25th day of September at 12:20 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 529, 1333, 1830, 1867, and 2586.

JACQUELYN KIRWAN

Assistant Clerk of the Assembly

**Veto Message—Assembly Bill No. 13**

Governor's Office, Sacramento

September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 13 without my signature.

Current law already requires hospitals to have written staffing plans for nursing staff. In addition, hospitals must determine the staffing needs for "non-licensed" classifications using the hospital's individual patient care requirements and their system of providing care. The Department of Public Health already has the authority to issue deficiencies and administrative penalties to hospitals when an investigation concludes that staffing deficiencies lead to harm or poor patient outcomes.

For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 117**

Governor's Office, Sacramento

September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 117 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 152**

Governor's Office, Sacramento

September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 152 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 547**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 547 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 659**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 659 without my signature.

The continuity of services in child care settings is a laudable goal. However, this bill would create a negative incentive for the county to rely on the availability of state and federally funded programs to alleviate their local program needs, rather than maximizing their local funds to create a comprehensive child care delivery system.

The bill would also create significant Proposition 98 General Fund cost pressure to expand state child care programs at a time of fiscal challenge.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 697**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 697 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 734**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 734 without my signature.

This bill would amend membership criteria for the California Apprenticeship Council (CAC), significantly amend existing law with regard to auditing of apprenticeship programs, and places new requirements on new or expanding apprenticeship programs in the building and construction trades.

While the auditing provisions are a vast improvement in public policy over existing audit provisions, changes to criteria for membership on the CAC and a failure to address the "needs test" for new or expanding apprenticeship programs are cause for concern. There has been no indication that current criteria for membership is somehow inadequate or needs to be addressed, and the failure to address the "needs test" will ensure that California's apprenticeship programs will remain de-recognized by the federal Department of Labor.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 885**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 885 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1133**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1133 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1290**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1290 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1519**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1519 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1751**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1751 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2132**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2132 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2179**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2179 without my signature.

The Air Resources Board (ARB) is currently developing the low carbon fuel standard (LCFS) as part of its implementation of AB 32, the California Global Warming Solutions Act of 2006. The purpose of the LCFS is to set declining carbon content targets for vehicle fuels and let the market determine which fuels to provide Californians for consumption. This bill chooses one type of fuel over another, which is contrary to the market concept underlying the development of the LCFS.

Additionally, the sustainability criteria required by this bill set a precedent for exhaustive but marginally beneficial analyses that are inconsistent with those presently under development by the ARB and would likely delay implementation of the LCFS.

Although I cannot support this measure, I strongly support the concept of our State fleets routinely using alternative and renewable fuels. In 2007, Caltrans initiated a pilot program to determine the feasibility of using biodiesel fuel in its fleet. To date, the results of that program have been favorable and I encourage them to continue expanding it in a cost effective manner.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2467**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2467 without my signature.

While I believe that it is beneficial to transfer information from preschool and infant and toddler programs to elementary schools, this bill is unnecessary. Nothing under current law prohibits the transfer of specified information that is deemed beneficial to the pupil and the public school teacher. Furthermore, nothing in current law prohibits a parent or guardian from providing information that would support their child's learning environment or abilities.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2861**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2861 without my signature.

This bill contains numerous drafting errors that render its provisions confusing at best and potentially harmful to patients at worst.

I would encourage the author and stakeholders to fix these errors in future legislation. At that time, I will consider this legislation again.

For this reason, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3013**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3013 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 26th day of September at 5:40 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 13, 117, 152, 547, 659, 697, 734, 885, 1133, 1290, 1519, 1751, 2132, 2179, 2467, 2861, and 3013.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 290**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 290 without my signature.

I am very concerned about the safety of Department of Transportation (Caltrans) maintenance workers and support the intent of this bill to grant them additional protection in the performance of their duties. However, this bill contains a provision that would inappropriately restrict the use of amber warning lights by Caltrans workers in a manner that contradicts the department's official policy, its maintenance manual, and which if followed, could actually increase the danger to those employees by prohibiting them from using the lights in situations where doing so would be the safest course of action. In addition, this bill



could significantly increase the department's exposure to tort liability by defining every instance where amber warning lights are used as, implicitly, an unusual or extreme hazard.

It is troubling to me that I cannot sign this bill at this time. However, next year, the original legislation requiring motorists to move over for tow-trucks and authorized emergency vehicles is due to sunset. By January 1, 2009, the California Highway Patrol is required to prepare a report assessing the impacts of this law and recommending whether or not it should be extended.

Pending this report, should the Legislature choose to seek extension of the move-over law next year, I urge that Caltrans employees be included in a manner that provides safety for the employees and the motoring public.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 501**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 501 without my signature.

While I support the safe and proper disposal of home-generated sharps waste, this bill only applies to the disposal of prefilled injection devices. Although the use of these devices is increasing, omitting other types of home-generated sharps from the bill could potentially create an unintentional disincentive for the production and use of these prefilled injection devices. Limiting the types of sharps in this way, making the bill's provisions take effect only upon the request of consumers, and the options provided to the manufacturers of these devices will likely reduce the efficacy of this bill. Lastly, and most importantly, this bill is unclear as to who bears the ultimate cost of these containers. This problem requires a solution that must be shared among all the stakeholders, not just the manufacturers of one type of device.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 567**

Governor's Office, Sacramento  
September 27, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 567 without my signature.

This bill seeks to regulate common interest development associations by establishing a Common Interest Development Bureau within the Department of Consumer Affairs and impose a \$10 per unit biennial fee on such associations to fund the bureau's operations.

Creating another layer of government bureaucracy is costly and unnecessary. Numerous bills have been signed into law in the past few years to address the various problems cited by the author. There is little or no evidence that these measures have proven ineffective in addressing the current situation. Today, several other government

agencies are handling issues raised with these associations. As such, I can see no reason to create an entirely new state entity at this time.

For these reasons I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 681**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 681 without my signature.

This bill is unnecessary. The state does not need to authorize counties to establish pilot programs in their local jurisdictions.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 725**

Governor's Office, Sacramento  
September 27, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 725 without my signature.

This bill is unnecessary and impractical for the Department of Housing and Community Development to implement. Providers of rental housing are free to develop a uniform rental housing application on their own should they find such an application helpful for their housing developments or for their prospective tenants. Also, since housing providers would be able to request additional information on this application, it in effect would not truly be a universal application.

Additionally, this bill would require state agencies, when awarding housing funding or tax credits, to assign bonus points to applicants using the universal rental application. This provision places the use of a specific rental application on the same priority level as other high level programmatic priorities such as housing affordability, project readiness, and funding commitments. This is not an appropriate way to disperse scarce housing bond funds.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 842**

Governor's Office, Sacramento  
September 27, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 842 without my signature.

This bill would add ranking provisions to the Infill Incentive Grant program and Transit-Oriented Development programs administered by the Department of Housing and Community Development (HCD). These provisions would give preference if an applicant's general plan, transportation plan, or regional blueprint provides for a 10-percent reduction in the incremental growth in vehicle miles traveled (VMT).

The fundamental weakness of this bill is the absence of any generally accepted, standardized tools for measuring changes in VMT that

accommodate in any meaningful and reliable way the varying social, economic, and geographical conditions in the state. Moreover, even if there were such measures, this bill would provide no means of monitoring whether the projected VMT reductions were achieved or any sanction for failing to achieve the projected reductions. Without these elements, this bill is pointless.

Additionally, the bill is costly and duplicative. The Infill Incentive Grant program and Transit-Oriented Development programs are programmatically structured to minimize automobile use. The ranking criteria for the programs currently include several measures that incentivize and target reduced automobile usage. This bill would impose substantial costs on HCD and local planning agencies with little, if any, prospect of achieving its goal of reducing automobile use.

For the above reasons, I am returning the bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 952**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 952 without my signature.

This bill would require the board of directors of a homeowner association (HOA) in a common interest development (CID) to provide a payment plan to an owner who is delinquent in paying his or her assessments, if the homeowner can establish a need for working out a payment plan.

This measure will likely be impractical and burdensome for HOAs to actually implement. HOAs enjoy substantial authority in the governing rules that are granted by a vote of the homeowners and can be altered by such a vote. It is more appropriate for each HOA to recognize the unique needs of their homeowners in resolving these issues than passing a one size fits all statewide solution.

For these reasons, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 996**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 996 without my signature.

This bill allows collectors of traffic and parking fines to have access to the confidential home address information at the Department of Motor Vehicles (DMV). There are existing mechanisms in place to allow a traffic enforcement agency to pursue collections from law enforcement officers and others who have a restricted confidential home address. The agencies are authorized to obtain an individual's employment information from the DMV and send billing notification to the individual's place of employment. Additionally, unpaid fines can be reported to DMV and included in the registration renewal notice.

DMV estimates significant costs to implement the bill, depending on the volume of requests for restricted confidential address records. DMV

maintains over 1.5 million records that fall under the Confidential Records program. These records cannot be accessed electronically, and therefore, additional staff time would be required to manually process requests for these records. I am also concerned that this access puts the home addresses of law enforcement officers at risk of disclosure.

For these reasons, I am returning the bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1017**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1017 without my signature.

This bill establishes timelines under the California Environmental Quality Act (CEQA) during which an administrative appeal of an action taken by a nonelected decision-making body may be made to the elected body.

This bill is unnecessary because existing law already allows local elected officials to set their own deadlines for administrative appeals under CEQA. Imposing standard deadlines for the governance of administrative appeals without regard for variations in local conditions, caseload impacts and other practical considerations unnecessarily limits the discretion of local governments.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1418**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1418 without my signature.

This bill would require the Department of Financial Institutions to develop a Credit Union Membership Investment Model to encourage state-chartered credit unions to identify best practices within the credit union industry. The bill would also require the Secretary of Business, Transportation and Housing to prepare a list of significant commitments made by federally- and state-chartered banks related to community investment.

The department is a regulatory agency whose core mission is to enforce our state's banking laws and ensure that state-chartered banks and credit unions engage in sound fiscal and business practices. Neither major provision of this bill are consistent with the mission of the government agencies tasked with these responsibilities. It is additionally unclear that any of the activities envisioned in this bill would actually help in any material way the intended beneficiaries or that these activities are not better suited for the marketplace to act upon.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:25 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 290, 501, 567, 681, 725, 842, 952, 996, 1017, and 1418.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1574**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1574 without my signature.

If this bill were enacted, the Board of Pharmacy would be authorized to issue a limited pharmaceutical license to a physician-owned surgical clinic without it being licensed by the state Department of Public Health (Department). Licensure by the Department ensures that clinics operate in compliance with state and federal standards and provide patients with quality medical and surgical care. This bill fails to address the larger issue of a recent court ruling prohibiting the Department from issuing licenses to surgical clinics that are partially or wholly-owned by physicians. This bill also fails to enact patient safety standards that have been the subject of two previous vetoes.

I will not support a partial solution to a much larger problem, especially when I have requested a comprehensive solution that resolves the quality and licensure issues for physician-owned clinics.

For these reasons, I am not able to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1709**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1709 without my signature.

While I support the use and inclusion of energy efficiency products for the homes in our state as demonstrated by my Million Solar Roofs Initiative, this bill would allow Mello-Roos taxes to be imposed on homeowners in order to finance energy efficiency improvements. This provision represents a fundamental shift in the purpose of Mello-Roos taxes and is one that I cannot support.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1873**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1873 without my signature.

California small claims courts are devised to offer accessible legal services and adjudication to all California citizens. However, this bill would add an additional fee that a claimant may incur when trying to serve a defendant. Such an additional fee may limit the ability of a claimant to bring a claim and would not keep with the spirit of accessibility to small claims courts. We should not be imposing additional fees on the citizens utilizing our court systems with no corresponding increase in services.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1975**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1975 without my signature.

This bill will create a reimbursable state mandate of unknown magnitude by requiring local agencies to accelerate submission of DNA samples. The Legislature could use next session to eliminate this potential mandate issue by revising the bill.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2002**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2002 without my signature.

This bill would double certain penalties on public works projects and create new liability on contractors for the acts of subcontractors.

While I strongly support efforts to ensure compliance with our prevailing wage laws, the proponents of this measure have failed to demonstrate a need for the increased penalties or evidence that simply doubling penalties and creating new liabilities is an effective way of achieving greater compliance. Strong enforcement of existing laws, as well as concerted public outreach and education of employers, will do far more to ensure compliance with our laws than simply indiscriminately doubling penalties.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2139**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2139 without my signature.

In 2005, I vetoed a substantially similar bill and encouraged the Legislature and insurance industry to address the narrow situation where those driving their own family members to medical appointments are not considered as driving during the course of employment.

This bill, however, did not incorporate that suggestion, and as such, does not address the fundamental fairness issue for consumers. Insurers must be able to manage the risk they assume and charge insureds appropriate rates to cover that risk. This bill would subject all drivers, including many that also work for similarly low wages as In-Home Support Service (IHSS) workers, to subsidize the increased premium costs associated with the increased risks these particular insured represent.

Without question, IHSS workers perform an invaluable service for California's most vulnerable citizens allowing them to remain in their own homes. That being said, there are a great number of invaluable services that are performed everyday that benefit millions of our citizens. This bill would cause just one classification of employment to be exempt from the insurance rating factors that affect all other consumers.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2151**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2151 without my signature.

This bill would cede a portion of the state's oversight of off-sale retail licensees to local entities. While I support the intent of the bill to strengthen redevelopment efforts in blighted areas, I cannot support legislation which contradicts the provision of the California Constitution vesting the State with the exclusive right to license and regulate alcoholic beverage retailers.

For this reason, I am returning this bill without my signature

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2231**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2231 without my signature.

While I appreciate the progress that Alameda County, Solano County, and the City of Berkeley have made in addressing domestic violence, the funding mechanism authorized by this bill is inappropriate. Irrespective of its intent or the programs it would fund, this bill would extend and increase a fee that is actually a tax; its imposition without a local vote of the people, would be a clear violation of our Constitution.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2344**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2344 without my signature.

This bill would increase license fees on retailers that sell tobacco. I do not believe it is fair to the thousands of small retailers impacted by this bill to increase fees at this time. There is a significant surplus of funds from Proposition 10 available to cover the enforcement costs of this program.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2541**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2541 without my signature.

Existing law allows courts to direct most low-level, non-violent drug offenders to diversion or participation in a deferred entry of judgment program. This bill seeks to expand these opportunities to higher-level drug dealers. Although the state should seek to make meaningful rehabilitation a reality for a person convicted of a drug offense, this rehabilitation should be concurrent with or subsequent to the imposition of his or her rightful sentence. This bill would undermine the state’s drug laws and thereby place the public’s safety in jeopardy.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:26 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1574, 1709, 1873, 1975, 2002, 2139, 2151, 2231, 2344, and 2541.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2617**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning AB 2617 without my signature.

This bill would require that the Department of Transportation or a local authority post signs wherever a motorcycle is permitted upon high-occupancy vehicle (HOV) lanes. This would necessitate a significant expenditure to post and replace such signs on the state's highway systems. Additionally, no data has been established to indicate that confusion over whether a motorcycle can or cannot use HOV lanes is a widespread problem. The need for this costly signage program has not been conclusively established.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2629**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2629 without my signature.

While the bill's proposal to allow a competent person to service agricultural manlifts in lieu of an entity certified by the Division of Occupational Safety and Health (Division) has merit, other provisions in the bill are flawed and cannot be accepted unless supporting information is brought forward to justify the changes proposed. For example, the bill proposes to expand the Division's jurisdiction to include private residences, while removing the Division's jurisdiction over elevators in hydroelectric facilities. Both changes significantly alter long standing practices and were added to the bill with little explanation. Other provisions of this measure dealing with two-unit residential buildings are ambiguous and create more questions than answers. I suggest the proponents of this measure work with the Division to justify the proposed changes and draft unambiguous language that addresses the alleged shortcomings in existing law.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2697**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2697 without my signature.

While I support greater transparency in hospital financing and quality indicators, this bill represents an effort to undermine our current competitive market-based health care system. Requiring “boutique” hospitals to conduct an impact study on surrounding hospitals before commencing operations is anticompetitive and may result in patients having fewer choices when they seek effective, specialized care in their community. Furthermore, a great deal of this data is already collected and available through the Office of Statewide Health Planning and Development.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2923**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2923 without my signature.

This bill reiterates existing law, which already requires the Secretary of the Resources Agency (Secretary) and State Lands Commission (SLC) to review certain state-owned lands for suitability or non-suitability as wilderness areas and to report to the Governor and the Legislature.

Additionally, this bill statutorily prioritizes specific state-owned lands for review as wilderness. These specific designations appear arbitrary and could result in the redirection of scarce resources from within the agency and its departments. I prefer to let the Secretary manage the reviews his agency and departments are required to conduct under existing law.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2937**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2937 without my signature.

Despite advancements in technology and the best efforts of law enforcement, innocent people sometimes are arrested or convicted of crimes they did not commit. I applaud efforts to address injustice done when an innocent person has been erroneously incarcerated and support measures to help such an individual receive appropriate compensation

or services. However, I cannot support this bill because it would create a state-mandated local program resulting in increased General Fund costs.

This bill would require counties to provide case management services for two years to persons wrongfully incarcerated and, upon request, for any person wrongfully incarcerated and released since January 1, 2002. The state already compensates these individuals, even though wrongful convictions occur at the local level. Any programs to further assist these persons should therefore be funded at the local level. In addition, many of these individuals could otherwise be eligible for local programs without mandating the provision of case management services.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2996**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2996 without my signature.

I support efforts to ensure that California is better prepared for public health emergencies. However, I have previously vetoed similar legislation based in large part on the fact that the after-action reports mandated by this bill are already required by both the State's Standardized Emergency Management System and the federal government as a condition of the receipt of federal funds. As a result, this measure simply duplicates existing statutes and regulations and would not increase public safety or improve preparedness and therefore is unnecessary.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 27th day of September at 2:27 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2617, 2629, 2697, 2923, 2937, and 2996.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 169**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 169 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 815**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 815 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 860**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 860 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 926**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 926 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1720**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1720 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1722**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1722 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1823**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1823 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1829**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1829 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1910**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1910 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1951**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1951 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:45 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 169, 815, 860, 926, 1720, 1722, 1823, 1829, 1910, and 1951.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1022**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1022 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1569**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1569 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1724**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1724 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1916**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1916 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1950**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1950 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2233**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2233 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2299**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2299 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2440**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2440 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2471**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2471 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2595**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2595 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 27th day of September at 2:46 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1022, 1569, 1724, 1916, 1950, 2233, 2299, 2440, 2471, and 2595.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2610**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning AB 2610 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2627**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2627 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2849**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2849 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2871**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2871 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2878**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2878 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2953**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2953 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2964**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2964 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2992**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2992 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3045**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3045 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3050**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3050 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:47 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2610, 2627, 2849, 2871, 2878, 2953, 2964, 2992, 3045, and 3050.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1955**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1955 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2275**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2275 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2508**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2508 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2770**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2770 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3014**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3014 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:48 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1955, 2275, 2508, 2770, and 3014.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 3059**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3059 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3064**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3064 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3068**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3068 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3080**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3080 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:49 p.m., of the following Assembly Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 3059, 3064, 3068, and 3080.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 264**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 264 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 359**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 359 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1028**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1028 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1221**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1221 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1230**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1230 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1760**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1760 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1825**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1825 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1852**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1852 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1866**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1866 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1870**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1870 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1885**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1885 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1928**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1928 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1942**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1942 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1982**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1982 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2078**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2078 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2160**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2160 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2173**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2173 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2213**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2213 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2243**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2243 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2412**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2412 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2427**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2427 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2584**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2584 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2622**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2622 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2898**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2898 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3033**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3033 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3041**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3041 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3052**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3052 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3054**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3054 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 28th day of September at 1:35 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 264, 359, 1028, 1221, 1230, 1760, 1825, 1852, 1866, 1870, 1885, 1928, 1942, 1982, 2078, 2160, 2173, 2213, 2243, 2412, 2427, 2584, 2622, 2898, 3033, 3041, 3052, and 3054.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1057**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1057 without my signature.

This bill would expand coverage to the uninsured in Santa Clara county using federal funds that are only available for three years. This program is not sustainable and represents a piecemeal approach to a larger problem. The larger problem can only be solved with comprehensive health care reform that promotes prevention, covers all Californians, contains cost and shares responsibility.

I cannot support a bill that only covers a fraction of a problem requiring far larger solutions.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1112**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1112 without my signature.

This bill adds the acquisition or construction of residential rental property in order to house district teachers and employees to the purposes for which a school district or community college district governing board may request voter approval to issue and sell bonds.

School districts should not add residential property management to their list of responsibilities. This broadened authority would detract from their primary responsibility of educating students. The issue of affordable housing is best addressed by the local government agencies tasked with that responsibility.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1129**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1129 without my signature.

I am supportive of providing additional flexibility for small rural jurisdictions to participate in the Local Housing Trust Fund program by reducing the minimum participation level and allowing flexibility for local governments to provide dedicated fee revenue in lieu of a one-time match. However, the bill is silent on when local governments may expend state funds that are on deposit awaiting local matching funds. Allowing local governments to expend state funds without the accompanying local matching funds undermines the purpose of a matching grant program.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1366**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1366 without my signature.

This bill would require local governments to have approved housing elements and to have submitted annual housing element progress reports for eligibility for funding of specified affordable housing programs administered by the Department of Housing and Community Development. As a result, this bill could exclude housing projects located in some communities from accessing Proposition 1C housing bond funds for affordable housing projects. While compliance with housing element law is important, withholding funding could have the effect of reducing affordable housing options in communities where it is most needed.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1502**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1502 without my signature.

While I acknowledge that teaching students the importance of financial literacy is meritorious, school districts already have the flexibility to incorporate money management into their lesson plans. Moreover, the State Board of Education adopted content standards developed by a diverse group of experts and are intentionally broad in

order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1605**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1605 without my signature.

This bill is unnecessary. Public health nursing issues are being addressed through collaboration with the Department of Public Health and the stakeholder community. In addition, this bill would unnecessarily restrict the Department’s ability to choose a chief deputy that brings the skills and expertise needed to manage a large, complex and important governmental agency.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1754**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1754 without my signature.

Nothing under current law prohibits the Chancellor of the California Community Colleges to distribute a pre-existing model grade changing policy to each community college district, even without legislative mandate. Therefore, this bill is unnecessary.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1816**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1816 without my signature.

This bill is unnecessary because the courts already maintain and have exercised authority to appoint temporary cemetery managers when circumstances warrant.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1821**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1821 without my signature.

While the intent to streamline reporting requirements for the higher education segments is a laudable goal, I understand this bill contains a drafting error. Furthermore, as currently drafted, this bill would likely result in significant state reimbursable mandated costs on the Community Colleges.

I would be willing to sign a bill in the next session that addresses these concerns and directing my Department of Finance to work with the appropriate Legislative staff to this end.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1863**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1863 without my signature.

While I respect the author's intent to recognize the role of Italian Americans in California and United State history, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1872**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1872 without my signature.

While I support the goal of making evidence-based information available to assist in educating students with Autism Spectrum Disorders, this bill is premature. It is unclear whether private funding can be secured for this purpose, as required by the bill. Programs that are established in statute without consistent funding can establish the appearance of addressing an issue, but tend to provide marginal benefit in the long run.

Given the current fiscal situation, I encourage the author to work with the Department of Developmental Services in determining the best way to meet the objective within existing resources available.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1884**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1884 without my signature. As I have stated before in vetoing similar measures, allowing a tribal government that is not subject to all federal, state and local laws to participate in the exercise of public power, particularly off reservation lands, diminishes public accountability and control.

Sovereign tribes can work cooperatively with their local governments through agreements and memorandums of understanding as contemplated in the tribal-state compacts my Administration has executed. I encourage the proponents of this measure to pursue their objectives in this manner.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1917**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1917 without my signature.

This bill would allow, upon adoption by the Los Angeles County Board of Supervisors, an enhanced survivor benefit for children of medical professionals in county jail and mental health facilities who are killed in the line of duty.

Although this is a well-intentioned bill, this is a matter that should be resolved in collective bargaining at the local level before seeking any necessary legislative approval.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2000**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2000 without my signature.

This bill would permit a city or county, where construction of housing units exceeded their fair share of the regional housing need in the prior planning period, to credit those units against the jurisdiction’s fair share for the next planning period. While the goal of rewarding cities and counties that exceed their fair share is laudable, this bill would

negatively impact the housing industry by reducing the amount of land available for residential development and could result in more regulatory barriers to housing.

Additionally, this bill would require on-going appropriations from the General Fund in order for the Department of Housing and Community Development to comply with the law.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2019**

Governor's Office, Sacramento  
September 28, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2019 without my signature.

This bill would give tenants the ability to initiate legal action against an owner of publicly subsidized, rent-restricted, or assisted housing if the owner fails to provide the proper legal notice when the owner decides to remove the property from the subsidized housing market.

This measure, while well intentioned, attempts to achieve this goal by expanding the number of individuals who have standing to initiate legal action and enforce current notification requirements. This could increase overall litigation throughout the state. In addition, owners, who may have simply been unaware of the notification requirements, may face excessive and unnecessary delays or court costs prior to the sale or transfer of their property. These types of delays and burdens could discourage potential buyers of the affordable housing development and increase the chances that individuals who own, or are considering the purchase of, affordable housing units will choose not to enter the market.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2034**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2034 without my signature.

While I respect the author's intent to recognize the role of Native Americans and their tribal and sovereign governments' relationship with the state, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2064**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2064 without my signature.

While I respect the author’s intent to recognize the role that Southeast Asians played in the Vietnam War, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2097**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2097 without my signature.

This bill would allow a redevelopment agency to divert funds set aside for the construction of affordable housing to finance supportive services which include staff salaries and other ongoing costs. While the intent of this bill, to increase social services for individuals who are homeless, is laudable, AB 2097 would set a precedent for the expenditure of redevelopment funds on ongoing, programmatic costs that create new levels of financial risk for taxpayers. Because redevelopment funds are based largely on bond indebtedness, they should be strictly limited to one-time costs associated with capital improvements and other physical work. In addition, this bill would reduce the available funding for actual housing production, which undermines state and local efforts to increase affordable housing opportunities for families with low and moderate incomes.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2135**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2135 without my signature.

I vetoed similar legislation in 2006 and am concerned that this bill circumvents the decision by the State Board of Education on this issue. The State Board thoroughly vetted the issue in its deliberations and this measure contradicts that decision.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2138**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2138 without my signature.

This bill attempts to create a statewide policy of exempting certain foster care students from district-specific graduation requirements. In doing so, this bill would usurp the authority of local school boards to determine the conditions under which students should be granted diplomas. Beyond the current minimum statewide requirements, local school boards have the ability to waive their own local graduation requirements based on the merit of each student's case. This bill would undermine their ability to judge each individual student's particular circumstances.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2167**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2167 without my signature.

Current law already provides adequate protection for school employees to review the contents and provide rebuttal to documents in their personnel file. Enacting this bill could result in hindering the reasonable process of school management personnel to fairly evaluate and discipline employees.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2189**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2189 without my signature.

The proposed continuing education requirements in this bill impose an additional burden on the regulated profession without justifying a compelling need.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2214**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2214 without my signature.

This bill authorizes a parent to make a request to a school or school district, but then also includes a provision that would allow a school or school district to disregard that parent's request. I do not support a measure that changes the law to ostensibly provide more parental rights, but results in no tangible effect.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2259**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2259 without my signature.

This bill would allow a homeowner in a common interest development (CID) to retain the right to rent or lease his or her unit, if the right existed at the time of ownership unless the owner relinquishes those rights in writing.

The supporters of this bill stress that the bill will protect the property rights of the owners of property within a CID governed by a home owner association (HOA) by preserving the conditions under which the property was purchased. This view stresses that these conditions are essentially a contract between the buyer and the HOA. However, the converse of this argument is that owners have their property rights limited when they are prevented from renting or leasing their property when they are restricted by this law and the subsequent actions taken by HOAs.

This bill alters the basic tenets under which CIDs and HOAs are formed and operated. While my support of property rights is unwavering, the CID creates a unique community model that is unlike the standard single family home in a traditional neighborhood. Property owners and residents that purchase and live in a CID governed by an HOA have agreed to live under a common set of rules and guidelines governed by a democratic process. It is best, as current law allows, for the owner-members of the HOA to determine what is best for their communities.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2295**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2295 without my signature.

This is the second time I have vetoed similar legislation. Current California Transportation Commission (CTC) policy guidelines already

provide that local road rehabilitation projects are eligible for State Transportation Improvement Projects funding. This bill is duplicative of existing guidelines and unnecessarily reduces the ability of the CTC to modify its guidelines to reflect future changes in available funding and transportation policy.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2315**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2315 without my signature.

The State Board of Education (SBE) recently addressed the issue of greater transparency and clear timelines and procedures in the instructional materials adoption process. Those SBE regulations were intended to set forth the process by which the SBE adopts curriculum frameworks, evaluation criteria, and instructional materials. Moreover, I see no need to change the process or the people involved in this important work. The SBE should maintain the authority of selection and appointment of instructional materials reviewers and content review experts.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2346**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2346 without my signature.

Current law allows a child care facility in a State building to receive a rent discount if the facility shows a specific need for the discount. The Department of General Services (DGS) already has substantially discounted the rent for each child care facility located in State buildings to help ensure the viability of each facility. Requiring the State to provide free rent to only specific child care facilities, as this bill proposes, sets an inappropriate precedent to provide a permanent rent exemption, without the discretion of DGS.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2438**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2438 without my signature.

I vetoed a substantively similar bill last year. I continue to believe that the provisions in this bill could undermine the goal of achieving student academic improvement.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2442**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2442 without my signature.

This bill is unnecessary. The funds within the Medical Board of California should be used to support ongoing consumer protection activities that are more directly related to the Board's licensure, regulatory and enforcement efforts.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2443**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2443 without my signature.

This bill, while well-intentioned, detracts from the mission and purpose of the Medical Board of California. The Board should be focused on successfully implementing its current licensure, regulatory and enforcement activities before attempting to offer new programs outside its highest priority—protecting the health and safety of consumers.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2468**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2468 without my signature.

I have vetoed similar legislation dealing with the cost of instructional materials in prior years. Current law already provides safeguards against California paying higher prices for instructional materials than



any other state or school district in the entire country. Moreover, I continue to believe that California should always focus on providing the highest quality of educational materials for our students.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2529**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2529 without my signature.

The fee schedule specified in this bill can be posted on the Division of State Architect website without legislative mandate. Therefore, this bill is unnecessary.

For this reason, I will not sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2543**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2543 without my signature.

I share the author's concern about the health workforce needs of our state. However, the provisions of this bill place an additional licensing fee on an entire profession to provide specialized loan assistance grants beyond the \$10 surcharge they already pay for the Mental Health Service Provider Education Program. Unfortunately, this bill is double-assessing the same profession for similar programs.

I would encourage the stakeholders to consider the loan repayment funds they currently receive through licensure assessments and discuss how those funds can be redirected to address their policy goals.

For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2550**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2550 without my signature.

I support the notion that best value contracting is a reasonable alternative for construction projects which allows projects to be awarded based on a combination of best price and qualifications because construction projects represent a large, long term investment of resources. However, I am concerned that this legislation may allow

subjective methods to govern the bidding process for procurement of supplies and materials with a relatively short life cycle, which could be more open to manipulation and abuse in the bid selection process.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2594**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning AB 2594 without my signature.

If this bill was signed into law, it would be in conflict with the recently enacted budget trailer legislation. By allowing redevelopment agencies to use tax increment revenue to purchase, assume, or refinance nontraditional and subprime mortgages, the bill would reduce the tax increment available for transfer to the Educational Revenue Augmentation Funds, as the budget trailer legislation requires.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2630**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2630 without my signature.

While the stated intent of this bill is purported to conform state special education law to changes to the federal Individuals with Disabilities Education Act, its provisions appear to expand beyond federal requirement, and therefore could expose the State to significant reimbursable state mandate costs.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2669**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2669 without my signature.

This bill would create a new speeding law that would make driving 26 miles per hour over the speed limit on city streets illegal. A violation of this provision would carry a two-point assessment to the driver's record and would also be reportable for a seven-year period.

There is no question that exceeding the posted speed limit is a dangerous and risky driving behavior. Driving in excess of the speed limit is already a violation of the law—the California Vehicle Code includes over 38 sections addressing speed violations. Moreover, a two-point violation should be reserved for the more egregious violations such as a DUI, reckless driving, and hit and run.

I applaud the efforts to curtail speeding on metropolitan roads and streets. Nevertheless, it is my belief that enacting another speeding law is unnecessary. I recommend that local authorities explore alternate traffic measures to decrease the likelihood of speeding on city streets.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2671**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2671 without my signature.

This bill is unnecessary, as the California Department of Corrections and Rehabilitation (CDCR) is already finalizing a prerelease process for incarcerated veterans, as would be required under this bill. In addition, the CDCR already asks inmates about their veteran status upon intake into prison. Therefore, this bill is not needed in order to ensure that incarcerated veterans are identified and that their benefits needs are met.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2696**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2696 without my signature.

This bill would impose additional costs and workload on the Department of Justice (DOJ) during a time of limited state resources. Funds for this purpose have not been included in the 2008–09 fiscal plan, and adding requirements to DOJ while also seeking programmatic reductions due to the state of the General Fund is inappropriate. In addition, this bill potentially creates a reimbursable mandate, which could lead to even more General Fund pressure and costs.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2704**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2704 without my signature.

This bill authorizes schools to provide free tap water for students in the food service area during the school day. Nothing under current law prohibits a school from providing free tap water to its students. This bill also prohibits a district from entering into contracts that prohibit the availability of free tap water. This bill essentially seeks to regulate a perceived lack of common sense amongst California's school

administrators, implying that they are not acting in the best interest of our students, by denying kids access to free tap water. I do not believe this particular bill is necessary.

Instead of signing this bill, I would much rather work with the Legislature on finding more positive and constructive ways to promote the accessibility and consumption of clean water in our schools.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2733**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2733 without my signature.

This bill is unnecessary as current law already requires sellers of real property to notify buyers of the presence of environmentally hazardous substances, materials or products that are on the property, if the seller has knowledge of such contamination. Current law provides adequate protection for buyers and sellers of real property. This bill would make it even more difficult for people to sell property in the State, and is inappropriate in light of the stagnant real estate market currently being experienced in California.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2757**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2757 without my signature.

As drafted, this bill is overly broad and would usurp the State Board of Education's (SBE) authority to approve the proposed regulations. Without SBE oversight and approval, I am concerned that this bill would allow additional data elements and reporting requirements on both public and private schools not currently required by the education code, and thus create local mandates.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2806**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2806 without my signature.

This bill would mandate that current homeowner association (HOA) board members and candidates running for a seat on a HOA board to provide information to the board indicating whether he or she has completed an educational course on the law of common interest developments. The bill would also require the HOA to include this

information in the ballot materials for the board member election along with any other relevant education or qualifications the candidate wishes to make known.

While it is important to know a candidate's credentials and qualifications to sit on a HOA board, existing law already allows for such, making this bill unnecessary. The Davis Stirling Act requires that any HOA board candidate be given access to a HOA's media, newsletters or internet web site during an election cycle to provide opinions relevant to the running of the HOA and information about his or her qualifications. This bill creates an unnecessary redundancy.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2818**

Governor's Office, Sacramento  
September 28, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2818 without my signature.

This bill would prohibit a local housing authority from disposing of certain types of subsidized public housing unless the housing authority meets certain state mandated conditions, including the full replacement of disposed of housing units.

The restrictions that this bill would add are unnecessary and over burdensome to local housing authorities. The federal government has been reducing subsidy funding for public housing, but the demand for public housing is not declining. Local housing authorities must have the flexibility to dispose of financially unsupportable housing in an efficient and timely manner that minimizes the loss of housing units. This bill would impose new notice requirements and other restrictions and limitations that would limit too severely that vital flexibility.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2854**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2854 without my signature.

During my Administration, I have been committed to assisting small businesses and seeking ways for them to access valuable state resources. However, this bill does not offer any additional significant information to these businesses that is not already provided on the existing Small Business Advocate website. The Small Business Advocate currently consults with all parties required in this bill, and as such the bill is redundant and unnecessary.

Additionally, the report mandate in this bill would create additional workload that would result in a General Fund cost pressure that is unsustainable during our current budget situation.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2874**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2874 without my signature.

Existing law already allows victims whose actual damages exceed \$150,000 to go straight to court without compromising the amount of their claim in a proceeding before the Fair Employment and Housing Commission. In addition, it is likely this bill would result in additional General Fund costs that are not currently funded.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2994**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2994 without my signature.

This bill is substantively similar to a bill I vetoed in 2006. I continue to believe that schools should maintain the flexibility to develop their own procedures to ensure compliance with existing state and federal laws.

For this reason, I am not signing this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3084**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3084 without my signature.

While I respect the author's intent to recognize the role of Filipinos who fought courageously in World War II, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

### Receipt of Bills

I acknowledge receipt this 28th day of September at 1:37 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1057, 1112, 1129, 1366, 1502, 1605, 1754, 1816, 1821, 1863, 1872, 1884, 1917, 2000, 2019, 2034, 2064, 2097, 2135, 2138, 2167, 2189, 2214, 2259, 2295, 2315, 2346, 2438, 2442, 2443, 2468, 2529, 2543, 2550, 2594, 2630, 2669, 2671, 2696, 2704, 2733, 2757, 2806, 2818, 2854, 2874, 2994, and 3084.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

### **Veto Message—Assembly Bill No. 317**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 317 without my signature.

This bill is unnecessary and may result in unnecessary General Fund expenditures. The Department of Health Care Services already works administratively on a case-by-case basis to help adult day health facilities receive appropriate reimbursement when there is a declared state-of-emergency.

For this reason, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

### **Veto Message—Assembly Bill No. 354**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 354 without my signature.

This bill fails to identify oversight and regulation of the proper handling and disposal of adulterated medical devices. Current law requires pacemakers to be considered medical waste upon removal from a body, requiring proper handling and shipping to medical waste treatment facilities. Additionally, possession, shipment and transfer of adulterated medical devices are specifically prohibited by state and federal law.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 357**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 357 without my signature.

While I am supportive of efforts to ensure that school districts have instructional materials available for their students on a timely basis, this bill is unnecessary. Districts may enter into contractual agreements with publishers and can negotiate any level of penalty based on a variety of contract terms, even without statutory mandate.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 360**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 360 without my signature.

This bill would allow counties to establish restorative justice programs. While I am open to prevention and treatment programs which are proven effective, the principles stated in this bill appear to emphasize alternatives to incarceration, without ensuring public safety. It is also unclear whether the restorative justice program, as proposed in this bill, is limited to first or second-time, nonviolent offenders.

I urge the Legislature to give further attention to these important issues that help shape the juvenile justice system.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 531**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 531 without my signature.

While I respect the author's intent to recognize the role that the *Mendez v. Westminster School District* case played in the civil rights movement, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 759**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 759 without my signature.

While I appreciate the author's intent, this bill could place a significant economic impact on small residential care providers. Inadequate housing for the elderly, especially those with disabilities, is already a significant problem. This bill may result in fewer facilities being able to serve this vulnerable population and force some residents to relocate to more restrictive or costly living arrangements.

For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 865**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 865 without my signature.

This bill would require specified state agencies to answer incoming telephone calls on their main public lines with a live customer service agent within ten rings.

Good customer service is an essential part of good state government. My Administration strives to ensure that our constituents receive the best customer service possible, even in tight fiscal times such as these. To that end, each Agency impacted by this bill has practices in place to address the needs of its particular constituents. The inflexible mandate proposed by this bill is not only unnecessary but places fiscal burdens on the state at the most inopportune of times.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 599**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 599 without my signature.

While this bill attempts to simplify an overly complex education finance system, this bill has several technical concerns in the way it was drafted. I am concerned that the consolidated "add-on" may not be revenue neutral, as the author intended, since various factors could result in unanticipated General Fund costs or savings in future years. Furthermore, the bill as crafted may diminish the incentives for districts to offer longer instructional time.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1405**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1405 without my signature.

This bill would discourage complete and honest testimony in judicial proceedings by forbidding a prosecutor from using a minor's prior statements to demonstrate that he or she is misleading the court.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2105**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning AB 2105 without my signature.

This bill would expand the list of mandated reporters of suspected financial elder and dependent adult abuse to include all financial lending institutions and their employees engaged in lending or servicing activities. The bill would also add courses to detect signs of financial and elder abuse and reporting requirements to the list of consumer protection courses or programs required for real estate license renewal.

While my Administration is committed to the prompt investigation of suspected financial elder and dependent adult abuse, the current fiscal crisis does not allow me to support legislation which creates an additional workload for already-overburdened programs. County adult protective services agencies, which would need to provide training and guidance to finance lenders in their new reporting duties, are already stretched thin.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2252**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2252 without my signature.

I agree that youth offer a unique and thoughtful perspective on issues that affect California. However, this bill is duplicative of efforts currently underway by the Child Welfare Council established under the Child Welfare Leadership and Performance Accountability Act of 2006 and the State Youth Council. Furthermore, the Administration and the Legislature already have the authority to create councils to advise them, rendering this bill unnecessary.

For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2844**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2844 without my signature.

This bill would require significant state General Fund expenditures when our state's fiscal situation remains uncertain. Due to the immediate cost of implementing the provisions of this bill and our budget crisis, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 239**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 239 without my signature.

It is unacceptable to create a two-tier classification for drug and alcohol counselors in this state. Individuals seeking treatment for an addiction problem should not be subject to different standards based on their ability to pay.

I am directing my Department of Alcohol and Drug Programs and Department of Consumer Affairs to work with stakeholders to craft a uniform standard for all alcohol and drug counselors so individuals seeking treatment are offered the same quality care across all sectors, whether in a public or private facility.

I look forward to supporting a bill that provides consistent, high quality standards for all alcohol and drug counselors.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 371**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 371 without my signature.

This bill would require all general acute care hospitals applying for financing from the issuance of tax-exempt bonds to have a "safe patient handling" policy in their Injury and Illness Prevention Plan.

This bill is yet another attempt to impose inflexible patient handling policies upon all acute care hospitals. I have vetoed several bills attempting to impose so-called "zero-lift" policies on hospitals, including a measure this year. As I have said before, hospitals are the best judges of what type of safe patient handling policy is appropriate for their care setting given their resources.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1755**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1755 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2244**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2244 without my signature.

Current law already requires hospitals to have written staffing plans for nursing staff. In addition, hospitals must determine the staffing needs for “non-licensed” classifications using the hospital's individual patient care requirements and their system of delivering care. To target a requirement specifically at the five University of California hospitals is both unnecessary and ineffective. All hospitals are currently licensed and held accountable using the same criteria—this makes good policy sense and creates an environment that protects all patients equally, regardless of the type of hospital.

For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2269**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2269 without my signature.

This bill would authorize a public utility to receive solar incentives authorized by the SB 1 (Murray).

When I embarked on creating the Million Solar Roofs Plan, the goal was to get 3,000 megawatts of customer-generated solar power in an effort to encourage distributed generation to sustain our electrical grid and build a robust and commercially viable solar industry in California.

This bill undermines those goals by awarding solar incentives directly to the utility rather than to their customers. Although this bill is narrowly tailored, signing it would open the door from other utilities throughout the state that would seek similar treatment. If we wish to maintain this program, this cannot occur. I will not sign any bill that undermines this program by shifting the rebates it offers from customers to a publicly- or investor-owned utility.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2309**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2309 without my signature.

This bill is unnecessary as it would require the California Public Utilities Commission to determine whether to require corporations to provide owner-requested energy efficiency audits and make recommendations to the owner on cost-effective measures that would increase a building's energy efficiency.

Although I am supportive of efforts to increase energy efficiency, utilities and private entities already conduct energy audits when requested by building owners. Home audits are already included in each utility's portfolio of programs and upon completion of audits, the utilities offer residential owners recommendations for achieving increased energy efficiency.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2540**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2540 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2706**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2706 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2968**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2968 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 28th day of September at 1:41 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 317, 354, 357, 360, 531, 759, 865, 599, 1405, 2105, 2252, 2844, 239, 371, 1755, 2244, 2269, 2309, 2540, 2706, and 2968.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2032**

Governor's Office, Sacramento  
September 29, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2032 without my signature.

This bill would authorize the Administrator of the Office of Spill Prevention and Response (OSPR) to increase the per barrel oil fee on oil delivered to a marine terminal or transported into the state by a pipeline through marine waters from the current 5 cents per barrel up to 8 cents per barrel.

The per-barrel fee was increased in 2002, and OSPR is currently using those increased funds to implement a number of strategies to improve preparedness and operations that will not result in costs above what is included in the 2008 Budget Bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2547**

Governor's Office, Sacramento  
September 29, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2547 without my signature.

In addition to many other activities which are already being undertaken by the Office of Spill Prevention and Response (OSPR), this bill seeks to establish a new grant program to evaluate new oil spill response technologies. This is unnecessary as OSPR already maintains partnerships with the United States Coast Guard and the Minerals Management Service to monitor and evaluate new response technologies.

Additionally, the funding stream for this new program is problematic. The bill proposes to fund the new grant program using the Oil Spill Response Trust Fund. This is problematic because Trust Fund monies are set aside to fund oil spill response activities. Using this money for an ongoing program depletes the fund and sets a bad precedent that undermines its purpose: to ensure that there are always funds available for expedient response to an oil spill in the marine waters of the state.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 29th day of September at 4:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2032 and 2547.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2 without my signature.

The state's high risk pool was enacted in response to the failure of the health insurance market to provide coverage to individuals with pre-existing medical conditions, even if they could afford to pay higher premiums. California has subsidized this coverage for thousands of individuals since the inception of the program. Unfortunately, creating a mandate and assessing a fee based on covered lives in the individual market is not the answer.

Mandates such as this only serve to make health care more expensive for those who can least afford it. Most uninsured Californians cannot obtain coverage because they cannot afford the premiums, no matter whether they are high-risk or not. This bill would allow health insurance companies to pass the fee onto their enrollees, making it more expensive. This population is the most sensitive to price. Many must bear the entire cost of their coverage because they are self-employed or their employers do not offer coverage—a bill such as this only exacerbates their burden.

Comprehensive health care reform that guarantees issuance of coverage to all individuals, along with an individual mandate, cost-containment, prevention and shared responsibility is the only solution for our health care crisis.

I cannot support this bill because it provides a limited solution without addressing a much larger problem. Californians demand and deserve a solution to solve the broader challenge facing us all.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 16**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 16 without my signature. The addition of a new mandate, no matter how small, will only serve to increase the overall cost of health care.

California currently has 44 mandates on its health care service plans and health insurance policies. While these mandates are well-intentioned, the costs associated with guaranteed coverage means that these costs are passed through to the purchaser and consumer. These mandates are a significant driver of cost. Every day, a growing number of employers and individuals are struggling to pay for their health care. We cannot afford to increase these costs without enacting other measures that improve efforts aimed at prevention, address affordability of care and share responsibility between individuals, providers, employers and government.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 30**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 30 without my signature.

The addition of a new mandate, no matter how small, will only serve to increase the overall cost of health care. California currently has 44 mandates on its health care service plans and health insurance policies. While these mandates are well-intentioned, the costs associated with guaranteed coverage for a specific condition or treatment means that these costs are passed through to the purchaser and consumer. These mandates are a significant driver of cost. Every day, a growing number of employers and individuals are struggling to pay for their health care. We cannot afford to increase these costs without enacting other measures that improve efforts aimed at prevention, address affordability of care and share responsibility between individuals, providers, employers and government.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 368**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 368 without my signature.

This bill is similar to measures I vetoed in 2004 and 2006. The addition of a new mandate, no matter how small, will only serve to increase the overall cost of health care. Increasing the cost of coverage by mandating benefits, may ultimately leave more children without any coverage.

I would urge the Legislature to work with me next year on a comprehensive health care reform solution that provides no-cost or low-cost comprehensive coverage to all children below 300% of the federal poverty level, regardless of their documentation status.

For this reason, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1806**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1806 without my signature.

This bill would require the Department of Fish and Game (Department) to develop a set of protocols to evaluate the need for fish rescue and relocation plans within the Sacramento-San Joaquin Delta. This bill would also specify that all references in law to the Sacramento-San Joaquin Delta shall always be capitalized, whether or not "Sacramento-San Joaquin" is included in the reference.

This bill is unnecessary and duplicates authority already conferred to the Department by existing laws and regulations for mitigation for fish and wildlife impacts and coordination between federal, state and local agencies. Additionally, the burdensome process that this bill would create could potentially inhibit restoration activities initiated in association with flood control projects.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1887**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1887 without my signature.

This bill is similar to a measure I vetoed last year. Without comprehensive health care reform that fully addresses prevention, affordability, cost-containment and shared responsibility, I cannot support one-sided mandates that place additional costs on our health care system. This mandate is estimated to increase health care costs for the insured population by over \$110 million annually. Mandates like these are a significant driver of cost and mean some individuals may lose their coverage and not receive health care at all.

Californians deserve better when it comes to the health care they receive. They deserve comprehensive health care reform that places a priority on prevention and wellness, provides coverage for all, promotes shared responsibility and makes health care more affordable.

I remain committed to a comprehensive solution. For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1945**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1945 without my signature.

I believe that unfair rescissions are a deplorable practice. My Department of Managed Health Care has fought for—and won—significant settlements with the industry that have significantly changed the marketplace and reinstated coverage for thousands of consumers.

The Department's settlements are unprecedented and have fundamentally changed the way health plans operate in this state. The individual insurance market is fragile, and we must balance the need for strong consumer protections with the recognition that unintended consequences can tighten this market even more. Unfortunately, the provisions of this bill will only increase costs and further restrict access for over 2 million Californians that currently obtain coverage in the individual market.

My Administration proposed comprehensive legislation to address this problem. In particular, my proposal contained several strong consumer protections that this bill fails to address. My proposal established a standard application to remove any possibility of plans using different health questions to disadvantage applicants. This bill does not contain that protection. My proposal required agents and brokers to sign under penalty of perjury that they had not altered an applicant's answers. Penalties were levied if they engaged in this unscrupulous behavior. This bill does not contain that protection. My proposal clearly outlined the rules that plans and insurers had to follow when considering whether to offer a contract to an applicant. This bill does not contain that protection. My proposal didn't allow plans to rescind or cancel if a doctor failed to inform a patient of a medical condition. This bill does not contain that protection. My proposal

contained a two-year lookback protection that prevented plans from rescinding or cancelling after two years. This bill does not contain that protection. My proposal protected family members and required coverage to be continued without additional underwriting or increase in premiums. This bill does not contain that protection.

This bill was written by the attorneys that stand to benefit from its provisions. In rushing to protect a right to litigate, the proponents failed to consider the real consumer protections that are needed.

I would call on the Legislature next year to work with my Administration on real legislation that enacts important protections for consumers without increasing premiums and reducing coverage for those who need it most.

For these reasons, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1946**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1946 without my signature.

California's current structure of water quality enforcement has systemic problems that must be addressed in a comprehensive and coordinated fashion. Last year, I asked the State Water Resources Control Board (State Board) to analyze the current structure and procedures of the state and regional water boards and develop a package of reforms that will result in improvements in the implementation and enforcement of our water quality laws. That package of reforms was delivered to the Legislature earlier this year and was never acted upon.

This bill misses the mark because increasing the frequency and severity of civil penalties via the court system is not the truest measure of our success in addressing water quality in California. The courts are an effective tool, but they are not the only tool that should be used to ensure clean water.

Greater emphasis needs to be placed on increasing the accountability, consistency, and effectiveness of the regional and state boards. Doing so ensures that we create a system that lays out a clear path to compliance with our water quality laws, without having to resort to the courts.

This is an important issue and I encourage the author and the Legislature to address it in a comprehensive fashion in the next legislative session.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1962**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1962 without my signature.

This bill is nearly identical to a measure I vetoed in 2004. My concerns with this bill remain unchanged. A mandate, no matter how small, will only serve to increase the overall cost of health care. I want to decrease the number of uninsured Californians. Increasing the cost of coverage moves in the opposite direction.

The choice is difficult—protect access to affordable health insurance when costs continue to increase for employers and individuals—or mandate that every person who pays for their own health insurance must buy coverage for maternity services.

Until the goals of prevention, affordability and the concept of shared responsibility are addressed through comprehensive health care reform, I must continue to veto one-sided mandates that only increase costs to the overall health care system.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2046**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2046 without my signature.

This bill requires local governments and public water suppliers to ascertain a very detailed level of information prior to approving new development projects that rely on groundwater.

Relying on contaminated groundwater as a water supply source for new development is problematic, especially in the instance where no foreseeable plans to clean up the groundwater exist. Nonetheless, accurate and precise computations of the amount of groundwater that can be reliably cleaned up and used in the future, as required by this bill, may be nearly impossible to produce. As a result, local governments and water suppliers would come under increased threat of litigation, due to the uncertainty inherent in calculating the status of ongoing efforts to treat or remediate contaminated groundwater.

California faces significant water challenges that require thoughtful solutions. But providing an additional basis for lawsuits and litigating water supply solutions does not result in the appropriate approach that we need to enable us to provide water for the benefit of our environment, our economy, or public health.

I encourage the author to continue working with the stakeholders and my Administration on a solution that addresses this issue, without creating another means for litigation that could be abused solely to halt development projects throughout the state.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2220**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2220 without my signature.

I applaud the author for seeking to address one of the most important consumer issues facing patients today. This bill attempts to change the market dynamic in a way that encourages contracts between health plans and providers. It is a good starting point. Unfortunately, it does not contain the comprehensive solution that patients need and deserve when it comes to addressing the disgraceful practice of balance billing.

I believe the author and Administration can work together to solve this issue next year. I look forward to our combined efforts that will take the patient out of the middle of these payment disputes.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2262**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2262 without my signature.

I have vetoed similar measures twice before and there is no new data or information to support a change in my position. California's Safe Surrender Law is carefully crafted to provide an emergency alternative to a woman in crisis while also preserving the fundamental rights of a child.

For this reason, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2479**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2479 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2504**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2504 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2686**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2686 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2828**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2828 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2970**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2970 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2986**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2986 without my signature.

This bill would require the State Water Resources Control Board (SWRCB) to develop a letter grading methodology for sewer systems and sewage treatment plant performance and annually issue a letter grade for facility performance. The bill also would require the SWRCB to make specified regulatory information available to the public through the internet.

While I support actions to reduce sewage spills and improve the performance of community wastewater infrastructure, this bill would result in significant annual costs while providing little real benefit. This bill would result in costs of up to \$3.5 million annually. These costs would be paid through increased fees on local agencies. These monies would be better spent by the local agencies to fund system improvements and increase system inspection and monitoring, rather than the creation of a letter grading system.

Additionally, the SWRCB recently adopted a statewide general permit requiring publicly-owned wastewater collection systems to implement detailed reporting and sewer system management plans. This program was designed to improve performance of sewage collection systems, ensure timely reporting of sanitary sewer outflows, and identify system improvements needed to prevent future accidents. We need to let these requirements be implemented and assess their success before implementing additional burdens on these local agencies.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3066**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3066 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 30th day of September at 1:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2, 16, 30, 368, 1806, 1887, 1945, 1946, 1962, 2046, 2220, 2262, 2479, 2504, 2686, 2828, 2970, 2986, and 3066.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 100**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 100 without my signature.

Provisions in this bill would set an undesirable precedent by providing a retroactive increase to school district per-pupil construction grants. This provision conflicts with the full and final apportionment provision of the School Facilities Program, which requires districts to certify that the funding received is sufficient to complete the project for which the grants are intended. Furthermore, with California's current fiscal climate, it is imprudent to increase construction grants at this time, particularly considering it is uncertain when the next school bond measure may be approved by the voters.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 214**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 214 without my signature.

Physician health programs provide a valuable service and help ensure public safety by encouraging doctors to obtain treatment to overcome substance abuse or manage mental illness. However, separating the operation of such programs from the Medical Board of California is inappropriate. Ideally, diversion programs would always lead to success, but the reality is that not everyone succeeds in recovery. It is critical that the licensing agency be directly involved in monitoring participation in diversion programs to protect patients and enable timely enforcement actions.

Properly designed and administered programs will protect consumers, help doctors overcome their illness; and get more providers back into practice and safely treating patients. Therefore, I invite the author and stakeholder community to engage my Administration on how to design such a program.

For these reasons, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 376**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 376 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 524**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 524 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 733**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 733 without my signature.

This bill would unnecessarily shift the responsibility for developing a list of persons to be excluded or ejected from cardrooms from the Gambling Control Commission (Commission) to the Department of Justice. The Commission is near completion of the regulations needed to develop the list. As such, shifting responsibility for compiling the list to the Department of Justice would be inefficient and unnecessary. Further, shifting this responsibility would circumvent the Commission's authority under the Gambling Control Act to make final determinations on licensees.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 983**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 983 without my signature.

This bill would require a local public entity before entering into a design-bid-build contract, to provide full, complete, and accurate plans, specifications and estimates of cost that would enable any competent mechanic or other builder to carry them out.

This bill is premature. The California Supreme Court recently agreed to review the case, *Los Angeles Unified School District v. Great American Insurance Co., et. al.*, that involves the issues raised by this bill. I believe it is prudent for the court to rule on current law before making any unnecessary or ill-advised changes.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1021**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1021 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1391**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1391 without my signature.

This bill would require a retail seller of covered electronic devices (CED) to provide customers, at the point of sale, with the Integrated Waste Management Board’s (IWMB’s) website.

This bill is almost identical to AB 546, which I vetoed last year. In vetoing that bill, I stated that the provisions of the bill were redundant of existing law. The same holds true for this bill.

The Electronic Waste Recycling Act of 2003 already requires manufacturers to make information available to consumers, through the use of a toll-free number, Internet website, device labeling, and information in the packaging or accompanying the sale of a CED that describes where and how to return, recycle, and dispose of CEDs.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1565**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1565 without my signature.

Existing law provides a narrow exception to insurance law in order to protect places of religious observance from having their property insured cancelled due to a hate crime against the property. This bill would expand this law to apply to any crime committed against the property.

While hate crimes against any property cannot be condoned in any way, existing law provides adequate protections for places of religious observance subject to hate crimes. Insurance law, as governed by the provisions of the voter-approved Proposition 103, provides that rates shall not be excessive, inadequate or unfairly discriminatory. The expansion of law proposed by this measure so strictly limits how insurers may calculate premiums it is contrary to both the general spirit and application of Proposition 103.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1701**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1701 without my signature.

The existing state program saves California millions of dollars and provides appropriate care to medically-fragile children. This bill would diminish the existing savings and would likely result in costs that exceed the federal upper payment level and require additional state General Fund expenditures. Given our ongoing fiscal challenges, I cannot approve a bill that will require additional state funding at this time.

The Legislature and stakeholders should consider a solution that incorporates other alternative approaches to the pediatric rate methodology to ensure the payment aligns with services provided.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1725**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1725 without my signature.

This bill would require that the State Bar make public a judicial appointee's rating upon the Governor's appointment of that person to a trial court. Existing law already allows the State Bar to make specified information public if a trial court appointee has been found not qualified by the State Bar's Commission. Therefore, this bill is unnecessary and in fact removes some of the State Bar's discretion in the process.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1996**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1996 without my signature. In vetoing similar legislation last year, I made it clear that I support the use of drug treatment programs as a viable intervention tool for drug users. It is important to provide individuals with the correct incentive to transition from a life of crime and substance abuse to one of work and personal responsibility. However, extending food stamp eligibility to drug dealers or traffickers, upon the condition that they engage in drug treatment, will not ensure these individuals will stop selling or trafficking illegal drugs. Therefore, this bill does not provide a targeted approach to the right population and does not ensure adequate public safety protections.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2095**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2095 without my signature.

Having a diverse and qualified judiciary that can effectively serve all Californians is a goal I continue to work towards. Our hard work is reflected in the increased number of diverse judicial applicants. My appointments, of which over 23% to date are ethnic minorities, exceeds the percentages of ethnic minority applicants. The diversity of my appointments surpass that of previous governors who served eight-year terms and will continue to grow as more qualified diverse applicants seek appointment to the bench, judges retire and the Legislature authorizes appointments to correspond with the increasing demand for judges in counties within the state.

I receive information from a myriad of sources, and the only mandatory gateway to be appointed to the bench is the evaluation process done by the State Bar's Commission on Judicial Nominees

Evaluation. Potential candidates are put forward by many organizations or individuals and are thoroughly vetted before receiving an appointment. My Judicial Appointments Secretary corresponds directly with bar associations, other organizations and individuals when being apprised of a potentially outstanding candidate. The people this bill seeks to identify perform an advisory role only and a final decision about who advances in the process is exercised exclusively by the Judicial Appointments Secretary, acting on my behalf. Therefore, any contrary characterization does a disservice to the public.

The California Constitution requires me to appoint individuals to the bench who are equal to the great task of serving this state. It is a duty I take very seriously and is why receiving independent, thoughtful and honest information from numerous sources is crucial in determining an applicant's ability to perform this role. Assembly Bill 2095 would impair the availability of impartial information about prospective judicial candidates, have a chilling effect upon people willing to provide candid information, and would subject individuals to political lobbying from various sources. Ultimately, this bill would hinder my ability to most effectively carry out my constitutionally-mandated duty.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2099**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2099 without my signature.

As I stated in my veto message of a similar bill last year, this bill will result in parolees receiving services that are not currently available to the majority of the general public. For example, the Department of Motor Vehicles does not perform the function of determining whether or not members of the general public have the ability to pay applicable identification card fees. These services must be applied for through other governmental or non-profit public assistance programs.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2123**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2123 without my signature.

While financial literacy is not a cure-all for personal economic troubles, expanding educational outreach efforts to improve financial literacy can be helpful for consumers who could be better equipped to make positive financial choices. However, this bill merely duplicates existing services and resources. Many financial institutions and service providers already provide an abundance of information on financial literacy, much of which is available online and otherwise. Furthermore, it would better for the objective of this bill to be achieved administratively. I prefer to have the appropriate state agencies work collaboratively together and with private sector entities to meet the objective, within their existing resources.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2270**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2270 without my signature.

This bill would require the Department of Water Resources (DWR) to establish statewide water recycling targets every five years and would also enable local governments to control salinity input to their sewer systems, including those from water softeners.

Increasing the use of recycled water in the state is an absolutely necessary activity to increase water supply reliability for the future of our growing state. Unfortunately, this bill also includes provisions that go too far in limiting residential use of water softeners.

I recognize that excess salinity in surface and ground water is a serious water quality problem in various regions throughout the state, including the Central Valley and southern California. However, current law already includes provisions that allow local agencies to regulate water softeners. The provisions of this bill create a system that could unduly limit choices for consumers and small water systems, with potentially little positive impact given the relatively limited contribution of water softeners to our salinity problems.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2369**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2369 without my signature.

This bill would allow certain labor compliance programs (LCPs) to enforce apprenticeship requirements on public works projects.

The poor performance record of LCPs over the past four years and my desire to find new public works enforcement models, as expressed in last year's veto of SB 18, argue against further expanding the authority or role of LCPs. Instead, I am requesting that the Department of Industrial Relations (DIR) work with the stakeholders on a comprehensive reform of DIR's enforcement of public works laws this fall and return with an improved legislative proposal next year.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2379**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2379 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2413**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2413 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2455**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2455 without my signature.

Under existing law, the State Public Works Board must approve acquisitions for the Department of Parks and Recreation. This process helps ensure that potential acquisitions are considered in an objective manner that takes into account other statewide perspectives and other long-term consequences. This process can be cumbersome and, at times, duplicative and I support efforts to improve the efficiency and integrity of the resources land acquisition process.

In 2006 I signed AB 2497 (Chapter 462, Statutes of 2006), which required the Secretary of the Resources Agency and the Department of Finance to convene a workgroup to evaluate and develop options for improving the efficiency of state resource land transactions.

The AB 2497 report was issued earlier this year and included administrative actions that would be taken to improve the acquisition process. The Department of Finance and Resources Agency are currently implementing these recommendations. We should allow the administrative changes to be addressed before additional legislation is considered on this issue.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2472**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2472 without my signature.

I vetoed a similar bill last year because it did not contain an appropriate exemption from the California Environmental Quality Act (CEQA), and my prior veto messages on this issue of the sale of surplus property still apply. I would be willing to consider this bill in the future, should it contain the appropriate CEQA exemption. Until that time, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2532**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2532 without my signature.

This bill would amend the existing Marine Life Management Act to authorize the Department of Fish and Game (Department) to prepare or review, and the Fish and Game Commission to adopt, fishery management framework plans.

This bill is flawed in that the concept of "co-management" is not fully developed and the definition within the bill is vague. The bill does not include any requirement for binding agreements between the



parties, nor does it provide a clear division of responsibilities, costs, and implementation obligations. As such the bill actually impairs the ability of fishery stakeholders to fully participate in co-management.

The framework envisioned in this bill, while well-intended, lacks sufficient specificity to ensure successful outcomes that further our mutual goal of sustainable fisheries management for California. Nonetheless, the development of new fishery management tools is always welcome.

I have signed SB 1690 (Wiggins) which provides funding and direction for the Department and the Ocean Protection Council to work with stakeholders to create a task force and essentially develop a “co-management” framework for California’s crab fishery. I believe this presents a good opportunity to provide a pilot project and more fully develop both the concept and the practical application of a fishery co-management framework.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2560**

Governor’s Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2560 without my signature.

This bill requires the Department of General Services (DGS) to establish criteria for ranking the environmental and energy benefits and costs resulting from procuring medium- and heavy-duty vehicles by state and local governments.

DGS is currently in the process of implementing last year’s AB 236 (Lieu) for passenger and light-duty vehicles and is in the process of implementing its new Fleet Asset Management System, which will give them important new tools to oversee the state’s fleet and gather information on fuel efficiency and emissions reductions.

This bill would impose significant costs upon DGS to develop this new program for medium- and heavy-duty vehicles, yet the bill provides no appropriation to implement its provisions. This creates a General Fund pressure which, during this fiscal crisis, would be an irresponsible action.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2567**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2567 without my signature.

I respect the author’s intent to designate May 22nd as “Harvey Milk Day” and a day of special significance for California public schools and educational institutions to honor Harvey Milk as an important community leader and public official in the city and county of San Francisco. However, I believe his contributions should continue to be recognized at the local level by those who were most impacted by his contributions.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2939**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2939 without my signature.

This bill would authorize local jurisdictions to impose more restrictive modifications to the California Green Building Standards Code for both residential and non-residential buildings.

The bill is both unnecessary and overly far reaching.

At my direction, California was the first state in the nation to enact statewide green building standards. The California Building Standards Commission (BSC) this year adopted the California Green Building Standards Code and by the end of 2010 will enhance and expand those rules to provide further benefit. Local governments currently have the authority to enact even stronger green building standards if they so choose. Throughout California, dozens of localities have already done so.

Additionally, the bill is written in such broad terms that a local jurisdiction could make wholesale changes to the state building code, even to non-green building standards. This dramatic expansion of authority is contrary to existing health and safety practices that have been in place for decades. The BSC must maintain the legal statewide authority to develop building standards utilizing an open public adoption process with expert review.

Because of my strong support of both local control and green building standards, my Administration provided amendments that clarified the local authority which the bill’s proponents sought. While agreement unfortunately was not reached this year, I encourage the Legislature to work with my Administration on future legislation that provides the absolute clarity that local governments can strengthen the state’s green building standards, while maintaining California’s rigorous uniform statewide health and safety standards.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2944**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2944 without my signature.

This bill would permit corporate directors to consider a variety of new factors other than strictly financial return when making business decisions on behalf of a corporation, including decisions relating to the acquisition or control of a corporation.

While this bill proposes a new model of corporate governance consisting of a package of many intriguing concepts, it is just that; a package of concepts that could produce unknown ramifications and the need for which have not been fully demonstrated. Corporate governance is a serious matter and changes should not be entered into without deliberate study and evaluation.

While I have concerns with the approach taken with this bill, I am interested in many of the issues raised in support of this measure. California should be at the forefront of all states in considering alternative models of corporate governance for the new millennium. This is potentially another opportunity for California to once again lead to a new era of innovation. I urge the Legislature to consider and study new styles of corporate governance that can offer alternatives to the current model, but that maintain the vital shareholder protections that have helped turn California into the economic powerhouse of the world.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2947**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2947 without my signature.

This bill is well intentioned, but it discourages the use of arbitration which is a cost effective means of resolving disputes. The use of arbitration helps to reduce the backlogs in our overburdened court system. Additionally, the increased provider costs associated with resolving all disputes with residents through litigation could ultimately be detrimental to the residents themselves, as these costs are passed on in increased rates.

State restrictions on the right to arbitrate are contrary to the Federal Arbitration Act and those restrictions would not address the intent of the bill, which is the protection of elders in Residential Care Facilities for the Elderly from abuse.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2971**

Governor’s Office, Sacramento  
September 30, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2971 without my signature.

While I support efforts to address the safety needs of bicyclists and pedestrians, the Department of Transportation already has the authority to develop the guidance and criteria and is currently doing so. This bill is unnecessary.

For these reasons, I am returning the bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3062**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3062 without my signature.

This bill would prohibit an employer in California from terminating an employee because that employee’s wages have been subjected to garnishment for the payment of more than one judgment.

This bill would require California employers to coordinate the burdensome administrative processes and costs of processing checks to pay multiple wage garnishments for a single employee. The bill would also cause confusion for employers by creating a state requirement different than that of federal law. The Legislature should be looking to lessen the confusion surrounding California labor law, not create more.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3063**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3063 without my signature.

AB 3063 would codify in statute the prohibition for an employer to ask an applicant to disclose information concerning a criminal conviction that was judicially ordered sealed, expunged, or statutorily eradicated, or information concerning a misdemeanor conviction for which probation has been successfully completed or otherwise discharged.

Existing regulations prohibit the practices this bill seeks to address. However, by codifying into the Labor Code an existing regulatory prohibition on employment inquiries concerning “expunged” convictions, the bill may unintentionally promote legal confusion as “expungement” is a somewhat ambiguous term which has been inconsistently interpreted by the courts. Codifying this regulatory

prohibition into the Labor Code will also very likely result in new private litigation under the Private Attorneys General Act of 2004, with no demonstrated problem to actually establish a need for this new law.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 30th day of September at 5:00 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 100, 214, 376, 524, 733, 983, 1021, 1391, 1565, 1701, 1725, 1996, 2095, 2099, 2123, 2270, 2369, 2379, 2413, 2455, 2472, 2532, 2560, 2567, 2939, 2944, 2947, 2971, 3062, and 3063.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1526**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1526 without my signature.

As the primary architect of Proposition 49, I have seen first-hand the countless benefits of after-school programs. In 2002, the voters overwhelmingly approved Proposition 49 to significantly expand access to after-school programs and this bill would contradict the will of the voters. The voters supported the \$550 million continuous appropriation that provides California's elementary and middle school children with a stable resource for tutoring, homework assistance, and educational enrichment activities, such as music, arts, and physical fitness, while providing working parents with peace of mind that their children are in a safe and nurturing environment.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1805**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1805 without my signature.

I strongly support providing care to children with serious emotional disturbances, including the provision of care in whichever facility can best address their needs. While I support the intent and policy behind this bill, I cannot sign it in its current form because it will allow the open-ended reimbursement of claims, including claims submitted and denied prior to 2006–07. Given our state's ongoing fiscal challenges, I cannot support any bill that exposes the state General Fund to such a liability.

I would support legislation that clarifies and narrows state reimbursement for these important services to a specified time period and would ask the Legislature to work with my Administration in January to address this important issue.

For this reason, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2784**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2784 without my signature.

The 2008–09 budget contained provisions that will protect the state's Selective Provider Contracting Program by incentivizing hospitals to enter into contracts for inpatient Medi-Cal services. Inpatient hospital rates are the fastest growing cost in the Medi-Cal program and the state must ensure it obtains the best rates while also maintaining access to critical services for beneficiaries.

This bill would diminish those contracting incentives and increase costs to the state. I would suggest that the Legislature work with the Department of Health Care Services and the California Medical Assistance Commission to craft more targeted language to address the problem of hospital access in specific rural areas.

For this reason, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 8:55 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1526, 1805, and 2784.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 419**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 419 without my signature.

This bill would increase workers' compensation costs to some cities and counties by requiring them to provide certain injured workers a leave of absence without loss of salary in lieu of regular temporary disability payments. While this benefit is currently conferred on some sworn peace officers, this bill would expand it to park rangers, community college police, and many others. Eligibility for this benefit is best left to locals, not the state, to determine.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 437**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 437 without my signature.

This bill proclaims the Legislature's rejection of a recent United States Supreme Court case regarding gender pay inequity. However, instead of clarifying existing law, this measure would create uncertainty regarding the accrual of the statute of limitation for wage discrimination. This uncertainty will undoubtedly lead to unnecessary litigation. As I have stated before in vetoing similar well-intentioned but poorly crafted bills, I support the fight against gender pay inequity but cannot support legislation that will encourage more frivolous litigation against employers.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 507**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 507 without my signature.

This bill would establish an Internet website to enable any person to identify whether or not an employer is insured for workers' compensation. This is a laudable goal. However, I am concerned that the website would not be required to post the effective dates of coverage of a policy, thereby significantly diminishing the value of the information. More importantly, the bill does not contain any specified timing in which the information must be updated, potentially leading to inaccurate information on the website.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1107**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1107 without my signature.

This bill would allow workers who lost their job as a result of the drought conditions of this past June to receive weekly wages of \$200 without impacting their weekly unemployment insurance benefit amount. While I am supportive of the concept of this measure, any increase in unemployment benefit payments would negatively impact the fragile Unemployment Insurance Trust Fund. California is currently experiencing a high unemployment rate that is already stressing the Fund and any increase in unemployment benefits further contributes to Fund inadequacies. It is essential that we ensure the Fund is able to continue to provide benefits to those in need as we work to stimulate the economy and get more individuals back to work.



Further, the fact that drought conditions have led to increased unemployment in agriculture and other industries is more evidence of why California needs to enact a comprehensive water reform package immediately. California has needed water reform for decades, and the failure to address the state's needs has led us to where we are today. If we had enacted comprehensive water reform twenty, or even ten, years ago, we could have avoided the loss of jobs and disruption to business that this drought is causing. The failure to enact comprehensive water reform hurts employers and employees in agriculture and other industries, slows development and business growth, and negatively impacts the environment.

The impact of our water crisis on jobs and our economy will continue to grow unless we act immediately. Even if the current drought abates, the court-ordered restrictions on the Delta will continue to impact industries that rely heavily on a readily available water supply. I am again calling on the Legislature to work with me to place a comprehensive water bond on the ballot.

For these reasons, I am returning AB 1107 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1407**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1407 without my signature.

This bill is unnecessary in that it requires airports to place information or links to information on their Internet Web sites even though the information is readily available elsewhere including from the federal government. This bill simply creates redundant work for airport personnel whose time would be better spent on actual airport operations.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1517**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1517 without my signature.

This bill would provide for the lease of certain real property to the Sacramento Diocese for a period not to exceed 50 years.

I have signed AB 2026 (Villines) that provides for the option to purchase, lease with option to purchase, or exchange for real property, the same real property to the Sacramento Diocese. Therefore, AB 1517 is unnecessary.

For this reason, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1656**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1656 without my signature.

As I stated in last year's veto of a similar bill, this bill attempts to legislate in an area where the marketplace has already assigned responsibilities and liabilities that provide for the protection of consumers.

Clearly, the need to protect personal information is increasingly critical as routine commercial transactions are more and more exclusively accomplished through electronic means. However, by requiring notification even where no information was obtained improperly, this bill would likely result in significant costs to businesses and to the state. In addition, by locking in today's best practices, AB 1656 would assure that the law remains static in the face of future, unseen concerns. Moreover, this bill would create a disincentive for businesses to adhere to new, more comprehensive, industry standards.

Existing law already contains a comprehensive penalty scheme for identity theft that details with great particularity the numerous ways in which it can occur, and imposes criminal sanctions. These provisions cover both identity thieves and retailers who are complicit in their crimes. If existing penalties are inadequate to properly deter would-be identity thieves, the proper response would be to enhance these penalties.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1906**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1906 without my signature.

While I remain concerned about the prevalence of identity theft in California, this bill is unnecessary. Existing law gives full regulatory authority to the California Department of Insurance over insurers, agents and brokers, and even out-of-state companies selling identity theft insurance in California.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1997**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1997 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2081**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California Assembly:*

I am returning Assembly Bill 2081 without my signature.

This bill would impose a burden of proof standard and a reporting requirement on employers when the employer wishes to exclude employees from workers' compensation coverage because of the employees' status as officers or directors of a corporation. The bill also adds new disclosure requirements and prohibitions on rebates and similar inducements in the utilization review process to the Labor Code.

The laudable goal of reducing misclassification of employees as exempt shareholder officers does not warrant abandoning the usual burden of proof of preponderance of the evidence. There is no other workers' compensation statute that uses this heightened burden of proof. Enforcement action specifically targeting unscrupulous practices is a more appropriate way of addressing the problem than establishing a "clear and convincing" burden of proof.

The bill's provisions relating to prohibited payments by claims administrators in relation to utilization review are deficient as they apply only to entities defined as claims administrators and not to natural persons who are claims adjusters. Additionally, the requirement to file annual reports regarding denials of treatment will impose heavy administrative and economic burdens on utilization review entities.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2265**

Governor's Office, Sacramento  
September 30, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2265 without my signature.

This bill would allow the State to sell or lease specific real property in the City of Sacramento. I vetoed a similar bill last year, AB 1219, because it lacked the appropriate California Environmental Quality Act (CEQA) exemption.

While I support the intent of the bill, the author once again failed to include acceptable language in this measure that provides the standard

CEQA exemption to the State. Fortunately, I am signing AB 2026 (Villines) that provides the same authorities for the sale or exchange of the property to the City of Sacramento, so that the city can effectuate the needed transaction.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2279**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2279 without my signature.

This bill attempts to shield qualified medical marijuana patients employed in non safety-sensitive positions from employment discrimination. However, I am concerned with interference in employment decisions as they relate to marijuana use. Employment protection was not a goal of the initiative as passed by voters in 1996.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2308**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2308 without my signature.

This bill is unnecessary, as current law already requires that, where a job applicant lacks a diploma but believes that he or she can perform the essential duties of a position, he or she may ask for a waiver of the diploma requirement as a reasonable accommodation of his or her disability. California promotes employment of persons with disabilities and in April 2008, my Administration established an open state-wide classification for individuals with disabilities. The classification does not require a high school diploma. The state Department of Developmental Services is offering all state departments the use of this list to facilitate the employment of persons with developmental and other intellectual disabilities. I strongly support efforts to offer employment to this population and believe we can continue to demonstrate progress in this area.

Departments are best suited to engage in the first-line of review of possible accommodation requests by applicants. The State Personnel Board, in turn, is designed to serve as an appellate body. This bill would put the Board in the inappropriate role of making both the initial determination and appellate review of the matter.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2447**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2447 without my signature.

Although this bill has some meritorious components, it creates a new program that would potentially mandate the Department of Forestry and Fire Protection (CAL FIRE) to be directly involved with costly and time-consuming project-by-project verification for subdivisions located in State Responsibility Areas (SRAs) throughout the state. CAL FIRE should not be in the position of having to act as a local land use agency. Rather, that responsibility rests with California local governments and elected officials.

Additionally, this bill places CAL FIRE in the unenviable position of having to make written verifications as to whether or not a subdivision has "sufficient structural fire protection." Because the bill does not define this term, competing interpretations between local government, their local fire services, and the State would certainly ensue.

CAL FIRE's role, put simply, is to protect life, property and watersheds from the threat of fire in our state. This responsibility requires them to work cooperatively with local governments and their local fire services. I cannot compromise those important relationships by placing CAL FIRE in the inappropriate role of arbiter between local governments and their local fire services as to whether the prescribed fire protection standard is being met.

Nonetheless, the need for comprehensive fire safety protection within our state is vitally important. I look forward to working with the Legislature in the next session to pursue solutions that increase fire protection for Californians in ways that do not inappropriately combine or confuse the legitimate roles and responsibilities of the state and local governments.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2498**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2498 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2825**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2825 without my signature.

The bill is essentially similar to a bill I vetoed last year. The provisions in this measure are duplicative of existing law and therefore unnecessary. Requiring automotive repair dealers to provide additional paperwork is unnecessarily burdensome and would increase expenses that could be passed on to the consumer, with no additional benefit.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2918**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2918 without my signature.

This bill would prohibit the use of consumer credit reports for employment purposes unless the information is either substantially job related, as defined, or required by law to be disclosed to or obtained by the user of the report.

This bill would significantly increase businesses' exposure to civil actions over the use of credit checks. Further, the bill would increase administrative costs to those employers who must legitimately use credit reports as a screening tool by requiring that the employer first abide by its onerous requirements. California employers and businesses have inherent needs to obtain information about applicants for employment. The bill would become a new employer obstacle to the use of available information needed to make hiring decisions.

For these reasons, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2950**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2950 without my signature.

In 2005, the Federal Communications Commission adopted rules that prohibit sending unwanted commercial e-mail messages to wireless devices without prior permission. In addition, California's anti-spam laws are among the toughest in the nation. Given these circumstances, AB 2950 appears to be unnecessary and may possibly invite excessive litigation for a nuisance that does not result in any damages or losses.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2969**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2969 without my signature.

This bill would require a physician conducting utilization review in the workers’ compensation system to be licensed in California. Such a requirement would be inconsistent with how utilization review is conducted in other areas of medicine in and not in line with best practices nationwide. The proponents of this measure have not demonstrated a need for this disparity in treatment.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3021**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3021 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 9:01 p.m., of the following Assembly Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 419, 437, 507, 1107, 1407, 1517, 1656, 1906, 1997, 2081, 2265, 2279, 2308, 2447, 2498, 2825, 2918, 2950, 2969, and 3021.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2386**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2386 without my signature.

In 1975, the historical Agricultural Labor Relations Act (ALRA) was passed by the California Legislature in order “to ensure peace in the agricultural fields by guaranteeing justice for all agricultural workers and stability in labor relations.” The ALRA allowed for a secret ballot election and provided protections so that an agricultural worker could decide privately without fear of retaliation or intimidation whether or not to be represented by a union.

AB 2386 creates a new and unique process for how agricultural workers choose or decline union representation. I am concerned that aspects of AB 2386’s novel process weaken workers’ existing privacy

rights and protections under the ALRA. Specifically, I am concerned that authorizing the union seeking to represent workers to receive and distribute election ballots from the Agricultural Labor Relations Board (Board), complete information on the ballot envelopes, and return the workers' ballots to the Board unnecessarily compromises the workers' right to privacy protected by the existing secret ballot process.

However, as I indicated last year in my veto of SB 180, I remain committed to ensuring that agricultural workers receive all the workplace protections that our labor laws afford. To that end, I am calling for the creation of a dedicated funding source to facilitate enhanced oversight and education in the agricultural industry. I am directing my Labor and Workforce Development Agency to work with the proponents of this bill and all stakeholders to develop a proposal which will create such a program in a fiscally responsible way, for the ultimate benefit of both agricultural employees and employers.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 30th day of September at 9:10 p.m., of the following Assembly Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bill No. 2386.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

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2064	Veto	7375
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2099	Veto	7408
2105	Veto	7389
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2123	Veto	7409
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2138	Veto	7376
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2151	Veto	7346
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2213	Veto	7366
2214	Veto	7377
2220	Veto	7400
2231	Veto	7347
2233	Veto	7355
2243	Veto	7366
2244	Veto	7391
2252	Veto	7389
2259	Veto	7377
2262	Veto	7400
2265	Veto	7421
2269	Veto	7391
2270	Veto	7409
2275	Veto	7359
2279	Veto	7422
2295	Veto	7377
2299	Veto	7355
2308	Veto	7422
2309	Veto	7392
2315	Veto	7378
2344	Veto	7347
2346	Veto	7378
2369	Veto	7410
2379	Veto	7410
2386	Veto	7425
2412	Veto	7366
2413	Veto	7410
2427	Veto	7367
2438	Veto	7379
2440	Veto	7355
2442	Veto	7379
2443	Veto	7379
2447	Veto	7423
2455	Veto	7411
2467	Veto	7338

2468	Veto	7379
2471	Veto	7355
2472	Veto	7411
2479	Veto	7400
2498	Veto	7423
2504	Veto	7401
2508	Veto	7359
2529	Veto	7380
2532	Veto	7411
2540	Veto	7392
2541	Veto	7347
2543	Veto	7380
2547	Veto	7394
2550	Veto	7380
2560	Veto	7412
2567	Veto	7413
2584	Veto	7367
2586	Veto	7333
2594	Veto	7381
2595	Veto	7356
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2617	Veto	7348
2622	Veto	7367
2627	Veto	7356
2629	Veto	7348
2630	Veto	7381
2669	Veto	7381
2671	Veto	7382
2686	Veto	7401
2696	Veto	7382
2697	Veto	7349
2704	Veto	7382
2706	Veto	7392
2733	Veto	7383
2757	Veto	7383
2770	Veto	7360
2784	Veto	7417
2806	Veto	7383
2818	Veto	7384
2825	Veto	7424
2828	Veto	7401
2844	Veto	7390
2849	Veto	7357
2854	Veto	7384
2861	Veto	7339
2871	Veto	7357
2874	Veto	7385
2878	Veto	7357
2898	Veto	7367
2918	Veto	7424
2923	Veto	7349
2937	Veto	7349
2939	Veto	7413
2944	Veto	7414

2947	Veto	7414
2950	Veto	7424
2953	Veto	7357
2964	Veto	7358
2968	Veto	7393
2969	Veto	7425
2970	Veto	7401
2971	Veto	7415
2986	Veto	7402
2992	Veto	7358
2994	Veto	7385
2996	Veto	7350
3013	Veto	7339
3014	Veto	7360
3021	Veto	7425
3033	Veto	7368
3041	Veto	7368
3045	Veto	7358
3050	Veto	7358
3052	Veto	7368
3054	Veto	7368
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(NOTE: The veto message for Assembly Bill No. 36 in the Third Extraordinary Session is in the Third Extraordinary Session Journal, page 219.)

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk



CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, November 6, 2008**

**TWO HUNDRED FORTY-FIFTH SESSION DAY  
SEVEN HUNDRED FOURTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, November 6, 2008

The Assembly met at 11:35 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—72:

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

**PRAYER**

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

*Lord, Our lives are completely transparent before You. You know our thoughts and our words even before they are spoken (Psalm 139:1–4). Yet, You respect our freedom and will not intrude. Help us to lay our doubts and questions before You, Lord, and guide our footsteps along the path that leads to You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**READING OF THE JOURNAL DISPENSED WITH**

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

**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 Members Aghazarian, Huff, Levine, Ruskin, and Silva.*

*Because of illness: Assembly Members Calderon and Soto.*

*Due to travel delays: Assembly Member Parra.*

**COMMUNICATIONS**

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

November 6, 2008

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

Dear Dotson: Pursuant to the Assembly Rules and Article IV, Section 10(c), I am reconvening the Assembly on November 6, 2008 for the purpose of conducting business relating to legislative matters.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly



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

**Explanation of Vote—Assembly Bill No. 2222**

October 6, 2008

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

Dear Mr. Wilson: It has recently come to my attention that on Monday, August 18, 2008, I inadvertently voted “no” on AB 2222 (Caballero) relating to groundwater quality monitoring, when it was my intention to vote “aye”. I respectfully request that the record reflect my intent was to vote “aye” on AB 2222.

Thank you for your assistance.

Sincerely,

JARED HUFFMAN, Assembly Member  
Sixth District

(NOTE: On August 18, 2008, the roll call vote on Assembly Bill No. 2222 was taken. See Assembly Journal, page 6596.)

**Per Diem**

October 23, 2008

*Dotson Wilson  
Assembly Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Chief Clerk Wilson: This letter is to officially notify you of my intention to decline the per diem increase that was approved by The Victim Compensation and Government Claims Board effective October 1, 2008. Please withhold this per diem increase from my per diem checks from the effective date until further notice.

Please do not hesitate to contact me or my Chief of Staff, Steve Davey, at 319-2004 should you have any questions regarding this request.

Sincerely,

TED GAINES, Assembly Member  
Fourth District

**Per Diem**

October 23, 2008

*Mr. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson,

I respectfully waive the increase in per diem offered to members this year. I appreciate your attention to this matter.

Should you have any questions, please contact Rachel Francis in my office at 916-319-2012.

In Peace and Friendship,

FIONA MA, Assembly Member  
Twelfth District

**Per Diem**

October 23, 2008

*Mr. E. Dotson Wilson  
Chief Clerk, California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: In light of our state's ongoing budget crisis, I will not be accepting the per diem increase that was approved today by the Victim Compensation and Government Claims Board.

Sincerely,

ANTHONY J. PORTANTINO, Assembly Member  
Forty-fourth District

**Per Diem**

October 24, 2008

*Dotson Wilson  
Assembly Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: This correspondence is to let you know that I wish to decline the \$3.00 increase in the per diem rate, which became effective October 1, 2008.

Should you have any questions regarding this matter, you are welcome to contact me or my chief of staff, Megan Taylor, at (916) 319-2028.

Regards,

ANNA M. CABALLERO, Assembly Member  
Twenty-eighth District

**Per Diem**

October 28, 2008

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

Dear Mr. Wilson: I am hereby requesting that my raise in per diem effective October 1, 2008 not be increased.

Please contact my Chief of Staff, Nancy Taffet, with any questions.  
Thank you.

Sincerely,

SHIRLEY HORTON, Assembly Member  
Seventy-eighth District

**Per Diem**

October 28, 2008

*E. Dotson Wilson, Assembly Chief Clerk  
Capitol Building, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please use this letter as notification that I am electing not to take the increase in per diem effective October 1, 2008.

Thank you and should you have any questions or concerns, please feel free to contact me at my office at (909) 466-9096.

Sincerely,

BILL EMMERSON, Assembly Member  
Sixty-third District

**Per Diem**

October 29, 2008

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

Dear Dotson: Please be advised that I am declining the per diem increase effective October 1, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

**ADJOURN IN MEMORY**

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 Millie Bessire, of South San Francisco.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Colonel Barry Granlund, of Yucaipa.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of his father Milton La Malfa, of Richvale.

(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 Richard Hal Gage, of La Mirada.

**MOTION TO ADJOURN**

At 11:39 a.m., Assembly Member Torrico moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 11:40 a.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 159—Davis (Principal coauthor: Dymally).** Relative to Martin Luther King, Jr. Hospital.

**HOUSE RESOLUTION NO. 35—Furutani (Principal coauthor: Dymally).** Relative to Martin Luther King, Jr. Hospital.

**ADJOURNMENT**

At 11:40 a.m., pursuant to the motion by Assembly Member Torrico, the Assembly adjourned upon Call of the Speaker, out of respect to the memory of Millie Bessire, on motion of Assembly Member Mullin; out of respect to the memory of Colonel Barry Granlund, on motion of Assembly Member Benoit; out of respect to the memory of Milton La Malfa, on motion of Assembly Member La Malfa; and out of respect to the memory of Richard Hal Gage on motion of Assembly Member Smyth.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk



CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, November 25, 2008**

**TWO HUNDRED FORTY-SIXTH SESSION DAY  
SEVEN HUNDRED TWENTY-THIRD CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Tuesday, November 25, 2008

The Assembly met at 3:05 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Leno moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 3:27 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—74:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

*O Eternal and Dependable God,* In this season of thanksgiving we bow our heads in gratefulness for your continued showers of blessings. We thank You for the times of sowing and reaping, color and fragrance, and the ability to reap the benefit from what has been truly toiled for.

Today, bless our lawmakers, and give each of them a deep sense of gratitude and thankfulness for your opened doors, and opportunities to make a difference in the lives of our citizens. As they continue to deliberate today give them hope against hopelessness, fortitude in the sight of failure, and determination against all odds. Help them, O God, to surpass all supposed expectations. We do lean on You and trust in You, and it is in your bountiful Name we pray—AMEN!

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

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

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member La Malfa was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his family.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 159  
WITHOUT REFERENCE TO FILE**

Assembly Member Dymally was granted unanimous consent to take up Assembly Concurrent Resolution No. 159 without reference to committee or print for the purpose of considering amendments.

**ASSEMBLY CONCURRENT RESOLUTION NO. 159**—Relative to Martin Luther King, Jr. Hospital.

Resolution read. Amendments read and adopted; resolution ordered reprinted and to third reading.

**RECESS**

By unanimous consent, at 3:54 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**RECONVENED**

At 5:18 p.m., the Assembly reconvened.

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

**ANNOUNCEMENTS**

Speaker pro Tempore announced that the 2009–10 Session would convene on Monday, December 1, 2008, at 12 noon.



**SPECIAL RECOGNITION**

The Members of the Assembly joined Speaker pro Tempore Lieber in recognizing the following individuals for their many years of service to the Assembly:

Carol Baker, Speaker Bass's office; Arvetta Downs, office of the Chief Clerk; Daniel Eaton, Speaker Emeritus Núñez's office; Danya Green, office of Assembly Member Spitzer; Kate Riley, Committee on Environmental Safety and Toxic Materials; Janie Schwartz, office of Speaker Bass; and Lawrence A. Murman, office of the Chief Clerk, one of the most highly regarded and longest tenured Assembly staff members with 41 years of service. The Members of the Assembly extended best wishes to these individuals as they embark upon their retirement.

**ADJOURN IN MEMORY**

Assembly Members Jones and Lieu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kathleen Aimee Shiroma, of Sacramento.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Speaker Bass was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David Alexander Ward, of Richmond, VA.

Assembly Members Lieber and Beall were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph H. De Lozier, of Santa Clara.

Assembly Members Lieber and Ruskin were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jane Turnbull, of Los Altos and Carl Brown, of Cupertino.

Assembly Member Portantino was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eleanor Duffy, of Eagle Rock.

Assembly Member Price was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Michael Haynes, of Los Angeles.

**MOTION TO ADJOURN**

At 5:23 p.m., Assembly Member Feuer moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 5:23 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 5:28 p.m., pursuant to the motion by Assembly Member Feuer the Assembly adjourned until 12 noon, December 1, 2008 for purposes of organizing the 2009–10 Regular Session, out of respect to the memory of Kathleen Aimee Shiroma, on motion of Assembly Members Jones and Lieu; out of respect to the memory of David Alexander Ward, on motion of Speaker Bass; out of respect to the memory of Joseph H. De Lozier, on motion of Assembly Members Lieber and Beall; out of respect to the memory of Jane Turnbull, on motion of Assembly Members Lieber and Ruskin; out of respect to the memory of Eleanor Duffy, on motion of Assembly Member Portantino; and out of respect to the memory of John Michael Haynes, on motion of Assembly Member Price.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON NOVEMBER 25, 2008**

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The following measure was amended in the Assembly on this day:

**ACR RN**

159 0829910

**Daily Total: 1**

**Cumulative Total: 5774**

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 18

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FINAL RECESS

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Assembly Chamber, Sacramento  
Sunday, November 30, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Regular Session was printed while the Assembly was in Final Recess.

**COMMUNICATIONS**

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

October 10, 2008

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

RE: Appointment of Mervyn Dymally  
to State Public Works Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Mervyn Dymally to the State Public Works Board. This is a pleasure appointment starting October 10, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 22, 2008

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

RE: Appointment of Lori Saldaña  
to Task Force on the Interstate Compact on  
Educational Opportunity for Military Children

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lori Saldaña to the Task Force on the Interstate Compact on Educational Opportunity for Military Children. This is a pleasure appointment starting October 22, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 23, 2008

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

RE: Appointment of Julia Brownley  
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Julia Brownley to the State Allocation Board for October 29, 2008 only. Assemblymember Brownley will be replacing Assemblymember Kevin de León.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 28, 2008

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

RE: Reappointment of Bruce Rust  
to Contractors' State License Board

Dear Mr. Wilson: Please be advised I have reappointed Mr. Bruce Rust to the Contractors' State License Board. This is a term appointment starting October 28, 2008 and the expiration date is June 1, 2012.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 28, 2008

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

RE: Reappointment of Robert Lamb  
to Contractors' State License Board

Dear Mr. Wilson: Please be advised I have reappointed Mr. Robert Lamb to the Contractors' State License Board. This is a term appointment starting October 28, 2008 and the expiration date is June 1, 2012.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 28, 2008

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

RE: Appointment of Dian Harrison  
to Board of Registered Nursing

Dear Mr. Wilson: Please be advised I have appointed Ms. Dian Harrison to the Board of Registered Nursing. This is a term appointment starting October 28, 2008 and the expiration date is June 1, 2012.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 29, 2008

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

RE: Appointment of Wilmer Amina Carter  
to California Workforce Investment Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Wilmer Amina Carter to the California Workforce Investment Board. This is a pleasure appointment starting October 29, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 29, 2008

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

RE: Appointment of Ted Lieu  
to California Debt and Investment Advisory Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Ted Lieu to the California Debt and Investment Advisory Commission. This is a pleasure appointment starting October 29, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 30, 2008

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

RE: Reappointment of Richard Platel  
as State Bar Court Hearing Judge

Dear Mr. Wilson: Please be advised I have reappointed Judge Richard Platel as a State Bar Court Hearing Judge. This is a term appointment starting November 1, 2008 and the expiration date is November 1, 2014.

Sincerely,

KAREN BASS  
Speaker of the Assembly

November 1, 2008

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

RE: Appointment of Daniel Eaton  
to California Medical Assistance Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. Daniel Eaton to the California Medical Assistance Commission. This is a term appointment starting November 1, 2008 and the expiration date is January 1, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

November 3, 2008

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

RE: Appointment of Ted Lieu  
to Task Force on the Interstate Compact on  
Educational Opportunity for Military Children

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Ted Lieu to the Task Force on the Interstate Compact on Educational Opportunity for Military Children. This is a pleasure appointment starting November 3, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

November 7, 2008

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

RE: Appointment of Paul Krekorian  
to California Film Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Paul Krekorian to the California Film Commission. This is a term appointment starting November 7, 2008 and the expiration date is November 7, 2012.

Sincerely,

KAREN BASS  
Speaker of the Assembly

November 12, 2008

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

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin de León to replace Assemblymember Mark Leno as the chair of the Assembly Appropriations Committee for the remainder of the 2007–08 Regular Session.

Sincerely,

KAREN BASS  
Speaker of the Assembly



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

November 17, 2008

RE: Appointment of John Laird  
to California Integrated Waste Management Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember John Laird to the California Integrated Waste Management Board. This is a term appointment starting December 1, 2008 and the expiration date is January 1, 2010. Assemblymember Laird will be replacing Ms. Cheryl Peace.

Sincerely,

KAREN BASS  
Speaker of the Assembly

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

November 21, 2008

RE: Appointment of Carol Baker  
to Oil Spill Technical Advisory Committee

Dear Mr. Wilson: Please be advised I have appointed Ms. Carol Baker to the Oil Spill Technical Advisory Committee. This is a pleasure appointment starting November 21, 2008.

Sincerely,

KAREN BASS  
Speaker of the Assembly

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

**Per Diem**

*Dotson Wilson*  
*Assembly Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

November 12, 2008

Dear Mr. Wilson: I write to you today to respectfully decline the increase in the per diem rate that was effective October 1, 2008. I will to maintain the per diem rate established prior to this date. I request this to be effective October 1, 2008.

Sincerely,

VAN TRAN, Assembly Member  
Sixty-eighth District

**Per Diem**

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

November 26, 2008

Dear Dotson: This letter will memorialize that I wish to decline the per diem increase that was approved by the Victims Compensation and Government Claims Board effective October 1, 2008.

Please withhold this increase from any per diem checks that I receive.

Sincerely,

SALLY J. LIEBER, Assembly Member  
Twenty-second District

**Per Diem**

November 18, 2008

*Jon Waldie, Chief Administrative Office  
Assembly Rules Committee, Room 3016  
Sacramento, California*

Dear Mr. Waldie: I respectfully request to decline my per diem increase effective October 1, 2008. I will resume collecting per diem, but choose not to accept the recent increase. If you have any questions or concerns please contact Jeanette Garcia in my office at 319-2053.

Sincerely,

TED W. LIEU, Assembly Member  
Fifty-third District

**Proposed Initiatives**

The following communication was presented by the Chief Clerk from:

Krystal M. Paris, Department of Justice, dated October 2, 2008, transmitting copies of the title, summary and text of the following proposed initiative pursuant to Elections Code Section 9007:

**Senate and Assembly Term Limits, Campaign Contributions and Junkets.  
Constitutional Amendment.  
Initiative No. 08-0014**

Referred by the Speaker to the Committee on Elections and Redistricting.

**REPORTS**

The following reports were presented to the Chief Clerk:

**2008–09 Tax Expenditure Report  
(Pursuant to Government Code Section 13305)**

Above transmitted report, together with letter of transmittal from Michael C. Genest, Director, Department of Finance, dated September 30, 2008, stating availability of report at <http://www.dof.ca.gov>, referred by the Speaker to the Committee on Banking and Finance.

**2007 Utility Supplier Diversity Report  
(Pursuant to Public Utilities Code Section 8283(e))**

Above transmitted report, together with letter of transmittal from Paul Clanon, Executive Director, Public Utilities Commission, dated September 16, 2008, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Vasco Road Median Barrier Project  
(Pursuant to Assembly Bill 15, Chapter 484, Statutes of 2007)**

Above transmitted report, together with letter of transmittal from Randy Rentschler, Director, Legislation and Public Affairs, Metropolitan Transportation Commission, dated September 19, 2008, referred by the Speaker to the Committee on Transportation.

**Student Aid Commission  
Program Compliance Reviews for Fiscal Year 2007–08  
(Pursuant to Budget Act of 2007, Item 7980-001-0001, Provision 4)**

Above transmitted report, together with letter of transmittal from Diana Fuentes-Michel, Executive Director, California Student Aid Commission, dated September 30, 2008, referred by the Speaker to the Committee on Higher Education.

**Actuarial Experience Study for the Defined Benefit Program,  
Defined Benefit Supplement Program and  
Cash Balance Benefit Program  
(Pursuant to Education Code Section 22311)**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, California State Teachers' Retirement System, dated October 6, 2008, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**2008 OAL Determination No. 24  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated September 8, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 25 (S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated October 14, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 26(S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated September 16, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 27 (S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated September 17, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 29 (S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated October 6, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 30 (S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated October 8, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 28  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated September 26, 2008, referred by the Speaker to the Committee on Business and Professions.

**Public Employment Relations Board's Annual Report  
for 2007–2008  
(Pursuant to Government Code Section 3541.3, subdivision (f))**

Above transmitted report, together with letter of transmittal from Karen L. Neuwald, Chair, Public Employment Relations Board, dated October 15, 2008, referred by the Speaker to the Committee on Business and Professions.

**Replacement of Underground Storage Tanks Program  
(Pursuant to Health and Safety Code Section 25299.112)**

Above transmitted report, together with letter of transmittal from Dorothy Rice, Executive Director, State Water Resources Control Board, dated October 15, 2008, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Unclaimed Property Audits  
(Pursuant to Budget Act 2006)**

Above transmitted report, together with letter of transmittal from Michael Carter, Chief Operating Officer, California State Controller, dated October 1, 2008, referred by the Speaker to the Committee on Budget.

**California State Lottery Fiscal Year 2007–08 Contracts Over \$100,000  
(Pursuant to Government Code Section 8880.56 (b), (6))**

Above transmitted report, together with letter of transmittal from Marie Aubin-Vanacore, Manager, California Lottery Commission, dated October 20, 2008, referred by the Speaker to the Committee on Governmental Organization.

**September 2008 Report on Status of Compliance with  
the Consent Judgment with United States Department of Justice (USDOJ)  
(Pursuant to Assembly Bill 1807, Chapter 74, Section 74,  
Statutes of 2006)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated October 21, 2008, referred by the Speaker to the Committee on Health.

**Evaluation of Proposition 36:  
The Substance Abuse and Crime Prevention Act of 2000: 2008 Report  
(Pursuant to Senate Bill 1137, Chapter 63, Statutes of 2006)**

Above transmitted report, together with letter of transmittal from Renee Zito, LMSW, Department of Alcohol and Drug Programs, dated October 21, 2008, referred by the Speaker to the Committee on Health.

**2007–08 Cal Grant Program  
(Pursuant to Senate Bill 1644, Chapter 403, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Diana Fuentes-Michel, Executive Director, California Student Aid Commission, dated October 22, 2008, referred by the Speaker to the Committee on Higher Education.

**Annual Audited Financial Statements and Reports of  
the Golden State ScholarShare College Savings Trust (ScholarShare),  
the Governor's Scholarship Programs,  
and the California Memorial Scholarship Program  
(Pursuant to Education Code Sections 69989, 69999.6, and 70011.7)**

Above transmitted report, together with letter of transmittal from Zeny Marie Agullana, Executive Director, ScholarShare Investment Board, dated October 28, 2008, referred by the Speaker to the Committee on Higher Education.

**Instruction and Research Space Analysis  
2009–2014 Capital Improvement Program  
(Pursuant to Budget Act 1973, Item 359)**

Above transmitted report, together with letter of transmittal from Patrick J. Lenz, Vice President for Budget, University of California, dated November 1, 2008, referred by the Speaker to the Committee on Higher Education.

**Recommendations for  
Collection and Recycling of Spent Fluorescent Bulbs in California  
(Pursuant to Assembly Bill 1109, Chapter 534, Statutes of 2007)**

Above transmitted report, together with letter of transmittal from Maureen F. Gorsen, Director, Department of Toxic Substances Control, dated October 22, 2008, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**California State Lottery Fund:  
Financial Statements, June 30, 2008  
(With Independent Auditors' Report Thereon)  
(Pursuant to Government Code Section 8880.43)**

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, California Lottery Commission, dated October 27, 2008, referred by the Speaker to the Committee on Governmental Organization.

**California Housing Finance Agency's 2007–08 Annual Report  
(Pursuant to Health and Safety Code Section 51005)**

Above transmitted report, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, dated November 1, 2008, referred by the Speaker to the Committee on Housing and Community Development.

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The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

Investigative Report I2008-2  
October 2, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: Pursuant to the California Whistleblower Protection Act, the Bureau of State Audits presents its investigative report summarizing investigations of improper governmental activity completed from January through June 2008.

This report details nine investigations into improper governmental activities at several state departments. Through our investigative methods, we found incompatible activities, improper payments, improper contracting, and misuse of state resources. For example, an employee at the Department of Housing and Community Development (HCD) worked simultaneously at HCD and at a nonprofit organization that was receiving grants from HCD. The dual employment violated state and department prohibitions against engaging in incompatible activities. We estimate that the employee's unauthorized absences from HCD while attempting to work at both jobs—as well as other time and attendance abuses that we identified—cost the State \$34,687.

In addition, this report provides an update on previously reported issues and describes any additional actions taken by state departments to correct the problems we previously identified. For example, the Department of Corrections and Rehabilitation reported that it canceled its lease with a private parking facility after we reported it wasted \$11,277 during just a three-month period on leased parking spaces that it did not need.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Business and Professions.

California State Auditor

2008-115  
October 16, 2008

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Fish and Game's (Fish and Game) administration of the Bay-Delta Sport Fishing Enhancement Stamp (fish stamp) program.

The report concludes that Fish and Game's use of the money collected from fish stamp sales has been limited. Specifically, although sales of fish stamps began on January 1, 2004, Fish and Game did not consistently begin funding fish stamp projects until fiscal year 2006–07. As a result, although sales of fish stamps have generated more than \$8.6 million in revenue and interest, Fish and Game has only spent \$1.6 million on projects and administrative costs, leaving a surplus of \$7 million.

Fish and Game also does not have a sufficient system of internal or administrative controls to monitor fish stamp project activity. As a result, project expenditures are difficult to reconcile and have been incorrectly charged to other funding sources. Finally, during fiscal years 2005–06 through 2007–08, Fish and Game inappropriately charged

expenditures totaling an estimated \$201,000 to the fish stamp program that were unrelated to fish stamp activities.

Respectfully submitted,

ELAINE M. HOWLE, CPA  
State Auditor

Above report referred to the Committee on Water, Parks and Wildlife.

**ASSEMBLY COMMITTEE INTERIM HEARINGS  
FINAL RECESS**

*Friday, October 10, 2008*

Select Committee on Rail Transportation at 10 a.m., in San Francisco.

*Thursday, October 16, 2008*

Banking and Finance to convene jointly with the Committee on Public Employees, Retirement and Social Security at 10 a.m., in Los Angeles.

*Wednesday, October 22, 2008*

Select Committee on Growth Management, at 1 p.m., in Room 4202.

*Thursday, October 23, 2008*

Select Committee on Growth Management at 9 a.m., in Oakland.

*Friday, October 24, 2008*

Select Committee on Procurement, at 9:30 a.m., in Burlingame.

*Friday, October 31, 2008*

Transportation to hold a joint informational hearing with the Budget Subcommittee No. 5 on Information Technology/Transportation, at 9:30 a.m., in Room 4202.

*Wednesday, November 12, 2008*

Judiciary to hold an informational hearing, at 10 a.m., in Room 437;  
Banking and Finance to hold an informational hearing, at 10 a.m.

*Thursday, November 13, 2008*

Judiciary to hold an informational hearing, at 10:30 a.m., in Room 4202.

*Tuesday, November 18, 2008*

Health to hold an informational hearing, at 10 a.m., in Room 4202.

*Wednesday, November 19, 2008*

Judiciary to hold an informational hearing, at 10 a.m., in Room 4202.

*Thursday, November 20, 2008*

Judiciary to hold an informational hearing at 1 p.m., in Long Beach.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, November 5, 2008

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

Assembly Bill No. 1654

Assembly Bill No. 1741

And reports the same correctly enrolled, and presented to the Governor on the 5th day of November, 2008, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

**REPORTS OF STANDING COMMITTEES**

**Committee on Insurance**

November 30, 2008

Mme. Speaker: Your Committee on Insurance reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2351

COTO, Chair

Above bill ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Insurance reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 972

COTO, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Appropriations**

November 30, 2008

Mme Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1294

Senate Bill No. 1620

Senate Bill No. 2147

LENO, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Education**

November 30, 2008

Mme. Speaker: Your Committee on Education reports the following bill:

Assembly Bill No. 1395

Died in Committee—Concurrence pending.

MULLIN, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Appropriations**

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports the following bills:

Assembly Bill No. 1759

Assembly Bill No. 2147

Died in Committee—Concurrence pending.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Rules**

November 30, 2008

Mme. Speaker: Your Committee on Rules reports the following bill:

Assembly Bill No. 1719

Died in Committee—Concurrence pending.

LIEU, Chair

Above bill ordered filed with the Chief Clerk.



**Committee on Revenue and Taxation**

November 30, 2008

Mme. Speaker: Your Committee on Revenue and Taxation reports the following bills:

Assembly Bill No. 2488

Assembly Bill No. 2781

Died in Committee—Concurrence pending.

CALDERON, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Insurance**

Date of Hearing: November 30, 2008

Mme. Speaker: Your Committee on Insurance reports the following bill:

Assembly Bill No. 213

Died in Committee—Concurrence pending.

COTO, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Local Government**

November 30, 2008

Mme. Speaker: Your Committee on Local Government reports the following bill:

Assembly Bill No. 1959

Died in Committee—Concurrence pending.

CABALLERO, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Public Safety**

November 30, 2008

Mme. Speaker: Your Committee on Public Safety reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1965

SOLORIO, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Aging and Long-Term Care**

November 30, 2008

Mme. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 2163

Without action.

BERG, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Agriculture**

November 30, 2008

Mme. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 2253

Assembly Bill No. 2782

Assembly Bill No. 2860

Without action.

PARRA, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Agriculture reports:  
Senate Concurrent Resolution No. 87  
Without action.

PARRA, Chair

Above resolution ordered transmitted to the Senate.

**Committee on Appropriations**

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 1752  
Assembly Bill No. 1753  
Assembly Bill No. 1758  
Assembly Bill No. 1768  
Assembly Bill No. 1772  
Assembly Bill No. 1774  
Assembly Bill No. 1809  
Assembly Bill No. 1827  
Assembly Bill No. 1841  
Without action.

Assembly Bill No. 1842  
Assembly Bill No. 1843  
Assembly Bill No. 1857  
Assembly Bill No. 1861  
Assembly Bill No. 1888  
Assembly Bill No. 1904  
Assembly Bill No. 1918  
Assembly Bill No. 1919

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 1929  
Assembly Bill No. 1958  
Assembly Bill No. 1961  
Assembly Bill No. 1966  
Assembly Bill No. 1979  
Assembly Bill No. 1983  
Assembly Bill No. 2003  
Assembly Bill No. 2006  
Assembly Bill No. 2007  
Without action.

Assembly Bill No. 2008  
Assembly Bill No. 2015  
Assembly Bill No. 2030  
Assembly Bill No. 2036  
Assembly Bill No. 2037  
Assembly Bill No. 2053  
Assembly Bill No. 2055  
Assembly Bill No. 2073

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 2084  
Assembly Bill No. 2087  
Assembly Bill No. 2088  
Assembly Bill No. 2101  
Assembly Bill No. 2107  
Assembly Bill No. 2110  
Assembly Bill No. 2119  
Assembly Bill No. 2121  
Without action.

Assembly Bill No. 2122  
Assembly Bill No. 2129  
Assembly Bill No. 2152  
Assembly Bill No. 2154  
Assembly Bill No. 2155  
Assembly Bill No. 2164  
Assembly Bill No. 2169  
Assembly Bill No. 2184

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2185 | Assembly Bill No. 2257 |
| Assembly Bill No. 2187 | Assembly Bill No. 2277 |
| Assembly Bill No. 2190 | Assembly Bill No. 2278 |
| Assembly Bill No. 2206 | Assembly Bill No. 2281 |
| Assembly Bill No. 2207 | Assembly Bill No. 2282 |
| Assembly Bill No. 2229 | Assembly Bill No. 2294 |
| Assembly Bill No. 2234 | Assembly Bill No. 2316 |
| Assembly Bill No. 2236 | Assembly Bill No. 2318 |
| Assembly Bill No. 2251 |                        |

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2325 | Assembly Bill No. 2372 |
| Assembly Bill No. 2333 | Assembly Bill No. 2387 |
| Assembly Bill No. 2338 | Assembly Bill No. 2394 |
| Assembly Bill No. 2340 | Assembly Bill No. 2409 |
| Assembly Bill No. 2353 | Assembly Bill No. 2414 |
| Assembly Bill No. 2355 | Assembly Bill No. 2416 |
| Assembly Bill No. 2360 | Assembly Bill No. 2434 |
| Assembly Bill No. 2365 | Assembly Bill No. 2457 |
| Assembly Bill No. 2371 |                        |

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2459 | Assembly Bill No. 2519 |
| Assembly Bill No. 2462 | Assembly Bill No. 2525 |
| Assembly Bill No. 2478 | Assembly Bill No. 2535 |
| Assembly Bill No. 2481 | Assembly Bill No. 2538 |
| Assembly Bill No. 2489 | Assembly Bill No. 2557 |
| Assembly Bill No. 2490 | Assembly Bill No. 2571 |
| Assembly Bill No. 2502 | Assembly Bill No. 2575 |
| Assembly Bill No. 2513 | Assembly Bill No. 2590 |
| Assembly Bill No. 2515 |                        |

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2596 | Assembly Bill No. 2675 |
| Assembly Bill No. 2608 | Assembly Bill No. 2677 |
| Assembly Bill No. 2613 | Assembly Bill No. 2689 |
| Assembly Bill No. 2614 | Assembly Bill No. 2691 |
| Assembly Bill No. 2636 | Assembly Bill No. 2698 |
| Assembly Bill No. 2652 | Assembly Bill No. 2708 |
| Assembly Bill No. 2655 | Assembly Bill No. 2711 |
| Assembly Bill No. 2656 | Assembly Bill No. 2723 |
| Assembly Bill No. 2667 |                        |

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2725 | Assembly Bill No. 2847 |
| Assembly Bill No. 2728 | Assembly Bill No. 2852 |
| Assembly Bill No. 2746 | Assembly Bill No. 2864 |
| Assembly Bill No. 2787 | Assembly Bill No. 2872 |
| Assembly Bill No. 2792 | Assembly Bill No. 2880 |
| Assembly Bill No. 2795 | Assembly Bill No. 2886 |
| Assembly Bill No. 2797 | Assembly Bill No. 2887 |
| Assembly Bill No. 2808 | Assembly Bill No. 2889 |
| Assembly Bill No. 2839 |                        |

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2891 | Assembly Bill No. 2974 |
| Assembly Bill No. 2896 | Assembly Bill No. 2975 |
| Assembly Bill No. 2912 | Assembly Bill No. 2990 |
| Assembly Bill No. 2914 | Assembly Bill No. 3001 |
| Assembly Bill No. 2929 | Assembly Bill No. 3003 |
| Assembly Bill No. 2943 | Assembly Bill No. 3019 |
| Assembly Bill No. 2951 | Assembly Bill No. 3027 |
| Assembly Bill No. 2965 | Assembly Bill No. 3031 |
| Assembly Bill No. 2972 |                        |

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 3032
- Assembly Bill No. 3046

Without action.

LENO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- Assembly Constitutional Amendment No. 1
- Assembly Constitutional Amendment No. 4
- Assembly Constitutional Amendment No. 11

Without action.

LENO, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 91
- Assembly Concurrent Resolution No. 129

Without action.

LENO, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                    |                     |
|--------------------|---------------------|
| Senate Bill No. 9  | Senate Bill No. 119 |
| Senate Bill No. 11 | Senate Bill No. 128 |
| Senate Bill No. 19 | Senate Bill No. 148 |
| Senate Bill No. 21 | Senate Bill No. 159 |
| Senate Bill No. 26 | Senate Bill No. 168 |
| Senate Bill No. 46 | Senate Bill No. 197 |
| Senate Bill No. 48 | Senate Bill No. 240 |
| Senate Bill No. 62 | Senate Bill No. 261 |
| Senate Bill No. 76 |                     |

Without action.

LENO, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                     |                     |
|---------------------|---------------------|
| Senate Bill No. 303 | Senate Bill No. 468 |
| Senate Bill No. 305 | Senate Bill No. 507 |
| Senate Bill No. 314 | Senate Bill No. 543 |
| Senate Bill No. 321 | Senate Bill No. 544 |
| Senate Bill No. 327 | Senate Bill No. 552 |
| Senate Bill No. 331 | Senate Bill No. 569 |
| Senate Bill No. 332 | Senate Bill No. 604 |
| Senate Bill No. 411 | Senate Bill No. 673 |
| Senate Bill No. 412 |                     |

Without action.

LENO, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                     |                     |
|---------------------|---------------------|
| Senate Bill No. 676 | Senate Bill No. 748 |
| Senate Bill No. 696 | Senate Bill No. 761 |
| Senate Bill No. 704 | Senate Bill No. 784 |
| Senate Bill No. 713 | Senate Bill No. 800 |
| Senate Bill No. 716 | Senate Bill No. 821 |
| Senate Bill No. 721 | Senate Bill No. 825 |
| Senate Bill No. 725 | Senate Bill No. 830 |
| Senate Bill No. 726 | Senate Bill No. 863 |
| Senate Bill No. 736 | Senate Bill No. 889 |

Without action.

LENO, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                      |                      |
|----------------------|----------------------|
| Senate Bill No. 918  | Senate Bill No. 1114 |
| Senate Bill No. 978  | Senate Bill No. 1122 |
| Senate Bill No. 983  | Senate Bill No. 1144 |
| Senate Bill No. 987  | Senate Bill No. 1172 |
| Senate Bill No. 991  | Senate Bill No. 1183 |
| Senate Bill No. 994  | Senate Bill No. 1200 |
| Senate Bill No. 1003 | Senate Bill No. 1209 |
| Senate Bill No. 1020 | Senate Bill No. 1248 |
| Senate Bill No. 1108 |                      |

Without action.

LENO, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                      |                      |
|----------------------|----------------------|
| Senate Bill No. 1254 | Senate Bill No. 1438 |
| Senate Bill No. 1269 | Senate Bill No. 1450 |
| Senate Bill No. 1270 | Senate Bill No. 1460 |
| Senate Bill No. 1321 | Senate Bill No. 1508 |
| Senate Bill No. 1327 | Senate Bill No. 1516 |
| Senate Bill No. 1346 | Senate Bill No. 1520 |
| Senate Bill No. 1349 | Senate Bill No. 1525 |
| Senate Bill No. 1350 | Senate Bill No. 1545 |
| Senate Bill No. 1364 |                      |

Without action.

LENO, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Appropriations reports:

- |                      |                      |
|----------------------|----------------------|
| Senate Bill No. 1552 | Senate Bill No. 1670 |
| Senate Bill No. 1606 | Senate Bill No. 1672 |
| Senate Bill No. 1635 | Senate Bill No. 1676 |
| Senate Bill No. 1643 | Senate Bill No. 1677 |
| Senate Bill No. 1649 | Senate Bill No. 1687 |
| Senate Bill No. 1657 | Senate Bill No. 1688 |
| Senate Bill No. 1663 | Senate Bill No. 1721 |
| Senate Bill No. 1664 | Senate Bill No. 1734 |

Without action.

LENO, Chair

Above bills ordered transmitted to the Senate.

**Committee on Banking and Finance**

November 30, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

- Assembly Bill No. 1837
- Assembly Bill No. 2751

Without action.

NAVA, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

- Assembly Joint Resolution No. 59

Without action.

NAVA, Chair

Above resolution ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

- Senate Bill No. 328
- Senate Bill No. 1053
- Senate Bill No. 1054

Without action.

NAVA, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

- Senate Joint Resolution No. 21

Without action.

NAVA, Chair

Above resolution ordered transmitted to the Senate.

**Committee on Budget**

November 30, 2008

Mme. Speaker: Your Committee on Budget reports:  
Assembly Bill No. 1770  
Without action.

LAIRD, Chair

Above bill ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Budget reports:  
Assembly Constitutional Amendment No. 7  
Assembly Constitutional Amendment No. 12  
Assembly Constitutional Amendment No. 19  
Without action.

LAIRD, Chair

Above resolutions ordered filed with the Chief Clerk.

**Committee on Business and Professions**

November 30, 2008

Mme. Speaker: Your Committee on Business and Professions reports:  
Assembly Bill No. 1756  
Assembly Bill No. 1850  
Assembly Bill No. 1947  
Assembly Bill No. 2118  
Assembly Bill No. 2201  
Assembly Bill No. 2276  
Assembly Bill No. 2393  
Without action.

Assembly Bill No. 2473  
Assembly Bill No. 2516  
Assembly Bill No. 2709  
Assembly Bill No. 2908  
Assembly Bill No. 2995  
Assembly Bill No. 3002

ENG, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Business and Professions reports:  
Senate Bill No. 355  
Without action.

ENG, Chair

Above bill ordered transmitted to the Senate.

**Committee on Education**

November 30, 2008

Mme. Speaker: Your Committee on Education reports:  
Assembly Bill No. 1761  
Assembly Bill No. 1834  
Assembly Bill No. 1835  
Assembly Bill No. 2027  
Assembly Bill No. 2113  
Assembly Bill No. 2254  
Assembly Bill No. 2274  
Assembly Bill No. 2290  
Assembly Bill No. 2395  
Assembly Bill No. 2429  
Without action.

Assembly Bill No. 2493  
Assembly Bill No. 2545  
Assembly Bill No. 2582  
Assembly Bill No. 2739  
Assembly Bill No. 2774  
Assembly Bill No. 2831  
Assembly Bill No. 2832  
Assembly Bill No. 2890  
Assembly Bill No. 2933

MULLIN, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Education reports:  
Assembly Constitutional Amendment No. 3  
Without action.

MULLIN, Chair

Above resolution ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Education reports:  
Assembly Concurrent Resolution No. 115  
Without action.

MULLIN, Chair

Above resolution ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Education reports:  
Senate Bill No. 668  
Senate Bill No. 675  
Senate Bill No. 679

Senate Bill No. 741  
Senate Bill No. 835  
Senate Bill No. 1372

Without action.

MULLIN, Chair

Above bills ordered transmitted to the Senate.

**Committee on Elections and Redistricting**

November 30, 2008

Mme. Speaker: Your Committee on Elections and Redistricting reports:  
Assembly Bill No. 1862  
Assembly Bill No. 1992  
Assembly Bill No. 3069  
Without action.

PRICE, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Elections and Redistricting reports:  
Assembly Constitutional Amendment No. 6  
Assembly Constitutional Amendment No. 18  
Without action.

PRICE, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Elections and Redistricting reports:  
Assembly Concurrent Resolution No. 93  
Without action.

PRICE, Chair

Above resolution ordered filed with the Chief Clerk.

**Committee on Environmental Safety and Toxic Materials**

November 30, 2008

Mme. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:  
Assembly Bill No. 2186  
Assembly Bill No. 2900  
Without action.

HUFFMAN, Chair

Above bills ordered filed with the Chief Clerk.



November 30, 2008

Mme. Speaker: Your Committee on Environmental and Toxic Materials reports:  
Senate Bill No. 1753

Without action.

HUFFMAN, Chair

Above bill ordered transmitted to the Senate.

**Committee on Governmental Organization**

November 30, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1813 | Assembly Bill No. 2297 |
| Assembly Bill No. 1878 | Assembly Bill No. 2314 |
| Assembly Bill No. 1978 | Assembly Bill No. 2665 |
| Assembly Bill No. 2017 | Assembly Bill No. 2713 |
| Assembly Bill No. 2170 | Assembly Bill No. 2812 |

Without action.

PRICE, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

- Assembly Concurrent Resolution No. 131
- Assembly Joint Resolution No. 47

Without action.

PRICE, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

- |                     |                      |
|---------------------|----------------------|
| Senate Bill No. 169 | Senate Bill No. 1201 |
| Senate Bill No. 436 | Senate Bill No. 1695 |
| Senate Bill No. 440 | Senate Bill No. 1697 |
| Senate Bill No. 864 |                      |

Without action.

PRICE, Chair

Above bills ordered transmitted to the Senate.

**Committee on Health**

November 30, 2008

Mme. Speaker: Your Committee on Health reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2140 | Assembly Bill No. 2644 |
| Assembly Bill No. 2157 | Assembly Bill No. 2653 |
| Assembly Bill No. 2183 | Assembly Bill No. 2661 |
| Assembly Bill No. 2242 | Assembly Bill No. 2663 |
| Assembly Bill No. 2298 | Assembly Bill No. 2715 |
| Assembly Bill No. 2620 | Assembly Bill No. 2821 |
| Assembly Bill No. 2643 | Assembly Bill No. 2957 |

Without action.

DYMALLY, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Health reports:

- Senate Bill No. 1096

Without action.

DYMALLY, Chair

Above bill ordered transmitted to the Senate.

**Committee on Higher Education**

November 30, 2008

Mme. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 2264

Assembly Bill No. 2602

Assembly Bill No. 2271

Assembly Bill No. 2722

Assembly Bill No. 2551

Assembly Bill No. 2876

Without action.

PORTANTINO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Higher Education reports:

Assemble Constitutional Amendment No. 16

Without action.

PORTANTINO, Chair

Above resolution ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 808

Without action.

PORTANTINO, Chair

Above bill ordered transmitted to the Senate.

**Committee on Housing and Community Development**

November 30, 2008

Mme. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 1833

Assembly Bill No. 2521

Assembly Bill No. 2239

Assembly Bill No. 2830

Assembly Bill No. 2331

Assembly Bill No. 2867

Without action.

SALDAÑA, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Housing and Community Development reports:

Senate Bill No. 900

Senate Bill No. 1299

Without action.

SALDAÑA, Chair

Above bills ordered transmitted to the Senate.

**Committee on Human Services**

November 30, 2008

Mme. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1875

Assembly Bill No. 2927

Assembly Bill No. 1999

Assembly Bill No. 2978

Assembly Bill No. 2748

Without action.

BEALL, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Human Services reports:

Assembly Joint Resolution No. 26

Without action.

BEALL, Chair

Above resolution ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Human Services reports:  
Senate Bill No. 179  
Without action.

BEALL, Chair

Above bill ordered transmitted to the Senate.

**Committee on Insurance**

November 30, 2008

Mme. Speaker: Your Committee on Insurance reports:  
Assembly Bill No. 2268  
Assembly Bill No. 2407  
Assembly Bill No. 2692  
Without action.

COTO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Insurance reports:  
Senate Bill No. 573  
Without action.

COTO, Chair

Above bill ordered transmitted to the Senate.

**Committee on Jobs, Economic Development, and the Economy**

November 30, 2008

Mme. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:  
Assembly Bill No. 2311  
Assembly Bill No. 2312  
Assembly Bill No. 2735  
Without action.

ARAMBULA, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:  
Assembly Joint Resolution No. 55  
Without action.

ARAMBULA, Chair

Above resolution ordered filed with the Chief Clerk.

**Committee on Judiciary**

November 30, 2008

Mme. Speaker: Your Committee on Judiciary reports:  
Assembly Bill No. 1822  
Assembly Bill No. 1880  
Assembly Bill No. 1977  
Assembly Bill No. 2247  
Assembly Bill No. 2336  
Assembly Bill No. 2383  
Without action.

Assembly Bill No. 2428  
Assembly Bill No. 2587  
Assembly Bill No. 2616  
Assembly Bill No. 2624  
Assembly Bill No. 2683  
Assembly Bill No. 2826

JONES, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Judiciary reports:

- Assembly Joint Resolution No. 35
- Assembly Joint Resolution No. 38
- Assembly Joint Resolution No. 46

Without action.

JONES, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Judiciary reports:

- Senate Bill No. 1215
- Senate Bill No. 1421
- Senate Bill No. 1449
- Senate Bill No. 1598
- Senate Bill No. 1630

Without action.

JONES, Chair

Above bills ordered transmitted to the Senate.

**Committee on Labor and Employment**

November 30, 2008

Mme. Speaker: Your Committee on Labor and Employment reports:

- Assembly Bill No. 1902
- Assembly Bill No. 2127
- Assembly Bill No. 2364
- Assembly Bill No. 2421
- Assembly Bill No. 2477
- Assembly Bill No. 2530
- Assembly Bill No. 2672
- Assembly Bill No. 2710
- Assembly Bill No. 2719

Without action.

SWANSON, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Local Government**

November 30, 2008

Mme. Speaker: Your Committee on Local Government reports:

- Assembly Bill No. 1941
- Assembly Bill No. 1985
- Assembly Bill No. 2054
- Assembly Bill No. 2430
- Assembly Bill No. 2499
- Assembly Bill No. 2520
- Assembly Bill No. 2564
- Assembly Bill No. 2583
- Assembly Bill No. 2585
- Assembly Bill No. 2674
- Assembly Bill No. 2676
- Assembly Bill No. 2993

Without action.

CABALLERO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Local Government reports:

- Assembly Constitutional Amendment No. 10

Without action.

CABALLERO, Chair

Above resolution ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Local Government reports:

- Senate Bill No. 939
- Senate Bill No. 1106

Without action.

CABALLERO, Chair

Above bills ordered transmitted to the Senate.

**Committee on Natural Resources**

November 30, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2415

Assembly Bill No. 2829

Assembly Bill No. 2512

Assembly Bill No. 2934

Assembly Bill No. 2752

Without action.

HANCOCK, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 300

Senate Bill No. 1405

Without action.

HANCOCK, Chair

Above bills ordered transmitted to the Senate.

**Committee on Public Employees, Retirement and Social Security**

November 30, 2008

Mme. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1967

Assembly Bill No. 2626

Assembly Bill No. 2024

Assembly Bill No. 2699

Without action.

HERNANDEZ, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Public Safety**

November 30, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1762

Assembly Bill No. 2108

Assembly Bill No. 1765

Assembly Bill No. 2172

Assembly Bill No. 1855

Assembly Bill No. 2198

Assembly Bill No. 1899

Assembly Bill No. 2225

Assembly Bill No. 1953

Assembly Bill No. 2329

Assembly Bill No. 1969

Assembly Bill No. 2354

Assembly Bill No. 1990

Assembly Bill No. 2377

Assembly Bill No. 2061

Assembly Bill No. 2417

Without action.

SOLORIO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 2419

Assembly Bill No. 2745

Assembly Bill No. 2681

Assembly Bill No. 2766

Assembly Bill No. 2682

Assembly Bill No. 2819

Without action.

SOLORIO, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 315  
Senate Bill No. 1019

Senate Bill No. 1203  
Senate Bill No. 1336

Without action.

SOLORIO, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Senate Joint Resolution No. 20

Without action.

SOLORIO, Chair

Above resolution ordered transmitted to the Senate.

**Committee on Revenue and Taxation**

November 30, 2008

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1853  
Assembly Bill No. 1881  
Assembly Bill No. 1890  
Assembly Bill No. 1912  
Assembly Bill No. 1926  
Assembly Bill No. 1938  
Assembly Bill No. 1956  
Assembly Bill No. 2178

Assembly Bill No. 2217  
Assembly Bill No. 2240  
Assembly Bill No. 2256  
Assembly Bill No. 2292  
Assembly Bill No. 2461  
Assembly Bill No. 2491  
Assembly Bill No. 2556  
Assembly Bill No. 2561

Without action.

CALDERON, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2568  
Assembly Bill No. 2605  
Assembly Bill No. 2623

Assembly Bill No. 2727  
Assembly Bill No. 2897  
Assembly Bill No. 3009

Without action.

CALDERON, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Constitutional Amendment No. 13

Without action.

CALDERON, Chair

Above resolution ordered filed with the Chief Clerk.

**Committee on Rules**

November 30, 2008

Mme. Speaker: Your Committee on Rules reports:

Assembly Bill No. 1933  
Assembly Bill No. 2035  
Assembly Bill No. 2460  
Assembly Bill No. 2646

Assembly Bill No. 2820  
Assembly Bill No. 2845  
Assembly Bill No. 2985

Without action.

LIEU, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 15
- Assembly Concurrent Resolution No. 44
- Assembly Concurrent Resolution No. 103
- Assembly Concurrent Resolution No. 105
- Assembly Concurrent Resolution No. 118
- Assembly Concurrent Resolution No. 136
- Assembly Joint Resolution No. 8
- House Resolution No. 5
- House Resolution No. 10

Without action.

LIEU, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Rules reports:

- |                     |                      |
|---------------------|----------------------|
| Senate Bill No. 96  | Senate Bill No. 902  |
| Senate Bill No. 524 | Senate Bill No. 1103 |
| Senate Bill No. 560 | Senate Bill No. 1199 |
| Senate Bill No. 722 | Senate Bill No. 1625 |

Without action.

LIEU, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Rules reports:

- |                                      |                                |
|--------------------------------------|--------------------------------|
| Senate Concurrent Resolution No. 27  | Senate Joint Resolution No. 1  |
| Senate Concurrent Resolution No. 104 | Senate Joint Resolution No. 30 |

Without action.

LIEU, Chair

Above resolutions ordered transmitted to the Senate.

**Committee on Transportation**

November 30, 2008

Mme. Speaker: Your Committee on Transportation reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1815 | Assembly Bill No. 2388 |
| Assembly Bill No. 1937 | Assembly Bill No. 2492 |
| Assembly Bill No. 1940 | Assembly Bill No. 2500 |
| Assembly Bill No. 1968 | Assembly Bill No. 2528 |
| Assembly Bill No. 1993 | Assembly Bill No. 2615 |
| Assembly Bill No. 2018 | Assembly Bill No. 2625 |
| Assembly Bill No. 2022 | Assembly Bill No. 2638 |
| Assembly Bill No. 2063 | Assembly Bill No. 2732 |
| Assembly Bill No. 2332 |                        |

Without action.

DE SAULNIER, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Transportation reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2744 | Assembly Bill No. 2865 |
| Assembly Bill No. 2798 | Assembly Bill No. 3039 |

Without action.

DE SAULNIER, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 445  
Senate Bill No. 494  
Senate Bill No. 960

Senate Bill No. 1507  
Senate Bill No. 1614

Without action.

DE SAULNIER, Chair

Above bills ordered transmitted to the Senate.

**Committee on Utilities and Commerce**

November 30, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1807  
Assembly Bill No. 1909  
Assembly Bill No. 2511

Assembly Bill No. 2775  
Assembly Bill No. 3023

Without action.

LEVINE, Chair

Above bills ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Joint Resolution No. 3  
Assembly Joint Resolution No. 50  
Assembly Concurrent Resolution No. 12

Without action.

LEVINE, Chair

Above resolutions ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 323  
Senate Bill No. 324

Senate Bill No. 463  
Senate Bill No. 1536

Without action.

LEVINE, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Senate Concurrent Resolution No. 64  
Senate Joint Resolution No. 15

Without action.

LEVINE, Chair

Above resolutions ordered transmitted to the Senate.

**Committee on Water, Parks and Wildlife**

November 30, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1970  
Assembly Bill No. 2392  
Assembly Bill No. 2712

Without action.

WOLK, Chair

Above bills ordered filed with the Chief Clerk.



November 30, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 258

Senate Bill No. 378

Without action.

WOLK, Chair

Above bills ordered transmitted to the Senate.

November 30, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Joint Resolution No. 4

Without action.

WOLK, Chair

Above resolution ordered transmitted to the Senate.

**MEASURES WHICH DIED AT DESK**

Assembly Bills Nos. 1\*, 982\*, 1811, 1847, 1886, 1896, 1986, 2012, 2051, 2066, 2067, 2194, 2196, 2200, 2237, 2283, 2301, 2303, 2313, 2320, 2345, 2358, 2366, 2373, 2380, 2382, 2384, 2431, 2435, 2446, 2450, 2451, 2453, 2456, 2458, 2469, 2475, 2476, 2485, 2486, 2495, 2497, 2507, 2534, 2542, 2548, 2563, 2573, 2577, 2581, 2591, 2612, 2631, 2632, 2647, 2657, 2659, 2660, 2664, 2684, 2685, 2700, 2703, 2721, 2761, 2767, 2771, 2772, 2779, 2807, 2811, 2813, 2814, 2815, 2833, 2834, 2835, 2836, 2837, 2851, 2853, 2856, 2862, 2883, 2894, 2905, 2907, 2909, 2920, 2924, 2931, 2941, 2952, 2961, 2962, 2977, 2979, 2980, 2981, 2982, 2983, 2984, 2997, 3006, 3007, 3012, 3017, 3022, and 3036; Assembly Constitutional Amendment No. 17; Assembly Concurrent Resolutions Nos. 9, 61, 88, 119, 157, and 158; Assembly Joint Resolutions Nos. 9, 12, 25, 44, 61, 71, 72, and 73; and House Resolutions Nos. 33, 34, and 35.

Senate Bills Nos. 342, 677, 747, 938, 996, and 1138; Senate Constitutional Amendments Nos. 9 and 10; Senate Concurrent Resolutions Nos. 67, 74, 89, and 120; and Senate Joint Resolutions Nos. 10, 31, 33, and 35.

\*NOTE: Bills withdrawn from enrollment and held at desk.

**MEASURES WHICH DIED ON THE INACTIVE FILE**

Assembly Bills Nos. 2195, 2212, 2506, 2690, 2743, 2841, 2873, and 3037; Assembly Concurrent Resolution No. 106; and Assembly Joint Resolution No. 63.

Senate Bills Nos. 30, 32, 42, 92, 265, 351, 388, 410, 456, 529, 546, 702, 765, 841, 894, 1042, 1118, 1424, 1426, 1429, 1443, 1500, 1592, 1597, 1617, 1692, 1758, and 1780.

The following bills died on the inactive file—concurrence pending:

Assembly Bills Nos. 509, 576, 863, 1033, 1442, 1708, 1851, and 2381.

**MEASURES WHICH DIED ON UNFINISHED BUSINESS—  
CONCURRENCE PENDING**

Assembly Bills Nos. 1973 and 2432.

**RECONSIDERATION PENDING**

Assembly Bill No. 1840; and Assembly Constitutional Amendments 8 and 15.

**MEASURES WHICH DIED ON THIRD READING**

Assembly Bills Nos. 1775, 1817, 2598, 2701, 2707, 2780, and 3040; Assembly Constitutional Amendments Nos. 5 and 9, and Assembly Concurrent Resolution No. 159.

Senate Bills Nos. 110, 292, 458, 465, 619, 1012, 1069, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1088, 1089, 1090, 1091, 1092, 1204, 1252, 1454, 1466, 1512, 1522, and 1570.

**MESSAGES FROM THE SENATE**

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 17	Assembly Bill No. 240
Assembly Bill No. 36	Assembly Bill No. 250
Assembly Bill No. 50	Assembly Bill No. 251
Assembly Bill No. 64	Assembly Bill No. 273
Assembly Bill No. 83	Assembly Bill No. 278
Assembly Bill No. 94	Assembly Bill No. 291
Assembly Bill No. 108	Assembly Bill No. 306
Assembly Bill No. 111	Assembly Bill No. 308
Assembly Bill No. 129	Assembly Bill No. 326
Assembly Bill No. 134	Assembly Bill No. 362
Assembly Bill No. 138	Assembly Bill No. 363
Assembly Bill No. 167	Assembly Bill No. 380
Assembly Bill No. 178	Assembly Bill No. 396
Assembly Bill No. 184	Assembly Bill No. 408
Assembly Bill No. 197	Assembly Bill No. 410
Assembly Bill No. 207	Assembly Bill No. 418
Assembly Bill No. 212	Assembly Bill No. 424
Assembly Bill No. 218	Assembly Bill No. 426
Assembly Bill No. 224	Assembly Bill No. 429
Assembly Bill No. 226	Assembly Bill No. 441
Assembly Bill No. 235	

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 442	Assembly Bill No. 624
Assembly Bill No. 444	Assembly Bill No. 625
Assembly Bill No. 447	Assembly Bill No. 633
Assembly Bill No. 456	Assembly Bill No. 640
Assembly Bill No. 503	Assembly Bill No. 643
Assembly Bill No. 506	Assembly Bill No. 671
Assembly Bill No. 512	Assembly Bill No. 680
Assembly Bill No. 514	Assembly Bill No. 690
Assembly Bill No. 515	Assembly Bill No. 692
Assembly Bill No. 523	Assembly Bill No. 696
Assembly Bill No. 558	Assembly Bill No. 700
Assembly Bill No. 561	Assembly Bill No. 704
Assembly Bill No. 568	Assembly Bill No. 712
Assembly Bill No. 570	Assembly Bill No. 724
Assembly Bill No. 577	Assembly Bill No. 746
Assembly Bill No. 581	Assembly Bill No. 767
Assembly Bill No. 582	Assembly Bill No. 793
Assembly Bill No. 588	Assembly Bill No. 806
Assembly Bill No. 595	Assembly Bill No. 817
Assembly Bill No. 616	Assembly Bill No. 818

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 831	Assembly Bill No. 1051
Assembly Bill No. 838	Assembly Bill No. 1059
Assembly Bill No. 851	Assembly Bill No. 1064
Assembly Bill No. 867	Assembly Bill No. 1065
Assembly Bill No. 877	Assembly Bill No. 1066
Assembly Bill No. 890	Assembly Bill No. 1067
Assembly Bill No. 901	Assembly Bill No. 1069
Assembly Bill No. 904	Assembly Bill No. 1074
Assembly Bill No. 906	Assembly Bill No. 1075
Assembly Bill No. 923	Assembly Bill No. 1077
Assembly Bill No. 925	Assembly Bill No. 1089
Assembly Bill No. 938	Assembly Bill No. 1117
Assembly Bill No. 977	Assembly Bill No. 1119
Assembly Bill No. 984	Assembly Bill No. 1127
Assembly Bill No. 995	Assembly Bill No. 1140
Assembly Bill No. 1011	Assembly Bill No. 1143
Assembly Bill No. 1012	Assembly Bill No. 1154
Assembly Bill No. 1016	Assembly Bill No. 1170
Assembly Bill No. 1029	Assembly Bill No. 1176
Assembly Bill No. 1034	Assembly Bill No. 1177

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 1180	Assembly Bill No. 1403
Assembly Bill No. 1185	Assembly Bill No. 1409
Assembly Bill No. 1195	Assembly Bill No. 1415
Assembly Bill No. 1216	Assembly Bill No. 1428
Assembly Bill No. 1218	Assembly Bill No. 1434
Assembly Bill No. 1223	Assembly Bill No. 1435
Assembly Bill No. 1227	Assembly Bill No. 1436
Assembly Bill No. 1239	Assembly Bill No. 1446
Assembly Bill No. 1268	Assembly Bill No. 1454
Assembly Bill No. 1275	Assembly Bill No. 1455
Assembly Bill No. 1277	Assembly Bill No. 1463
Assembly Bill No. 1304	Assembly Bill No. 1472
Assembly Bill No. 1329	Assembly Bill No. 1475
Assembly Bill No. 1350	Assembly Bill No. 1482
Assembly Bill No. 1351	Assembly Bill No. 1486
Assembly Bill No. 1356	Assembly Bill No. 1487
Assembly Bill No. 1361	Assembly Bill No. 1489
Assembly Bill No. 1370	Assembly Bill No. 1503
Assembly Bill No. 1385	Assembly Bill No. 1506
Assembly Bill No. 1390	Assembly Bill No. 1511

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- Assembly Bill No. 1530
- Assembly Bill No. 1546
- Assembly Bill No. 1552
- Assembly Bill No. 1554
- Assembly Bill No. 1578
- Assembly Bill No. 1586
- Assembly Bill No. 1587
- Assembly Bill No. 1590
- Assembly Bill No. 1593
- Assembly Bill No. 1596
- Assembly Bill No. 1602
- Assembly Bill No. 1611
- Assembly Bill No. 1620
- Assembly Bill No. 1646
- Assembly Bill No. 1657
- Assembly Bill No. 1660
- Assembly Bill No. 1662
- Assembly Bill No. 1694
- Assembly Bill No. 1711
- Assembly Bill No. 1730

- Assembly Bill No. 1777
- Assembly Bill No. 1779
- Assembly Bill No. 1782
- Assembly Bill No. 1783
- Assembly Bill No. 1784
- Assembly Bill No. 1785
- Assembly Bill No. 1786
- Assembly Bill No. 1787
- Assembly Bill No. 1788
- Assembly Bill No. 1789
- Assembly Bill No. 1790
- Assembly Bill No. 1791
- Assembly Bill No. 1792
- Assembly Bill No. 1794
- Assembly Bill No. 1795
- Assembly Bill No. 1796
- Assembly Bill No. 1797
- Assembly Bill No. 1798
- Assembly Bill No. 1799
- Assembly Bill No. 1800

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- Assembly Bill No. 1801
- Assembly Bill No. 1802
- Assembly Bill No. 1803
- Assembly Bill No. 1804
- Assembly Bill No. 1814
- Assembly Bill No. 1819
- Assembly Bill No. 1831
- Assembly Bill No. 1836
- Assembly Bill No. 1845
- Assembly Bill No. 1854
- Assembly Bill No. 1868
- Assembly Bill No. 1901
- Assembly Bill No. 1914
- Assembly Bill No. 1920
- Assembly Bill No. 1921
- Assembly Bill No. 1925
- Assembly Bill No. 1930
- Assembly Bill No. 1934
- Assembly Bill No. 1939
- Assembly Bill No. 1944

- Assembly Bill No. 1957
- Assembly Bill No. 1984
- Assembly Bill No. 1987
- Assembly Bill No. 1988
- Assembly Bill No. 1989
- Assembly Bill No. 1991
- Assembly Bill No. 1994
- Assembly Bill No. 1995
- Assembly Bill No. 2013
- Assembly Bill No. 2021
- Assembly Bill No. 2029
- Assembly Bill No. 2038
- Assembly Bill No. 2056
- Assembly Bill No. 2058
- Assembly Bill No. 2062
- Assembly Bill No. 2077
- Assembly Bill No. 2082
- Assembly Bill No. 2083
- Assembly Bill No. 2092
- Assembly Bill No. 2093

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 2104  
 Assembly Bill No. 2112  
 Assembly Bill No. 2116  
 Assembly Bill No. 2117  
 Assembly Bill No. 2124  
 Assembly Bill No. 2130  
 Assembly Bill No. 2134  
 Assembly Bill No. 2145  
 Assembly Bill No. 2146  
 Assembly Bill No. 2159  
 Assembly Bill No. 2161  
 Assembly Bill No. 2174  
 Assembly Bill No. 2175  
 Assembly Bill No. 2177  
 Assembly Bill No. 2182  
 Assembly Bill No. 2192  
 Assembly Bill No. 2204  
 Assembly Bill No. 2208  
 Assembly Bill No. 2218  
 Assembly Bill No. 2219

Assembly Bill No. 2221  
 Assembly Bill No. 2224  
 Assembly Bill No. 2227  
 Assembly Bill No. 2228  
 Assembly Bill No. 2235  
 Assembly Bill No. 2255  
 Assembly Bill No. 2263  
 Assembly Bill No. 2285  
 Assembly Bill No. 2288  
 Assembly Bill No. 2324  
 Assembly Bill No. 2328  
 Assembly Bill No. 2342  
 Assembly Bill No. 2359  
 Assembly Bill No. 2362  
 Assembly Bill No. 2363  
 Assembly Bill No. 2367  
 Assembly Bill No. 2368  
 Assembly Bill No. 2375  
 Assembly Bill No. 2385  
 Assembly Bill No. 2399

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 2406  
 Assembly Bill No. 2408  
 Assembly Bill No. 2424  
 Assembly Bill No. 2425  
 Assembly Bill No. 2441  
 Assembly Bill No. 2463  
 Assembly Bill No. 2487  
 Assembly Bill No. 2496  
 Assembly Bill No. 2501  
 Assembly Bill No. 2505  
 Assembly Bill No. 2509  
 Assembly Bill No. 2514  
 Assembly Bill No. 2517  
 Assembly Bill No. 2523  
 Assembly Bill No. 2526  
 Assembly Bill No. 2531  
 Assembly Bill No. 2536  
 Assembly Bill No. 2544  
 Assembly Bill No. 2546  
 Assembly Bill No. 2549  
 Assembly Bill No. 2572

Assembly Bill No. 2579  
 Assembly Bill No. 2580  
 Assembly Bill No. 2593  
 Assembly Bill No. 2603  
 Assembly Bill No. 2611  
 Assembly Bill No. 2628  
 Assembly Bill No. 2633  
 Assembly Bill No. 2635  
 Assembly Bill No. 2639  
 Assembly Bill No. 2640  
 Assembly Bill No. 2642  
 Assembly Bill No. 2645  
 Assembly Bill No. 2662  
 Assembly Bill No. 2678  
 Assembly Bill No. 2687  
 Assembly Bill No. 2694  
 Assembly Bill No. 2695  
 Assembly Bill No. 2705  
 Assembly Bill No. 2716  
 Assembly Bill No. 2717

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2724 | Assembly Bill No. 2877 |
| Assembly Bill No. 2740 | Assembly Bill No. 2879 |
| Assembly Bill No. 2741 | Assembly Bill No. 2895 |
| Assembly Bill No. 2760 | Assembly Bill No. 2902 |
| Assembly Bill No. 2762 | Assembly Bill No. 2903 |
| Assembly Bill No. 2773 | Assembly Bill No. 2910 |
| Assembly Bill No. 2776 | Assembly Bill No. 2913 |
| Assembly Bill No. 2777 | Assembly Bill No. 2915 |
| Assembly Bill No. 2789 | Assembly Bill No. 2916 |
| Assembly Bill No. 2793 | Assembly Bill No. 2925 |
| Assembly Bill No. 2799 | Assembly Bill No. 2930 |
| Assembly Bill No. 2816 | Assembly Bill No. 2936 |
| Assembly Bill No. 2817 | Assembly Bill No. 2938 |
| Assembly Bill No. 2822 | Assembly Bill No. 2940 |
| Assembly Bill No. 2823 | Assembly Bill No. 2942 |
| Assembly Bill No. 2866 | Assembly Bill No. 2958 |
| Assembly Bill No. 2868 | Assembly Bill No. 2989 |
| Assembly Bill No. 2869 | Assembly Bill No. 2998 |
| Assembly Bill No. 2870 | Assembly Bill No. 3004 |
| Assembly Bill No. 2875 |                        |

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- Assembly Bill No. 3061
- Assembly Bill No. 3067
- Assembly Bill No. 3077
- Assembly Bill No. 3082
- Assembly Concurrent Resolution No. 76
- Assembly Concurrent Resolution No. 77
- Assembly Concurrent Resolution No. 78
- Assembly Concurrent Resolution No. 79
- Assembly Concurrent Resolution No. 85
- Assembly Concurrent Resolution No. 102
- Assembly Concurrent Resolution No. 117
- Assembly Concurrent Resolution No. 123
- Assembly Concurrent Resolution No. 148
- Assembly Joint Resolution No. 6

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 160 | Assembly Bill No. 762  |
| Assembly Bill No. 200 | Assembly Bill No. 789  |
| Assembly Bill No. 202 | Assembly Bill No. 822  |
| Assembly Bill No. 204 | Assembly Bill No. 891  |
| Assembly Bill No. 205 | Assembly Bill No. 1111 |
| Assembly Bill No. 206 | Assembly Bill No. 1159 |
| Assembly Bill No. 208 | Assembly Bill No. 1261 |
| Assembly Bill No. 209 | Assembly Bill No. 1349 |
| Assembly Bill No. 210 | Assembly Bill No. 1456 |
| Assembly Bill No. 215 | Assembly Bill No. 1534 |
| Assembly Bill No. 229 | Assembly Bill No. 1561 |
| Assembly Bill No. 231 | Assembly Bill No. 1634 |
| Assembly Bill No. 455 | Assembly Bill No. 1757 |
| Assembly Bill No. 525 | Assembly Bill No. 1773 |
| Assembly Bill No. 564 | Assembly Bill No. 1818 |
| Assembly Bill No. 611 | Assembly Bill No. 1848 |
| Assembly Bill No. 612 | Assembly Bill No. 1876 |

Assembly Bill No. 1943  
 Assembly Bill No. 2074  
 Assembly Bill No. 2076

Assembly Bill No. 2114  
 Assembly Bill No. 2126  
 Assembly Bill No. 2464

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 2558  
 Assembly Bill No. 2666  
 Assembly Bill No. 2736  
 Assembly Bill No. 2753  
 Assembly Bill No. 2756  
 Assembly Bill No. 2800  
 Assembly Bill No. 2848

Assembly Bill No. 2850  
 Assembly Bill No. 2884  
 Assembly Bill No. 2966  
 Assembly Bill No. 2967  
 Assembly Bill No. 2976  
 Assembly Bill No. 2987

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 706  
 Assembly Bill No. 730  
 Assembly Bill No. 845  
 Assembly Bill No. 1520  
 Assembly Bill No. 1610  
 Assembly Bill No. 1696  
 Assembly Bill No. 1793

Assembly Bill No. 2552  
 Assembly Bill No. 2755  
 Assembly Bill No. 2769  
 Assembly Bill No. 2783  
 Assembly Bill No. 2948  
 Assembly Bill No. 2988

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 530  
 Assembly Bill No. 847  
 Assembly Bill No. 1137

Assembly Bill No. 1400  
 Assembly Bill No. 1576  
 Assembly Bill No. 2718

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

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 841  
 Assembly Bill No. 1189

Assembly Bill No. 2357  
 Assembly Bill No. 2398

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

**STATEMENT OF ASSEMBLY EXPENDITURES PRINTED IN JOURNAL**

The following Statement of Assembly Expenditures was ordered printed in the Journal:

*The Honorable Karen Bass*

*Speaker of the Assembly*

*State Capitol, Sacramento, California*

Dear Mme. Speaker: Transmitted herewith is the annual report of Assembly expenses. It includes the total expenditures by Member, committee, leadership office, service operation, and overhead according to various categories for the 12-month period ending November 30, 2007. Every expenditure made from the Assembly Operating Fund during this period is accounted for. Additionally, the report includes an itemization, by Member, of per diem expenditures from the General Fund during the same period of time.

It is important to note that this report is compiled on a cash basis. Therefore, the cost of goods and services incurred by a Member during the preceding reporting period but paid for during the current period is included. Furthermore, some goods and services which were received toward the end of this reporting period were not paid for until the beginning of the December 2007–November 2008 reporting period and are, therefore, not included in this expenditure report.

The following indicates the types of expenditures which are included within each classification:

*Staff Salary:* This includes the salaries paid to all employees in the Member's district office as well as those employees who work in the Member's Capitol office, provided they are not committee or leadership office personnel. The salaries of the latter group of employees are included in the specific detail report for each of the respective committee and leadership offices.

All Assembly personnel are classified according to job descriptions approved by the Assembly Rules Committee. The committee has established specific salary ranges for each of the classifications. The salary within a range for a specific employee reflects a combination of years of service in his or her position and his or her own job performance since the amount of annual merit salary increases is based on evaluations of each employee's work. Thus, a Member whose office staff includes employees with substantial Assembly seniority, and/or outstanding records of service, will have a higher total expenditure for salaries than will a Member who employs more junior personnel.

*Member Travel and Per Diem:* Separate totals are shown for in-state travel and out-of-state travel. Most in-state travel expenditures are for attendance at interim committee hearings. Out-of-state travel expenditures are generally for participation in conferences dealing with an issue area pertinent to the legislative specialty of the Member or are for investigative trips.

*Staff Travel:* This category includes the expenditures incurred for the Capitol and district staff traveling for legislative business. It also includes mileage reimbursements to district office personnel. The staff travel expenditures reported by committee are generally costs incurred in connection with interim committee hearings which are generally held away from Sacramento for the convenience of citizens who wish to provide testimony to the committees.



*Car Lease:* The amount reported in this category is the automotive lease amount charged to each Member's budget by the Assembly Rules Committee. Members may elect to use a vehicle that is owned by the Assembly. The Assembly Rules Committee charges 90% of the total monthly lease amount to the Member's budget, limited to \$400 for a three-year lease and \$350 for a four-year lease. The Member must pay the difference from personal funds.

*Car Maintenance:* The costs reported in this category will vary significantly because of the variance in the number of miles driven by the Members. Members in large-sized districts and Members who represent districts wherein air travel between the Capitol and the district is not practical tend to utilize their cars more than other Members. Accordingly, the maintenance costs of such cars are likely to be higher than for others.

*Gas and Oil:* Expenditures in this category are for gasoline and oil supplied to cars and private aircraft for legislative business. These costs, too, vary for the same reasons as those affecting car maintenance.

*Car Rental, Staff and Member:* This expenditure category includes the use of state-owned pool cars and commercial rental cars by both the Member and his/her staff in the course of legislative business.

This category, as listed in the Support Services section of the report, includes, in addition to car rental, the costs of gas, oil, and maintenance for cars utilized by the office of the Sergeant at Arms.

*District Office Rent, Maintenance, and Utilities:* Each Member is entitled to rent an office within the district he/she represents so that constituents may have direct access to their legislators. In some of the larger districts, two or three offices are sometimes authorized. Accordingly, Members representing districts in high-rent metropolitan areas or Members representing large districts requiring more than one office will be reported with higher expenditures in this category than will other Members. Costs included in this expenditure item are rent, utilities (except telephone), janitorial service, and incidental maintenance costs.

*Telephone and Telegraph:* All telephone charges (except some equipment installation charges) are reported in this expenditure category. Included are the charges for district office telephones, Capitol telephones, and mobile telephones. Members who will likely have higher charges than many of their colleagues are those representing districts which are either far from the Capitol, or in regions which cover large geographic areas.

*Postage:* The category includes the total amount expended for postage except for the postage utilized in the mailing of legislative mailings authorized under provisions of Proposition 73 of June 1988.

*Communications:* The costs included in this expenditure category are primarily for handling and mailing of legislative mailings authorized under provisions of Proposition 73 of June 1988.

*Furniture and Equipment:* This category includes the purchase, rental, and maintenance of certain furniture and equipment items utilized in the Capitol and district offices of the Members. It does not include the purchase of items which will, during the course of their usefulness, be utilized by a number of Members during succeeding years. Expenditures for items of that description are reported in the Furniture and Equipment category as General Overhead Expenditures.

*Office Supplies:* Stationery items, other printing costs charged to the Assembly Operating Fund, general office supplies, and related miscellaneous supplies utilized in the Members' Capitol and district offices are reported in this expenditure category.

*Subscriptions and Publications:* Each Member is authorized to subscribe to the newspapers generally circulated within his/her district and to certain metropolitan daily newspapers. Members representing districts which include many cities and towns will frequently have higher expenditures in this category than will Members representing relatively compact areas. Expenditures for subscriptions and publications incurred by the committees and leadership offices are reported separately. Each committee is authorized to purchase relevant books and to subscribe to periodicals specializing in the subject matter of the committee for which the expenditure is made.

*Miscellaneous Services:* Most of the expenditures shown in the Miscellaneous Services category for the Members are for services such as telephone answering services in district offices and newspaper clipping services. Included in this category for the committee reports are such items as witness expenses, meeting expenses, data-processing costs, and other miscellaneous services.

A number of operational costs incurred by the Assembly are not directly attributable to any of the Members, committees, leadership offices, or support services. Such expenditures are classified as General Overhead and are reported according to the following categories:

*Miscellaneous Salaries:* Accrued vacation payments made to terminating employees, and salaries paid to employees on extended sick leave are reported in this category.

*Employee Benefits:* This expenditure category includes the Assembly's contribution to the OASDI (social security) fund, the Public Employees' Retirement System, various health, dental, vision, and life insurance premiums, the Compensation Insurance Fund, unemployment and disability insurance, and any other benefits approved by the Assembly Rules Committee.

*Building, Rent, Maintenance, and Utilities:* Reported in this expenditure category are construction and remodeling costs and the rent, maintenance, and utilities for offices (other than Members' individual district offices) utilized and paid for by the Assembly outside the Capitol.

*Telephone:* This listing is for the cost of telephone equipment installation in all Assembly offices.

*Furniture and Equipment:* The expenditure indicated in this category is for the purchase, rental, and maintenance of furniture and equipment not reported elsewhere in the report. Most furniture and equipment are considered a capital investment which will be used, through the years, by a number of different Members or other offices and can therefore not be appropriately reported as an expense on behalf of any particular Member or office.

*Office Supplies:* The amount shown in this expenditure category represents office supplies which were purchased by the Assembly for the use of Members and other offices but which were not distributed to any such offices before the end of this reporting period.

*Annotated Codes and Law Books:* Each Member's office and certain other Assembly offices are furnished with Annotated California Codes and certain other law books. The cost of these books is

considered a capital expenditure in the same manner as many furniture and equipment items, and is therefore reported in this General Overhead category.

*Meeting Expenses:* This expenditure category includes certain costs incurred by the Assembly relative to the conduct of Assembly Sessions and Joint Sessions of the Legislature which cannot be readily charged to any other expenditure category, rental costs for some meeting rooms, and some conference registration fees.

*Freight, Moving, and Delivery:* This expenditure category includes costs incurred for the transport of furniture, supplies, and other items which are not chargeable to any particular office.

*Other Miscellaneous Services:* The major expenditures reported in this category are for the costs of photography services related to official Assembly publications, vehicle liability insurance, and organization memberships.

*Study Contracts:* From time to time the Assembly finds it practical to contract with individuals, firms, universities, and other governmental agencies in order to expand its research capability with respect to specific projects. The costs reported in this category are for payments made under such contracts during this period.

The next report of Assembly expenditures will be for the period between December 1, 2007, and November 30, 2008.

Sincerely,

TED W. LIEU

Chair of the Assembly Committee on Rules

TABLE I  
CALIFORNIA STATE ASSEMBLY  
SUMMARY OF EXPENDITURES  
12/1/2006-11/30/2007

	Member Expenditures	Committee Expenditures	Leadership Expenditures	Support Services Expenditures	General Overhead Expenditures	TOTAL EXPENDITURES
Staff Salary.....	\$15,134,799.48	\$17,580,665.16	\$4,508,896.85	\$26,628,823.88	\$3,198,322.38	\$67,051,507.75
Employee Benefits.....	—	—	—	—	33,804,767.39	33,804,767.39
Travel & Per Diem (In-State).....	516,399.31	—	—	—	—	516,399.31
Travel & Per Diem (Out-of-State).....	19,261.72	—	—	—	—	19,261.72
Staff Travel.....	422,515.08	67,239.17	33,148.02	187,105.42	—	710,007.69
Car Lease.....	265,702.18	—	—	—	—	265,702.18
Car Maintenance.....	75,526.69	—	—	—	—	75,526.69
Gas & Oil.....	199,613.97	—	—	—	—	199,613.97
Car Rental-Staff & Member.....	11,877.18	2,885.33	1,742.64	125,386.39	—	141,891.54
Building, Rent, Maint., & Util.....	3,325,961.66	—	—	—	661.05	3,326,622.71
Office Alterations.....	—	—	—	—	—	0.00
Telephone.....	419,850.98	36,527.25	13,796.47	147,105.38	226,507.37	843,787.45
Telegraph.....	—	—	—	—	—	0.00
Postage.....	275,857.93	1,225.13	119.47	20,543.91	—	297,746.44
Communications.....	2,374,765.06	—	—	—	—	2,374,765.06
Furniture & Equipment.....	43,100.31	—	—	63,143.67	2,313,240.24	2,419,484.22
Office Supplies.....	334,300.34	29,221.03	6,710.55	310,884.42	48,593.94	729,710.28
Subscriptions, Publ., & Codes.....	96,281.50	67,336.94	10,321.26	66,511.23	2,379.62	242,830.55
Meeting Expenses.....	—	—	—	—	531.63	531.63
Meeting Expenses (Meals).....	—	—	—	—	—	—
Freight, Moving, & Delivery.....	57,320.31	436.71	96.81	10,303.58	55,154.38	55,154.38
Miscellaneous Services.....	463,090.14	22,587.75	27,173.93	1,355,435.84	126,456.94	194,614.35
Study Contracts.....	—	—	—	—	85,131.88	1,953,419.54
TOTALS, OPERATING FUND.....	\$24,036,223.84	\$17,808,124.47	\$4,602,006.00	\$28,915,243.72	\$39,936,746.82	\$115,298,344.85
Member Per Diem (General Fund).....	2,623,253.30	—	—	—	—	2,623,253.30
TOTALS, ALL FUNDS.....	\$26,659,477.14	\$17,808,124.47	\$4,602,006.00	\$28,915,243.72	\$39,936,746.82	\$117,921,598.15

TABLE II A  
Member Expenditures  
12/1/2006–11/30/2007

Member	Staff Salary	Travel & Per Diem (In-State)*	Travel & Per Diem (Out-of-State)*	Staff Travel	Car Lease	Car Maintenance	Gas & Oil
Adams.....	\$188,617.12	\$9,007.24	\$934.82	\$5,178.51	\$2,461.58	\$478.36	\$3,403.92
Aghazarian.....	214,172.93	510.00	—	4,671.96	4,200.00	2,889.11	2,164.91
Alarcon (Resigned 3/16/07).....	161,582.29	3,914.72	—	1,151.74	1,400.00	—	1,186.50
Anderson.....	169,869.33	10,407.49	—	3,948.94	3,641.76	1,672.98	3,575.00
Arambula.....	203,022.01	548.94	—	8,960.15	3,507.00	534.90	1,365.91
Bass.....	174,342.05	13,002.40	—	6,231.65	3,888.00	855.10	1,655.15
Beall.....	188,476.79	2,565.94	—	2,739.64	3,426.70	163.59	1,848.45
Benoit.....	205,829.91	9,116.52	—	10,899.25	4,200.00	1,216.14	3,687.10
Berg.....	143,224.22	9,474.44	—	7,853.47	4,017.72	496.98	4,969.82
Berryhill.....	175,433.33	3,019.40	731.56	4,439.01	3,600.00	407.40	4,430.52
Blakeslee.....	173,077.38	814.60	771.56	12,268.75	3,150.00	166.72	3,265.26
Brownley.....	186,440.38	8,797.74	—	4,550.58	3,327.48	—	544.87
Caballero.....	195,841.94	1,515.84	—	4,779.87	2,842.18	134.72	794.93
Calderon.....	237,065.18	9,175.26	—	1,797.61	3,200.00	10.00	1,756.16
Carter.....	193,807.93	9,142.95	—	3,909.55	3,612.71	86.57	426.01
Cook.....	203,597.84	8,819.26	—	8,971.99	1,845.42	72.76	2,280.50
Coto.....	233,130.58	832.56	—	747.98	3,887.28	1,674.73	2,557.99
Davis.....	164,730.51	9,375.93	—	688.80	4,041.96	277.62	1,926.46
De La Torre.....	147,034.57	12,434.23	—	3,169.33	3,496.80	280.26	604.69
De León.....	191,223.77	10,525.34	—	5,304.80	2,420.73	203.76	1,601.03
DeSaulnier.....	152,451.21	2,502.44	—	2,552.15	482.05	482.05	2,767.84
DeVore.....	222,067.44	7,836.41	—	1,773.31	3,651.12	32.42	4,011.68
Duvall.....	174,034.14	8,280.13	—	5,486.08	—	—	938.79
Dymally.....	221,147.30	12,435.79	—	7,181.62	3,012.50	—	3,663.34
Emmerson.....	145,492.04	8,984.05	—	7,295.60	4,200.00	3,584.58	3,663.34
Eng.....	193,050.42	10,121.16	—	4,211.54	2,100.12	2,023.33	1,297.03
Evans.....	215,188.99	611.94	—	6,605.23	4,200.00	1,015.97	2,306.19
Feuer.....	220,957.58	8,592.59	—	1,173.32	3,170.16	81.98	554.23
Fuentes (eff. 5/21/07).....	128,098.67	5,251.80	—	2,070.38	—	—	804.56
Fuller.....	155,736.70	9,809.69	742.56	11,937.42	—	16.99	600.19
Gaines.....	135,576.09	4,672.00	—	1,910.48	3,558.00	242.03	1,620.95
Galgiani.....	201,127.50	449.94	—	1,554.36	4,400.00	918.18	5,850.70
Garcia.....	181,859.13	9,756.50	—	9,402.53	4,700.00	1,140.28	6,644.04
Garrick.....	189,358.97	7,428.98	—	4,627.54	—	35.56	1,575.73
Hancock.....	152,819.00	781.94	—	3,830.35	3,560.70	198.71	1,666.21
Hayashi.....	113,934.31	449.94	—	2,911.11	4,145.28	534.04	4,273.80
Hernandez.....	237,985.24	9,686.19	—	3,540.14	4,800.00	80.16	2,204.40
Horton.....	180,265.52	9,986.37	—	9,466.80	4,108.40	696.78	1,177.36

Houston .....	131,742.30	626.00	—	4,605.03	4,200.00	1,874.13	4,618.62
Huff .....	171,610.27	9,185.45	1,113.05	9,602.17	3,600.96	667.71	1,940.92
Huffman .....	198,977.94	1,450.74	—	2,051.87	3,555.72	220.05	2,097.03
Jeffries .....	216,726.95	7,649.42	1,211.64	8,907.21	3,750.78	146.74	2,742.83
Jones .....	212,473.00	1,451.55	—	1,344.24	4,686.24	225.71	634.46
Karnette .....	163,815.50	7,555.03	6,961.94	1,870.89	3,213.96	430.10	887.87
Keene .....	230,935.09	363.40	—	6,302.62	4,200.00	1,786.12	3,157.68
Krekorian .....	188,656.96	11,784.61	—	2,450.90	2,825.70	33.96	385.94
La Malfa .....	243,063.00	201.40	—	5,331.18	3,752.88	5,753.59	4,949.82
Laird .....	207,479.40	2,896.65	—	13,619.11	3,631.35	385.62	2,411.97
Leno .....	198,393.22	1,737.54	—	290.80	3,344.04	445.13	1,429.43
Levine .....	205,811.98	11,730.89	—	8,430.48	3,406.92	528.91	967.85
Lieber .....	247,249.55	1,303.14	—	1,007.55	3,440.97	680.78	2,792.31
Lieu .....	181,521.37	7,701.95	—	10,419.38	3,574.32	501.86	1,729.33
Ma .....	204,112.79	1,136.94	—	302.30	—	74.00	6,054.96
Maze .....	194,914.16	609.32	—	3,616.23	4,200.00	1,641.70	5,752.92
Mendoza .....	159,628.68	9,582.69	131.40	5,996.70	4,200.00	510.80	3,710.59
Mullin .....	213,092.70	2,276.44	—	2,668.52	3,270.24	1,654.91	3,467.27
Nakanishi .....	176,181.63	258.60	—	4,223.46	4,200.00	1,356.52	3,276.65
Nava .....	188,995.49	11,282.76	802.53	5,796.48	3,756.60	1,269.71	3,328.01
Niello .....	164,880.72	201.40	—	2,621.18	—	—	1,276.44
Niñez .....	203,119.08	21,634.33	2,716.63	4,069.51	4,200.00	59.77	3,420.02
Parra .....	92,571.66	449.94	—	11,308.46	4,800.00	2,283.95	2,129.95
Plescia .....	137,912.88	7,281.95	—	3,232.40	4,200.00	2,068.73	1,282.57
Portantino .....	174,190.57	13,669.55	—	6,375.21	—	38.00	3,927.44
Price .....	204,683.49	11,331.67	—	3,287.75	2,803.14	251.04	2,026.39
Richardson .....	110,364.46	8,218.19	—	2,431.14	2,413.26	1,043.71	4,723.79
Runner .....	201,023.14	7,763.80	729.51	8,616.45	4,200.00	187.42	4,723.79
Ruskin .....	198,740.69	1,788.46	—	4,775.79	2,924.40	957.08	1,434.02
Salas .....	185,858.71	9,092.69	—	9,640.55	2,944.70	161.33	1,040.39
Saldana .....	227,619.45	9,428.10	—	5,701.77	3,777.92	257.28	775.53
Silva .....	180,026.55	9,240.90	—	699.42	4,200.00	132.02	789.48
Smyth .....	177,066.00	9,719.71	—	8,041.01	4,400.00	57.69	1,468.63
Solorio .....	186,954.05	10,793.67	—	4,413.95	3,075.48	49.22	877.77
Soto .....	217,222.25	1,556.02	—	3,575.87	3,039.48	1,549.99	2,474.86
Spitzer .....	115,594.46	13,308.26	—	2,978.64	3,792.72	1,490.41	2,339.53
Strickland .....	229,169.22	7,592.70	—	5,783.66	3,738.24	508.12	3,984.43
Swanson .....	216,636.30	2,194.75	—	3,161.67	4,800.00	171.72	1,961.59
Torrico .....	240,163.19	2,723.54	—	1,485.39	3,851.40	656.55	4,516.10
Tran .....	180,829.53	7,845.72	—	6,523.41	3,854.04	56.92	1,981.78
Villines .....	118,767.00	2,630.60	1,109.08	5,760.21	3,873.60	2,767.20	5,966.08
Walters .....	213,766.54	8,905.04	9.40	14,401.48	2,041.32	7,051.24	1,207.31
Wolk .....	244,587.25	78.64	972.04	5,166.34	2,333.16	951.77	1,419.41
Retired .....	—	11,731.30	324.00	10,378.46	—	9,957.89	9,135.87
TOTALS .....	\$15,134,799.48	\$516,399.31	\$19,261.72	\$422,515.08	\$265,702.18	\$75,526.69	\$199,613.97

NOTE: Asterisk (\*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE II B  
Member Expenditures  
12/1/2006–11/30/2007

Member	Car Rental Staff & Member	Dist. Office Rent, Mnt., Ut.	Telephone	Telegraph	Freight	Postage	Communications
Adams.....	—	\$40,108.50	\$11,258.72	—	\$290.49	\$7,634.73	\$34,949.81
Aghazarian.....	—	40,626.08	3,882.77	—	266.70	3,469.58	22,333.00
Alarcón (Resigned 3/16/07).....	—	42,593.53	1,877.12	—	389.92	1,106.17	—
Anderson.....	—	38,620.57	2,757.37	—	288.68	17,340.09	41,471.55
Arambula.....	\$552.16	1,029.70	3,455.37	—	241.01	989.99	31,094.96
Bass.....	—	98,006.28	9,389.94	—	1,500.24	1,755.15	37,056.07
Beall.....	—	1,410.65	3,081.56	—	276.31	3,757.36	40,814.31
Benoit.....	—	59,277.24	5,980.85	—	538.17	3,023.48	24,616.83
Berg.....	—	27,075.16	8,007.35	—	1,674.03	2,190.08	11,883.96
Berryhill.....	—	38,357.36	2,620.16	—	189.82	9,943.84	33,748.07
Blakeslee.....	81.87	61,215.30	3,137.45	—	170.93	3,578.99	44,614.34
Brownley.....	448.75	34,149.63	5,174.64	—	963.27	3,082.31	15,371.86
Caballero.....	39.34	18,475.90	3,876.18	—	368.67	3,460.52	43,839.36
Calderon.....	—	58,611.83	4,217.51	—	1,047.71	3,010.39	15,253.73
Carter.....	82.82	52,900.02	4,984.13	—	327.44	3,289.15	37,928.88
Cook.....	132.44	38,149.44	4,731.03	—	286.00	2,139.67	18,605.07
Coto.....	—	1,966.77	3,360.70	—	478.23	1,519.28	559.10
Davis.....	—	6,047.58	3,897.53	—	894.20	2,488.68	11,126.21
De La Torre.....	154.37	74,013.49	6,268.80	—	1,925.94	1,623.94	26,181.75
De León.....	42.04	39,757.70	4,754.05	—	867.87	1,701.95	15,863.12
DeSaulnier.....	93.31	52,885.07	4,722.10	—	126.07	6,611.66	79,053.99
DeVore.....	—	63,348.03	3,558.34	—	120.28	1,619.67	32,251.14
Duvall.....	58.00	41,047.74	1,723.32	—	539.75	1,587.75	51,982.78
Dymally.....	—	36,518.21	5,265.03	—	4,205.22	1,130.72	5,027.91
Emmerson.....	173.63	40,487.56	5,360.50	—	807.28	3,717.11	2,587.09
Eng.....	42.75	38,076.48	4,432.85	—	469.47	2,917.36	52,301.85
Evans.....	—	22,727.69	4,128.71	—	875.38	1,953.45	—
Feuer.....	—	82,126.58	7,294.40	—	593.75	2,723.65	—
Fuentes (eff. 5/21/07).....	—	36,414.48	9,914.13	—	357.26	2,273.70	35,884.99
Fuller.....	—	44,091.11	1,932.51	—	357.26	2,273.70	73,536.71
Gaines.....	—	39,056.39	16,113.61	—	—	5,350.12	97,164.48
Galgiani.....	—	19,428.78	3,911.14	—	2,343.99	2,354.27	27,570.73
García.....	—	59,409.07	4,754.03	—	2,266.08	(3,074.99)	37,140.49
Garrick.....	277.10	41,373.17	2,292.96	—	70.25	2,893.55	3,486.89
Hancock.....	—	44,626.43	4,044.87	—	259.23	2,568.64	18,260.59
Hayashi.....	—	53,778.89	3,168.37	—	182.53	5,195.74	53,142.54
Hernandez.....	—	41,036.74	5,008.72	—	217.29	2,539.69	8,444.07
Horton.....	667.66	29,650.66	2,155.20	—	528.02	3,194.16	25,486.06
Houston.....	—	36,303.61	12,872.54	—	173.74	2,291.44	114,652.21

Huff.....	439.89	58,866.09	7,553.09	191.87	3,872.53	70,228.01
Huffman.....	—	38,948.39	5,456.83	441.39	4,037.92	31,958.41
Jeffries.....	—	49,209.64	4,591.83	278.41	2,432.73	1,735.02
Jones.....	118.96	57,481.90	3,232.47	25.27	2,321.50	18,738.50
Karnette.....	—	44,661.74	5,193.70	552.95	1,230.10	13,282.94
Keeene.....	—	37,286.44	2,062.14	33.67	1,491.33	—
Krekorian.....	—	56,391.40	2,554.66	579.91	6,370.76	51,940.93
La Malfa.....	—	27,906.34	5,937.73	177.87	2,657.76	—
Laird.....	—	26,564.49	5,306.26	709.78	730.65	—
Leno.....	—	873.61	7,385.46	571.85	2,576.01	8,894.57
Levine.....	210.25	381.59	4,337.51	762.05	2,731.22	28,245.93
Lieber.....	614.78	66,507.44	5,978.05	813.67	1,091.58	—
Lieu.....	119.23	59,930.62	3,251.21	1,325.01	6,512.95	55,918.10
Ma.....	145.52	393.23	3,380.61	239.37	9,728.94	30,386.51
Maze.....	—	8,803.70	3,244.58	422.72	3,790.39	30,114.17
Mendoza.....	249.17	48,319.21	6,996.70	1,434.20	4,087.03	70,243.19
Mullin.....	—	50,774.60	1,994.30	979.64	32,691.34	32,691.34
Nakanishi.....	—	18,949.02	1,879.42	13.27	733.92	65,296.07
Nava.....	245.79	80,990.76	9,578.74	1,405.21	1,835.64	21,934.22
Niello.....	—	38,818.03	3,792.02	7.06	6,755.54	61,163.53
Niñez.....	215.97	523.70	4,541.07	3,327.24	3,156.26	17,406.94
Parra.....	—	54,263.37	7,323.54	1,438.89	1,921.65	7,884.46
Plescia.....	70.34	47,832.78	2,139.60	363.44	(370.15)	26,707.29
Portantino.....	—	51,723.72	3,977.39	339.73	4,232.07	31,898.79
Price.....	—	27,565.96	6,179.90	1,788.63	2,931.28	—
Richardson.....	525.44	30,103.14	5,141.44	1,298.19	2,071.44	—
Runner.....	39.94	37,982.87	7,222.71	1,185.84	1,703.66	35,044.43
Ruskun.....	36.36	60,169.03	2,677.82	201.54	3,699.31	47,123.03
Salas.....	—	50,394.59	2,880.97	2,065.89	13,288.31	42,330.75
Saldaña.....	140.32	50,515.77	4,226.87	307.29	2,423.69	16,679.74
Silva.....	—	37,770.59	4,616.87	32.35	5,631.80	33,676.70
Smyth.....	—	35,924.48	5,825.13	566.53	3,066.14	26,642.12
Solorio.....	172.90	80,792.56	4,346.12	2,170.42	7,129.55	45,924.47
Soto.....	323.63	52,755.66	6,792.05	167.13	2,573.21	22,579.18
Spitzer.....	—	30,004.15	8,592.07	468.73	2,705.53	68,854.74
Stirkland.....	422.08	40,824.63	6,189.50	1,349.75	4,712.85	8,704.76
Swanson.....	—	1,768.09	6,350.98	946.99	3,776.40	12,722.85
Torrico.....	243.12	35,092.53	3,493.63	293.08	2,273.85	9,991.61
Tran.....	129.14	44,820.36	2,788.89	651.50	3,624.78	41,305.09
Villines.....	117.70	46,490.27	6,049.01	734.81	2,831.73	49,856.68
Walters.....	983.08	41,917.96	3,677.85	637.84	2,765.11	11,373.49
Wolk.....	97.04	38,704.01	5,497.29	657.42	2,282.99	—
Retired.....	3,370.29	61,183.78	25,246.41	48.39	(1,331.82)	—
TOTALS.....	\$11,877.18	\$3,325,961.66	\$419,850.98	\$57,320.31	\$275,857.93	\$2,374,765.06



TABLE II C  
Member Expenditures  
12/1/2006–11/30/2007

Member	Furniture & Equipment*	Office Supplies	Subscr. & Publications	Misc. Services	TOTAL	Member Per Diem (Gen. Fund)	TOTAL EXP. (ALL FUNDS)
Adams.....	—	\$1,793.45	\$115.50	\$7,354.66	\$313,587.41	\$33,656.60	\$347,244.01
Aghazarian.....	\$428.38	1,514.09	1,239.76	14,244.82	316,614.09	34,676.00	351,290.09
Alarcón (Resigned 3/16/07).....	—	1,870.20	68.41	1,998.52	219,139.12	11,502.00	230,641.12
Anderson.....	149.62	2,856.65	734.11	30,079.92	327,414.06	33,818.60	361,232.66
Arambula.....	416.10	3,188.12	5,597.54	2,865.42	267,369.28	34,529.00	301,898.28
Bass.....	195.08	8,432.90	1,459.46	10,179.67	367,949.14	34,529.00	402,478.14
Beall.....	5,689.66	7,497.73	1,102.18	4,498.02	267,348.89	34,529.00	301,877.89
Benoit.....	301.15	2,555.27	424.80	16,197.00	347,863.71	34,737.30	382,601.01
Berg.....	1,609.88	4,326.81	1,439.30	2,330.84	226,026.05	26,038.05	260,385.05
Berryhill.....	445.62	1,117.84	679.51	3,008.95	283,172.39	34,466.60	317,638.99
Blakeslee.....	114.10	2,113.02	213.02	4,667.70	313,154.18	34,636.60	347,790.78
Brownley.....	1,179.34	8,270.17	972.45	3,292.11	276,515.58	34,529.00	311,044.58
Caballero.....	1,163.88	4,710.65	3,678.83	2,758.48	284,970.29	33,711.00	318,681.29
Calderon.....	95.00	2,899.00	3,697.01	1,359.33	343,195.72	34,359.00	377,554.72
Carter.....	150.39	10,860.11	847.57	4,408.50	326,773.73	34,205.00	360,978.73
Cook.....	400.05	3,903.82	892.97	20,467.79	315,296.05	34,466.60	349,762.65
Coto.....	670.00	3,138.60	2,480.61	3,579.82	260,584.23	34,529.00	295,113.23
Davis.....	665.94	6,326.31	2,581.12	2,339.30	217,408.15	34,359.00	251,767.15
De La Torre.....	—	4,849.17	708.14	6,159.29	288,904.77	34,529.00	323,433.77
De León.....	576.22	7,591.27	1,175.20	2,735.24	286,344.09	34,529.00	320,873.09
DeSaunier.....	3,710.85	10,281.24	1,450.75	2,369.18	325,711.03	34,529.00	360,240.03
DeVore.....	664.13	804.36	171.60	3,183.71	341,442.52	34,636.60	376,079.12
Duvall.....	—	2,715.79	609.81	6,696.86	298,713.44	34,312.60	333,026.04
Dymally.....	1,092.35	4,206.23	1,031.57	7,386.25	318,076.12	34,529.00	352,605.12
Emmerson.....	190.00	3,471.06	474.05	12,719.05	239,126.14	34,142.60	273,268.74
Eng.....	88.17	4,446.63	791.10	2,771.15	317,118.08	34,529.00	351,647.08
Evans.....	—	4,682.92	477.33	4,490.10	269,263.90	33,711.00	302,974.90
Feuer.....	—	3,260.44	1,309.30	1,295.96	333,133.94	34,197.00	367,330.94
Fuentes (eff. 5/21/07).....	503.15	5,302.99	1,476.02	6,812.17	226,164.30	13,292.00	239,456.30
Fuller.....	135.88	2,815.71	1,820.05	4,703.46	313,568.50	34,466.60	348,035.10
Gainis.....	412.88	1,195.56	1,094.30	2,871.66	302,727.62	34,830.00	337,557.62
Galigiani.....	612.67	3,417.78	2,942.02	2,178.37	282,895.33	34,529.00	317,424.33
García.....	—	1,266.66	1,266.66	11,904.05	328,738.59	34,466.60	363,205.19
Garrick.....	—	5,570.72	1,447.36	7,826.94	265,253.67	34,506.00	299,759.67
Hancock.....	13.17	2,993.18	1,475.52	1,997.95	239,096.49	33,881.00	272,977.49
Hayashi.....	531.73	8,324.52	1,111.18	3,672.07	255,356.05	34,529.00	289,885.05
Hernandez.....	—	5,754.01	455.00	2,272.70	324,024.35	34,529.00	358,553.35
Horton.....	—	1,522.55	786.63	4,124.47	273,816.64	34,312.60	308,129.24
Houston.....	135.00	1,100.85	468.61	2,708.29	318,372.37	33,016.60	351,388.97

Huff.....	835.84	3,609.69	144.03	10,968.33	354,429.90	34,636.60	389,066.50
Huffman.....	312.75	2,966.21	1,040.98	1,640.98	295,156.23	34,359.00	329,515.23
Jeffries.....	1,681.87	1,508.78	646.77	6,193.83	309,419.93	34,737.30	344,157.23
Jones.....	—	3,457.23	1,531.83	225.62	307,948.48	—	307,948.48
Karnette.....	147.16	2,278.03	1,731.18	2,065.44	255,878.53	34,529.00	290,407.53
Keene.....	—	1,703.17	1,189.16	8,946.65	299,457.47	34,636.60	334,094.07
Krekorian.....	429.73	5,500.86	1,428.71	2,590.09	333,925.12	34,150.60	368,284.12
La Malfa.....	599.12	2,071.14	1,763.99	2,755.14	306,920.96	34,107.56	341,071.56
Laird.....	15.50	3,102.89	1,779.81	2,356.44	270,989.92	32,460.00	303,449.92
Leno.....	252.31	3,507.73	2,416.35	4,503.03	236,468.08	34,043.00	270,511.08
Levine.....	285.00	4,260.82	3,172.27	1,300.25	276,563.92	34,043.00	310,606.92
Lieber.....	—	3,231.50	—	8,130.16	342,841.48	34,359.00	377,200.48
Lietz.....	—	3,813.56	1,156.80	2,472.06	339,947.75	31,119.00	371,066.75
Ma.....	1,717.75	6,658.25	2,367.02	9,586.12	276,284.31	34,043.00	310,327.31
Maze.....	15.50	2,001.13	1,050.63	13,735.42	273,912.57	34,466.60	308,379.17
Mendoza.....	318.85	11,366.68	2,264.83	3,395.17	332,433.89	34,359.00	366,794.89
Mullin.....	246.58	2,034.94	989.91	3,501.27	321,478.30	34,529.00	356,007.30
Nakanishi.....	—	1,102.65	14,974.10	1,497.40	293,166.29	34,838.00	328,004.29
Nava.....	—	2,896.74	474.65	2,118.57	341,631.80	34,529.00	376,160.80
Niello.....	—	4,098.78	1,502.48	4,991.25	288,549.19	—	288,549.19
Niñez.....	499.00	11,471.63	379.98	436.57	279,034.12	34,205.00	313,239.12
Parra.....	1,913.03	4,031.89	(264.60)	3,105.25	188,567.05	33,549.00	222,116.05
Plescia.....	110.98	1,222.07	640.55	1,943.05	218,663.03	33,980.60	252,643.63
Portantino.....	213.75	4,752.53	1,514.13	5,986.11	295,002.62	34,359.00	329,361.62
Price.....	648.01	6,536.52	1,132.18	3,896.35	308,862.15	34,359.00	343,221.15
Richardson.....	247.68	7,198.20	832.60	302.60	174,217.88	28,365.00	202,582.88
Runner.....	287.43	1,443.43	692.96	2,559.21	315,406.59	34,474.60	349,881.19
Ruskin.....	281.44	4,535.73	1,279.23	1,639.15	332,263.08	32,423.00	364,686.08
Salas.....	237.50	2,375.51	282.60	2,524.64	329,019.13	34,359.00	363,378.13
Saldaña.....	355.99	2,370.16	998.03	1,882.49	327,560.40	34,529.00	362,089.40
Silva.....	—	2,453.62	388.86	6,358.17	286,017.33	34,636.60	320,653.93
Smyth.....	13.17	2,477.11	343.20	5,202.94	280,813.86	34,466.60	315,280.46
Solorio.....	434.65	5,090.10	716.47	10,230.01	363,171.39	34,529.00	397,700.39
Soto.....	—	1,993.44	1,335.61	6,252.09	324,190.47	34,838.00	359,028.47
Spitzer.....	107.75	2,941.96	323.36	1,560.68	255,062.99	33,927.30	288,990.29
Strickland.....	—	1,477.90	788.62	12,346.17	327,592.63	34,304.60	361,897.23
Swanson.....	3,058.61	12,391.28	1,755.16	3,311.97	275,363.36	34,529.00	309,892.36
Torrico.....	300.00	3,788.61	580.21	8,284.96	317,737.77	33,881.00	351,618.77
Tran.....	1,358.60	1,746.38	1,021.02	26,366.69	324,903.85	34,466.60	359,370.45
Villines.....	—	5,841.42	888.41	6,907.54	260,591.34	34,636.60	295,227.94
Waltres.....	306.55	1,976.87	769.04	1,404.68	313,194.84	34,636.60	347,831.40
Wolk.....	3,483.58	3,487.58	3,317.29	4,493.65	317,529.46	—	317,529.46
Wolk Retired.....	44.24	6,692.74	1,757.86	3,283.00	141,822.41	—	141,822.41
TOTALS.....	\$43,100.31	\$334,300.34	\$96,281.50	\$463,090.14	\$24,036,223.84	\$2,623,253.30	\$26,659,477.14

NOTE: Asterisk (\*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE III  
Committee Expenditures  
12/11/2006–11/30/2007

Committee	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Tele-graph	Subscr. & Publications	Office Supplies	Misc. Services	TOTAL EXP.
Aging & Long-Term Care .....	\$495,048.25	—	\$43.09	\$15.39	—	\$3,198.91	—	—	\$286.13	\$398.67	\$504,536.14
Agriculture .....	588,913.56	5,064.02	—	7.55	\$12.92	737.70	—	\$3,290.65	755.86	1,000.95	599,783.21
Appropriations .....	1,469,277.33	2,149.02	—	73.23	8.94	1,760.39	—	2,364.95	5,673.95	1,065.40	1,482,373.21
Arts, Entertainment, Sports, Tourism, & Internet Media .....	395,597.42	1,262.33	35.06	21.72	—	182.57	—	1,547.79	475.05	973.32	400,095.26
Banking & Finance .....	440,421.57	3,498.71	59.42	12.91	6.63	189.56	—	2,722.65	1,243.16	465.48	448,620.09
Budget .....	1,317,815.65	4,968.94	117.50	0.37	—	6,789.73	—	2,147.26	790.99	783.91	1,333,414.35
* No. 1-Health & Human Services .....	34,134.00	388.82	105.18	—	—	24.05	—	—	—	103.44	34,755.49
* No. 2-Education Finance .....	200,066.08	96.10	—	—	—	61.93	—	—	—	51.72	200,275.83
* No. 3-Resources .....	323,205.04	808.89	—	—	—	293.54	—	—	—	258.60	324,566.07
* No. 4-State Administration .....	96,100.76	1,207.10	—	—	—	98.49	—	—	—	51.72	97,458.07
* No. 5-Information Technology/Transportation .....	213,844.93	—	—	—	—	82.28	—	—	—	206.88	214,134.09
Business & Professions .....	445,149.79	1,922.78	154.66	—	52.53	841.86	—	768.44	1,236.52	676.33	450,802.91
Education .....	662,475.84	2,090.80	—	175.72	9.68	864.93	—	471.75	745.35	550.16	667,384.23
Elections & Redistricting .....	275,753.00	493.51	58.88	8.01	—	420.06	—	310.32	522.15	196.30	277,762.23
Environmental Safety & Toxic Materials .....	434,827.26	299.04	—	2.63	9.68	451.89	—	2,932.74	813.12	575.91	439,912.27
Governmental Organization .....	533,312.80	2,056.73	95.48	9.51	—	615.72	—	245.89	633.16	547.42	537,516.71
Health .....	1,019,989.54	2,507.90	367.92	29.58	130.79	1,844.82	—	2,632.52	2,644.57	108.83	1,030,256.47
Higher Education .....	444,841.02	651.43	—	210.43	—	279.48	—	334.75	729.53	546.31	447,592.95
Housing & Community Development .....	483,895.00	3,137.07	—	33.36	—	784.02	—	2,836.42	558.23	424.42	491,668.52
Human Services .....	527,040.26	1,627.46	—	32.13	—	471.83	—	1,616.61	1,644.27	249.68	532,682.24
Insurance .....	521,886.72	1,162.55	34.90	14.07	—	492.05	—	196.56	447.04	362.04	524,595.93
Jobs, Economic Development, & the Economy .....	347,186.85	3,217.53	521.72	35.62	—	1,446.72	—	212.67	926.06	425.60	353,972.77
Judiciary .....	775,512.18	21.00	—	66.28	—	3,930.40	—	12,853.90	724.83	3,123.17	796,231.76
Labor & Employment .....	408,642.72	2,332.60	109.53	69.57	—	344.60	—	728.99	599.25	499.03	413,326.29
Local Government .....	465,848.36	775.54	—	171.17	—	418.55	—	4,415.95	532.27	319.80	472,481.64
Natural Resources .....	514,094.87	206.13	222.30	40.61	—	2,880.08	—	3,461.99	654.61	625.95	522,186.54
Public Employees, Retirement & Social Security .....	371,302.50	1,495.96	142.33	2.96	—	613.54	—	2,521.55	237.93	479.74	376,796.51
Public Safety .....	750,380.66	1,562.88	204.88	40.32	140.13	794.73	—	4,242.66	2,877.01	4,650.38	764,893.65
Revenue & Taxation .....	462,938.00	232.40	—	9.12	—	96.09	—	3,326.12	629.08	507.61	467,738.42
Transportation .....	617,435.00	3,794.91	58.77	92.20	—	1,266.49	—	3,048.44	1,326.97	687.87	627,710.65
Utilities & Commerce .....	548,445.91	8,193.15	310.98	5.31	—	1,170.37	—	2,619.99	130.00	470.95	561,346.66

Veterans Affairs.....	179,287.37	282.80	—	887.70	—	—	221.02	148.67	180,827.56
Water, Parks & Wildlife.....	622,370.25	1,394.77	—	1,427.18	—	681.10	613.61	354.96	626,907.58
<i>Special &amp; Select Committees</i>									
Development of a 10th University of California, Merced Campus.....	98,625.09	240.50	—	—	—	—	—	—	98,865.59
Future of Farming in California.....	98,868.33	—	—	9.49	—	—	—	—	98,877.82
Joint Legislative Audit.....	279,888.70	389.71	35.60	617.86	—	695.38	549.31	193.09	282,379.11
Legislative Ethics.....	116,242.55	2,160.39	242.73	137.64	—	4,108.90	—	503.44	123,395.65
TOTALS.....	\$17,580,665.16	\$67,239.17	\$2,885.33	\$36,527.25	\$0.00	\$67,336.94	\$29,221.03	\$22,587.75	\$17,808,124.47

\* Subcommittee of Standing Committee.

TABLE IV  
Leadership Expenditures  
12/1/2006–11/30/2007

Leadership	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Tele-graph	Subscr. & Publications	Office Supplies	Misc. Services	TOTAL EXP.
Speaker.....	\$275,625.24	\$7,320.91	—	—	\$67.45	\$8,303.36	—	\$9,302.38	\$6,096.94	\$21,672.93	\$328,389.21
Speaker pro Tempore.....	553,973.73	731.56	—	—	—	361.80	—	—	—	153.16	555,222.25
Asst. Speaker pro Tempore.....	139,709.00	194.61	—	—	—	455.32	—	64.61	225.48	—	140,649.02
Chair, Rules Committee.....	372,180.47	4,822.25	\$501.29	—	—	—	—	53.34	176.88	155.16	377,889.39
Member of Rules—Carter.....	242,992.23	2,745.90	—	—	—	—	—	—	—	415.74	246,153.87
Member of Rules—Davis.....	139,436.79	—	—	—	—	—	—	—	—	—	139,436.79
Member of Rules—DeSaulnier.....	245,043.37	243.35	—	—	—	—	—	—	—	206.88	245,493.60
Member of Rules—Fuentes.....	46,315.50	258.80	—	—	—	—	—	—	—	51.72	46,626.02
Member of Rules—Hancock.....	81,234.18	—	—	—	—	—	—	—	—	—	81,234.18
Member of Rules—Krekorian.....	205,438.07	1,010.81	—	—	—	8.11	—	—	45.81	—	206,669.58
Member of Rules—Mendoza.....	204,188.68	411.35	—	—	—	—	—	—	—	—	204,929.57
Democratic Caucus Chair.....	370,002.43	2,158.34	334.96	—	—	0.34	—	232.84	—	103.44	372,832.35
Democratic Whip.....	222,817.83	913.49	—	—	—	4.72	—	—	—	672.36	224,408.40
Asst. Democratic Whip.....	174,974.13	618.85	—	—	—	95.44	—	—	—	—	176,205.62
Majority Floor Leader.....	586,504.31	5,504.95	162.51	—	—	3,686.73	—	—	—	413.76	596,272.26
Asst. Majority Leader.....	271,750.00	2,781.72	647.63	—	—	324.06	—	—	—	155.16	275,658.57
Asian Pacific Islander Caucus.....	109,637.77	1,847.83	96.25	\$96.84	29.36	556.51	—	732.70	326.31	135.51	113,459.08
Black Caucus.....	118,818.25	193.55	—	—	—	—	—	—	—	51.72	119,063.52
Latino Legislative Caucus.....	89,779.14	482.15	—	—	—	0.08	—	—	—	103.44	90,364.81
Women's Legislative Caucus.....	58,475.73	907.60	—	22.63	—	—	—	—	—	1,641.95	61,047.91
TOTALS.....	\$4,508,896.85	\$33,148.02	\$1,742.64	\$119.47	\$96.81	\$13,796.47	\$0.00	\$10,321.26	\$6,710.55	\$27,173.93	\$4,602,006.00

TABLE V  
Support Services Expenditures  
12/1/2006–11/30/2007

	Staff Salary	Staff Travel & Per Diem	Car Rental	Telephone	Tele-graph	Postage	Freight	Furniture & Equip-ment	Office Supplies	Subscr. & Publica-tions	Misc. Services	TOTAL EXP.
Rules Committee .....	\$4,104,316.71	\$40,127.81	\$28,985.07	\$24,272.33	—	\$12,660.90	\$5,360.31	\$7,662.76	\$35,609.70	\$5,592.68	\$58,191.12	\$4,322,779.39
Democratic Caucus .....	9,806,420.96	88,434.37	8,460.59	61,257.10	—	589.00	4,520.19	4,549.99	31,903.77	16,093.34	88,184.67	10,110,413.98
Republican Caucus .....	7,914,969.11	43,819.48	2,020.17	36,779.78	—	156.11	25.47	955.72	139,557.04	40,231.30	23,828.16	8,202,342.34
Reproduction Center .....	931,030.26	—	2,087.90	2,098.19	—	6,161.30	154.78	48,385.34	91,112.41	—	1,169,239.72	2,250,269.90
Chief Clerk .....	1,444,949.58	194.41	121.72	2,376.78	—	709.06	119.34	401.91	4,713.61	1,946.52	13,473.29	1,469,006.22
Sergeant at Arms .....	2,085,438.26	14,270.55	83,710.94	19,985.85	—	267.54	123.49	1,187.95	7,987.89	2,647.39	2,518.88	2,218,138.74
Computer Services .....	341,699.00	258.80	—	335.35	—	—	—	—	—	—	—	342,293.15
TOTALS .....	\$26,628,823.88	\$187,105.42	\$125,386.39	\$147,105.38	\$0.00	\$20,543.91	\$10,303.58	\$63,143.67	\$310,884.42	\$66,511.23	\$1,355,435.84	\$28,915,243.72

TABLE VI  
General Overhead Expenditures  
12/1/2006–11/30/2007

Miscellaneous Salaries .....	\$3,198,322.38
Employee Benefits .....	33,804,767.39
Building Rent, Maintenance, & Utilities .....	661.05
Office Alterations .....	0.00
Telephone .....	226,507.37
Furniture & Equipment .....	2,313,240.24
Office Supplies .....	48,593.94
Subscriptions, Publications & Codes .....	2,379.62
Meeting Expenses .....	531.63
Meeting Expenses (Meals) .....	55,154.38
Freight, Moving & Delivery .....	126,456.94
Other Miscellaneous Services .....	85,131.88
Study Contracts .....	75,000.00
TOTALS .....	\$39,936,746.82

TABLE VII  
Assembly Operating Fund Transfers  
12/1/2006–11/30/2007

Department of Parks & Recreation .....	\$1,177,213.66
Joint Legislative Budget Committee .....	3,495,000.00
TOTALS .....	\$4,672,213.66

**ADJOURNMENT**

At 12 midnight, November 30, 2008, pursuant to the provisions of Article IV, Section 3(a) of the Constitution and Joint Rule 51, the 2007–08 Regular Session of the Legislature adjourned *sine die*.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

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**APPENDICES TO ASSEMBLY JOURNALS**

2007–2008 REGULAR SESSION

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# California State Assembly

## Appendix No. 1 to Assembly Journal



Standing Rules of the Assembly  
2007-08 Regular Session

Standing Rules of the Senate  
2007-08 Regular Session

Joint Rules of the Senate and Assembly  
2007-08

Constitution of California, Article IV

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Assembly Chamber  
February, 2007

(Please direct inquiries or requests for additional copies to the Office of the Chief Clerk at 319-2856.)



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# STANDING RULES OF THE ASSEMBLY

2007–08 Regular Session

House Resolution No. 1 (De La Torre)  
(Adopted December 4, 2006, Assembly Journal, p. 55)

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**STANDING RULES OF THE ASSEMBLY**  
**2007–08 REGULAR SESSION**

**I. LEGISLATIVE ORGANIZATION**

**Assembly General Officers**

1. (a) The general officers of the Assembly are the following:

- (1) Speaker
- (2) Speaker pro Tempore  
Assistant Speaker pro Tempore  
Majority Floor Leader  
Minority Floor Leader
- (3) Chief Clerk  
Sergeant at Arms  
Chaplain

(b) Except for the officers listed in paragraph (2) of subdivision (a), each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members.

(c) The Chief Clerk, subject to the approval of the Committee on Rules, shall determine the names and titles that shall appear on the front page of all publications.

**Hours of Meeting**

2. The Speaker, or, in his or her absence, the Speaker pro Tempore, shall determine the time for convening the session, unless otherwise ordered by a majority vote of the Members present and voting.

**Speaker to Call Assembly to Order**

3. The Speaker, or, in his or her absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order.

**Roll Call and Quorum**

4. Before proceeding with the business of the Assembly, both of the following shall be completed:

(1) The roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

(2) The presiding officer shall announce the names of all Members who will be absent from that day's session and the reason for their absence.

**Organization of Assembly**

5. For the purposes of the organization of any regular session of the Assembly pursuant to Section 9023 of the Government Code, the person who was the Speaker when the previous regular session adjourned *sine die*, if he or she is reelected to the Assembly, shall be deemed to be the senior member elect.

**II. RULES**

**Adoption of Standing Rules**

6. The adoption of the Standing Rules requires an affirmative recorded vote of a majority of the duly elected and qualified Members. When once adopted, the Standing Rules shall remain in effect unless suspended or amended as provided in these rules.

**Suspension of Rules**

7. Unless specified otherwise in these rules, any Standing Rule of the Assembly not requiring more than a majority vote, except Rule 8, may be suspended temporarily by a vote of a majority of the Members of the Assembly. A rule requiring a two-thirds vote may be temporarily suspended by a two-thirds vote of the Members of the Assembly. A temporary suspension applies only to the matter under immediate consideration, and in no case may it extend beyond an adjournment.

**Amending Standing Rules**

8. A standing rule of the Assembly may not be amended except by a resolution adopted by an affirmative recorded vote of a majority of the duly elected and qualified Members.

**Mason's Manual**

10. In all cases not provided for by the California Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority is the latest edition of Mason's Manual.

**III. ORGANIZATION OF COMMITTEES****Standing Committees**

11. Twenty-nine standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

- Aging and Long-Term Care
- Agriculture
- Appropriations
- Arts, Entertainment, Sports, Tourism, and Internet Media
- Banking and Finance
- Budget
- Business and Professions
- Education
- Elections and Redistricting
- Environmental Safety and Toxic Materials
- Governmental Organization
- Health
- Higher Education
- Housing and Community Development
- Human Services
- Insurance
- Jobs, Economic Development, and the Economy
- Judiciary
- Labor and Employment
- Local Government
- Natural Resources
- Public Employees, Retirement and Social Security
- Public Safety
- Revenue and Taxation
- Rules
- Transportation
- Utilities and Commerce
- Veterans Affairs
- Water, Parks and Wildlife



**Open Meetings**

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, “meeting” means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, “committee” includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

(b) Any meeting that is required to be open and public pursuant to this rule, including any closed session held pursuant to subdivision (c), may be held only after full and timely notice to the public as provided by the Joint Rules of the Assembly and Senate.

(c) The Assembly or a committee thereof may hold a closed session solely for any of the following purposes:

(1) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Assembly.

(2) To consider matters affecting the safety and security of Members of the Legislature or its employees, or the safety and security of any buildings and grounds used by the Legislature.

(3) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated litigation, or whether to initiate litigation, when discussion in open session would not protect the interests of the Assembly or committee regarding the litigation.

(d) A caucus of the Members of the Assembly that is composed of members of the same political party may meet in closed session.

(e) A closed session may be held pursuant to paragraph (3) of subdivision (c) under any of the following circumstances:

(1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator, to which the Assembly or a committee, Member, or employee thereof is a party, has been initiated formally.

(2) Based on existing facts and circumstances, a point has been reached where, in the opinion of the Assembly or a committee thereof, on the advice of its legal counsel, litigation against the Assembly or a committee, Member, or employee thereof is reasonably anticipated.

(3) Based on existing facts and circumstances, the Assembly or a committee thereof has decided to initiate, or is deciding whether to initiate, litigation.

(4) To confer with, or receive advice from, its legal counsel and negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Assembly or a committee thereof regarding the price and terms of payment for the purchase, sale, exchange, or lease.

(f) Prior to holding a closed session pursuant to paragraph (3) of subdivision (c), the presiding officer of the Assembly or the chair of the committee, as appropriate, shall state publicly which paragraph of subdivision (e) is applicable. If the closed session is held pursuant to paragraph (1) of subdivision (e), the presiding officer or chair shall state the title of or otherwise specifically identify the litigation to be

discussed, unless the presiding officer or chair states that to do so would jeopardize the ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize the ability of the Assembly or the committee to conclude existing settlement negotiations to its advantage. If the closed session is held pursuant to paragraph (4) of subdivision (e), the notice of the closed session shall identify the real property that the negotiations may concern and the person with whom the negotiations may take place.

(g) The legal counsel for the Assembly or the committee shall prepare and submit to the Assembly or the committee a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is held pursuant to paragraph (1) of subdivision (e), the memorandum shall include the title of or other identification of the litigation. If the closed session is held pursuant to paragraph (2), (3), or (4) of subdivision (e), the memorandum shall set forth the existing facts and circumstances on which the closed session is based. The legal counsel shall submit the memorandum to the Assembly or the committee prior to the closed session, if feasible, or, in any case, not later than one week after the closed session. The memorandum is exempt from disclosure under the Legislative Open Records Act contained in Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(h) For purposes of paragraph (3) of subdivision (c), “litigation” includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(i) For purposes of this rule, all expressions of the lawyer-client privilege other than those provided in this rule are hereby abrogated. This rule is the exclusive expression of the lawyer-client privilege for the purposes of conducting closed-session meetings pursuant to this rule.

(j) Disclosure of a memorandum required under this rule shall not be deemed a waiver of the lawyer-client privilege provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

#### **Conference Committee Meetings**

11.4. A Member may not participate in a meeting of a conference committee considering any bill that is not open to the public.

#### **Assembly Investigating Committees**

11.5. (a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees consists of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson is the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(c) Each committee and any subcommittee, and its members, have and may exercise all the rights, duties, and powers conferred upon

investigating committees and their members by law and by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, a committee may not commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this rule, to be paid from the Assembly Operating Fund and disbursed, after certification by the Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasury.

#### **Membership of Standing Committees**

12. The Speaker shall determine the size, and appoint the membership and the chairperson and vice chairperson, of all standing committees and subcommittees. In appointing Members to serve on committees, the Speaker shall consider the preferences of the Members.

#### **Committee on Rules**

13. There is a Committee on Rules, which acts as the executive committee of the Assembly. No regular member of the Committee on Rules may simultaneously serve as a chairperson of any standing committee. All meetings of the Committee on Rules that are required to be open and public shall be held in a room of appropriate size, and audio or video transmission of those meetings shall be provided.

#### **Organization of Party Caucuses**

13.1. Within two days after the general election held in November of each even-numbered year, the caucus of the political party having the greatest number of Members in the Assembly, and the caucus of the political party having the second greatest number of Members, each shall meet for the purpose of selecting their officers for the next regular session. The rules and procedures of each caucus shall be determined by that caucus, but may not be inconsistent with these rules.

#### **Powers of the Committee on Rules**

14. (a) The Committee on Rules has the following powers:

(1) To refer each bill and resolution to a committee, as provided by these rules.

(2) To appoint all employees of the Assembly not otherwise provided for by statute. It has authority to terminate, to discipline, to establish, and to modify the terms and conditions of employment of, or to suspend, with or without pay, any employee of the Assembly.

(3) To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish these purposes.

(4) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.

(5) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of those services, facilities, studies, and reports to the committee that will best assist it to carry out the purposes for which it is created.

(6) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of these rules and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(7) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(8) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.

(9) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(10) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, clerical, secretarial, and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for the committees and each of the members thereof, to make and carry on the studies and investigations required by or of them by the resolutions creating the committees, and for these purposes to employ additional stenographic and secretarial assistants as may be necessary, assign, reassign, and discharge these assistants and prescribe amounts, times, and methods of payment of their compensation. The committee shall allocate annually an amount for the operation of each investigating committee, which shall constitute the annual budget of the committee.

(b) During the times as the Assembly is not in session, the committee is authorized and directed to incur and pay expenses of the Assembly not otherwise provided for that the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

(c) The committee shall allocate sufficient moneys from the Assembly Operating Fund to support the Assembly's share of joint operations.

(d) The chairperson of the Committee on Rules shall appoint a Chief Administrative Officer of the Assembly, subject to the ratification of the Committee on Rules, who has duties relating to the administrative, fiscal, and business affairs of the Assembly that the committee shall prescribe. The Chairperson of the Committee on Rules or a majority of the membership of the Committee on Rules may terminate the services of the Chief Administrative Officer at any time. Notwithstanding the foregoing, the Speaker may appoint a temporary chief administrative officer for up to 90 days following the beginning of the session.

(e) The Committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

(f) The Committee on Rules may delegate powers to the Speaker by a majority vote of the membership of the committee.

**Subcommittee on Sexual Harassment Prevention and Response**

14.5. (a) The Subcommittee on Sexual Harassment Prevention and Response is created as a subcommittee of the Committee on Rules. The subcommittee is composed of a total of six members, with the following four members appointed by the Chairperson of the Committee on Rules: two members of the Committee on Rules from the political party having the greatest number of Members in the Assembly and two members of the Committee on Rules from the political party having the second greatest number of Members. The two members from the political party having the second greatest number of Members shall be appointed from a list of nominees that the vice chairperson of the committee provides to the chairperson. The co-chairs of the Assembly Legislative Ethics Committee also shall be members of the subcommittee. The Chairperson of the Committee on Rules shall designate one of the members of the subcommittee to serve as chair of the subcommittee.

(b) The subcommittee shall formulate and recommend to the Committee on Rules procedures for the handling of any complaint of sexual harassment lodged against a Member of the Assembly or an Assembly employee. Those recommendations shall be submitted to the Committee on Rules no later than 30 days following the appointment of the membership of this subcommittee.

(c) Following the submission of the recommendations pursuant to subdivision (b), the chair of the subcommittee may cause the subcommittee to convene to review and recommend further changes in procedures as subsequent events may require.

**Committee on Rules**

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session, and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the Committee on Rules and its members.

**Operating Fund Report**

15.5. The Committee on Rules shall annually prepare a report to the public of expenditures as required by Section 9131 of the Government Code.

**Independent Audit of Operating Funds**

15.6. The Committee on Rules shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Operating Fund. The organization performing the audit shall be selected by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in

a manner and form to be determined by the organization performing the audit, and shall be consistent with generally accepted accounting principles.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

#### **Performance Audit**

15.7. In addition to the annual financial audit required by Rule 15.6, the Committee on Rules shall contract for an audit of the administrative operations of the Assembly each session. The administrative departments to be audited shall be determined by the Committee on Rules. An organization performing an audit pursuant to this rule shall be selected by a majority of the membership of the Committee on Rules. A contract for an audit shall be awarded through a competitive bidding procedure. Audits shall be prepared in a manner and form to be determined by the organization performing the audit, and shall be consistent with generally accepted accounting principles.

All findings and recommendations reported by an auditing firm shall be made available to Members and to the public.

#### **Rules Committee Resolutions**

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of these resolutions to the persons concerned and to their relatives.

#### **Assembly Operating Fund**

17. The Committee on Rules is the committee identified in Section 9127 of the Government Code. The balance of all money in the Assembly Operating Fund, including money now or hereafter appropriated, except the sums that are made available specifically for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of that committee, and shall be expended as provided in these rules.

#### **Expenditures**

18. A Member or committee may not incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, officers, and employees of the Assembly that are not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules



and regulations shall provide for the payment of expenditures, as authorized by these rules and regulations, from the Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

A Member may not be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

#### **Rules and Regulations Governing Committees**

20. All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized representative before the expenses are incurred, unless the expenditure is specifically exempted from this requirement by the resolution authorizing it.

No warrant may be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee, and rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage may be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

#### **Fees for Witnesses**

21. Each witness summoned to appear before the Assembly or any of its committees shall be reimbursed at a rate set by the Committee on Rules.

#### **Assembly General Research Committee**

22. (a) The Assembly General Research Committee is hereby continued as a permanent fact-finding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules, and each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. Each subcommittee shall be known and designated

as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups, and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums that are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and the people from time to time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

#### **Assembly Legislative Ethics Committee**

22.5. (a) The Assembly Legislative Ethics Committee is hereby created. The committee shall consist of six Members of the Assembly, appointed by the Speaker. Notwithstanding any other rule of the Assembly, three members of the committee shall be from the political party having the greatest number of Members in the Assembly and three members shall be from the political party having the second greatest number of Members. Any temporary or permanent vacancy on the committee shall be filled within 10 days by a member from the same political party. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second greatest number of Members in the Assembly shall be made from a list of nominees that the Minority Floor Leader provides to the Speaker. The Speaker shall designate one member of the committee from the political party having the greatest number of Members in the



Assembly and one member of the committee from the political party having the second greatest number of Members to serve as co-chairs of the committee. The Speaker shall designate one of the co-chairs to serve as the presiding officer at any meeting or hearing conducted by the committee.

If a verified complaint is filed against a member of the committee, the Speaker shall temporarily replace the member with a Member from the same political party, who shall serve until the complaint is dismissed or the Assembly takes final action on the complaint, whichever occurs first.

(b) The provisions of this rule, and of Rule 11.5 related to investigating committees, apply to the committee and govern its proceedings.

Prior to the issuance of any subpoena by the committee with respect to any matter before the committee, it shall, by a resolution adopted by the committee pursuant to a vote in accordance with subdivision (n), define the nature and scope of its investigation in the matter before it.

(c) Funds for the support of the committee shall be provided from the Assembly Operating Fund in the same manner that those funds are made available to other committees of the Assembly.

(d)(1) The committee has the power, pursuant to this rule and Article 3 (commencing with Section 8940) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to investigate and make findings and recommendations concerning violations by Members of the Assembly of any provision of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code or of any other provision of law or legislative rule that governs the conduct of Members of the Assembly, hereafter collectively referred to as “standards of conduct.”

(2) The committee may, on its own action pursuant to a vote in accordance with subdivision (n), initiate an investigation of a Member of the Assembly.

(e) Any person may file with the committee a verified complaint in writing, which shall state the name of the Member of the Assembly alleged to have violated any standard of conduct, and which shall set forth the particulars thereof with sufficient clarity and detail to enable the committee to make a determination. The person filing the complaint thereafter shall be designated the complainant.

If a verified complaint is filed with the committee, the committee promptly shall send a copy of the complaint to the Member of the Assembly alleged to have committed the violation complained of, who thereafter shall be designated the respondent.

A complaint may not be filed with the committee after the expiration of 12 months from the date the alleged violation is discovered or three years from the date of the alleged violation, whichever occurs first.

(f)(1) If the committee determines that the verified complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, it shall dismiss the complaint and so notify the complainant and respondent.

(2)(i) If the committee determines that the verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, the committee promptly shall investigate the alleged violation and if, after this preliminary investigation, the committee finds that reasonable cause

exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after that finding. The committee may, however, seek an extension of this period, not to exceed an additional 30 days, which may be granted by a majority vote of the Committee on Rules.

(ii) If, after preliminary investigation, the committee does not find that reasonable cause exists for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and the respondent of its determination.

(3) The committee shall make its determination under paragraph (1) or (2) of this subdivision, pursuant to a vote in accordance with subdivision (n), not later than 90 days after first receiving a complaint that satisfies subdivision (e). The committee may, however, seek an extension, not to exceed 30 days, which may be granted by a majority vote of the membership of the Committee on Rules. If the committee has requested a law enforcement agency to investigate the complaint or if the committee knows the complaint is being investigated by a law enforcement agency, the time limits set forth in this subdivision shall be tolled until the investigation is completed.

(4) The committee's determination under paragraph (1) or (2) of this subdivision shall be stated in writing, with reasons given therefor, and shall be provided to the Assembly, and, in any case concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall be provided to the appropriate law enforcement agency. This written determination is a public record and is open to public inspection.

(5) Any deliberations of the committee from the time of receipt of a complaint until it decides to dismiss the complaint or to set a hearing shall not be open to the public unless the respondent requests a public meeting.

(g) After the complaint has been filed, the respondent shall be entitled to examine and make copies of all evidence in the possession of the committee relating to the complaint.

(h) If a hearing is held pursuant to subdivision (f), the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code. All of the provisions of that chapter, except Section 9410 of the Government Code, shall apply to the committee and the witnesses before it.

(i) At any hearing held by the committee:

(1) Oral evidence shall be taken on oath or affirmation.

(2) Each party shall have these rights: to be represented by legal counsel; to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.

(3) The hearing shall be open to the public.

(j) Any official or other person whose name is mentioned at any investigation or hearing of the committee, and who believes that testimony has been given that adversely affects him or her, shall have the right to testify or, at the discretion of the committee, to testify under oath relating solely to the material relevant to the testimony regarding which he or she complains.

(k) The committee shall have 15 days following the hearing within which to deliberate and reach its final determination on the matter as follows:

(1) If the committee finds that the respondent has not violated any standard of conduct, it shall order the action dismissed, shall notify the respondent and complainant thereof, and, in cases concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall transmit a copy of the complaint and the fact of dismissal to the appropriate law enforcement agency. The complaint and the fact of dismissal transmitted pursuant to this paragraph are public records and open to public inspection.

(2) If the committee finds that the respondent has violated any standard of conduct, it shall state its findings of fact and submit a report thereon to the Assembly. This report shall be accompanied by a House Resolution, authored by the committee, which shall be introduced at the Chief Clerk's desk and then referred by the Committee on Rules to the Ethics Committee. The House Resolution shall include a statement of the committee's findings and the committee's recommendation for disciplinary action. Within seven days, the committee shall adopt the final form of the House Resolution and report it to the Assembly for placement on the Daily File. The committee also shall send a copy of those findings and report to the complainant and respondent, and, in cases concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall report thereon to the appropriate law enforcement agency. The report submitted pursuant to this paragraph is a public record and open to public inspection.

After the receipt of a copy of the committee's final report and House Resolution, the Assembly expeditiously shall take appropriate action with respect to the respondent.

(l) The filing of a complaint with the committee pursuant to this rule suspends the running of the statute of limitations applicable to any violation of any standard of conduct alleged in the substance of that complaint while the complaint is pending.

(m) The committee shall maintain a record of its investigations, inquiries, and proceedings. All records, complaints, documents, and reports filed with or submitted to or made by the committee, and all records and transcripts of any investigations, inquiries, or hearings of the committee under this rule shall be deemed confidential and shall not be open to inspection, without the express permission of the committee, by any person other than a member of the committee, or an employee of the committee or other state employee designated to assist the committee, except as otherwise specifically provided in this rule. The committee may, by adoption of a resolution, authorize the release to the Attorney General or a district attorney of the appropriate county of any information, records, complaints, documents, reports, and transcripts in its possession that are material to any matter pending before the Attorney General or that district attorney. All matters presented at a public hearing of the committee and all reports of the committee stating a final finding of fact pursuant to subdivision (k) shall be public records and open to public inspection. Any employee of the committee who divulges any matter that is deemed to be confidential by this subdivision shall be subject to discipline by the Committee on Rules.

(n) The committee may take any action authorized by this rule only upon the vote of not less than two members from the registered political party having the greatest number of Members in the Assembly and two members from the registered political party having the second greatest number of Members. Any vacancy on the committee does not reduce the votes required to take action.

(o) The committee may render advisory opinions to Members of the Assembly with respect to the standards of conduct and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion. Any committee advisory opinion shall be prepared by committee members or staff and shall be adopted by the committee pursuant to subdivision (n).

(p) The committee shall conduct, at least semiannually, an orientation course on the relevant statutes and regulations governing official conduct. The curriculum and presentation of the course shall be established by the Committee on Rules. At least once each biennial session, each Member of the Assembly and each employee of the Assembly shall attend one of these courses.

(q) Pursuant to Section 8956 of the Government Code, the committee shall do each of the following:

(1) Conduct, at least semiannually, an orientation course on the relevant ethical issues and laws relating to lobbying.

(2) Impose fees on lobbyists for attending the course specified in paragraph (1) at an amount that will permit the participation of lobbyists to the fullest extent possible.

#### **Printing of Committee Reports**

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules. The Committee on Rules shall determine the number of copies needed and whether the report shall be printed in the Journal. In no event may more than 1,000 copies of any committee report be authorized by the Committee on Rules on the first printing, exclusive of the Journal copies if the report is to be printed therein, unless the Committee on Rules finds and determines that there is a special need for that report in greater numbers.

Upon determination by the Committee on Rules that additional copies of an Assembly committee report are required at any time following the first printing of the authorized number of copies, the Committee on Rules may authorize one or more additional printings in the numbers found by it to be necessary and may make funds available therefor.

An Assembly committee report may not contain more than 100 pages, including the front and back cover thereof and any appendix, unless a greater number of pages has been approved and authorized by the Committee on Rules.

#### **Assembly Employees**

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of

the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may be terminated at will, at any time and without notice, by the Committee on Rules.

Every applicant for employment by the Assembly shall prepare a formal application for employment on forms prescribed by the Committee on Rules. The application shall include a statement of his or her present employment, his or her employment during the preceding two years, and other pertinent information that the Committee on Rules may require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his or her duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

Every employee shall complete the Assembly ethics course in the first six months of his or her employment. Thereafter, every employee shall take the course in the first six months of every legislative session.

Every employee shall, within the first six months of every legislative session, take a course on sexual harassment prevention. The content of the course shall be determined by the Committee on Rules and shall include the Assembly's policy on sexual harassment prevention and response.

An employee may not engage in any outside business activity or outside employment that is inconsistent, incompatible, or in conflict with his or her functions or responsibilities as an employee of the Assembly. Any employee who engages in any outside business activity or employment that is in any way related to his or her functions or responsibilities as an employee shall promptly notify the Committee on Rules of that business activity or employment.

#### **Assembly Proceedings**

25. Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs of, televising, or recording the committee or house hearings, subject to the following conditions:

- (1) This rule shall extend to all public legislative meetings.
- (2) Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the Chamber shall be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin.
- (4) The committee chairperson or the Speaker shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.
- (5) To the extent practical, flash cameras shall not be used.
- (6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the Members in the Chamber.

**IV. ASSEMBLY FUNCTIONS****A. Duties of Assembly Officers****Duties of the Speaker**

26. (a) The Speaker possesses the powers and shall perform the duties prescribed as follows:

(1) To preserve order and decorum; he or she may speak to points of order in preference to the other Members, rising from his or her chair for that purpose.

(2) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, the Speaker shall have the right to assign the reason for his or her decision.

(3) To name any Member to perform the duties of the Speaker, except that any substitution may not extend beyond adjournment.

(4) To have general direction over the Assembly chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, including the Committee on Rules, and their respective chairpersons and vice-chairpersons. The Speaker has approval power over the appointment of subcommittees of standing and special committees, except as otherwise provided in Rule 14.5. The Committee on Rules consists of the Chairperson, Vice Chairperson, and other Members who shall be appointed by the Speaker in accordance with the process for appointing the membership of standing committees pursuant to this rule. Two alternate members of the Committee on Rules shall be appointed in accordance with the process for appointing members to the Committee on Rules. Members and alternates so appointed shall remain in office until their successors are selected as provided for in these rules. The Speaker may designate any member in lieu of or in addition to the alternate member to fill a temporary vacancy. An alternate member may serve when a committee member is absent.

(7) To establish a schedule of meetings of standing committees or subcommittees and to approve special meetings at a time different from the scheduled time.

(8) To have general control and direction over the Journals, papers, and bills of the Assembly and to establish a procedure in accordance with Assembly Rule 118 for admitting employees of the Legislature to the Assembly Chambers, including the lobby in the rear of the chambers and any hallway or area of the floor that is adjacent to the desks occupied by the assistants to the Chief Clerk.

(9) To act as Chairperson of the Committee of the Whole.

(10) To order the Lobby and Gallery cleared whenever he or she deems it necessary.

(11) To authenticate by his or her signature, when necessary or required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(b) The Speaker is an ex officio member of all Assembly and joint committees with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of those committees, the Speaker shall not be counted as a member.



(c) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council pursuant to Section 6 of Article VI of the California Constitution.

**Funerals and Other Ceremonies and Events**

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The Members so designated shall receive their expenses as provided in Joint Rule 35.

**Selection of Officers**

28. (a) The Speaker shall appoint all nonelected officers of the Assembly except the Minority Floor Leader.

(b) The Minority Floor Leader shall be selected by the caucus of the political party having the second greatest number of Members in the Assembly.

**Duties of the Speaker pro Tempore**

29. The Speaker pro Tempore shall perform those duties assigned by the Speaker, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

**Majority Floor Leader**

30. It is the duty of the Majority Floor Leader to make those appropriate motions, points of order, or other arrangements that may be necessary to expedite the proceedings of the Assembly, and he or she is responsible for the presentation of all matters that relate to the order of business, and to the promotion of harmony among the membership.

**Caucus Chairpersons**

31. The chairperson of the caucus of the political party having the greatest number of Members in the Assembly, and the chairperson of the caucus of the political party having the second greatest number of Members in the Assembly, shall perform those duties that are prescribed by their respective party caucuses.

**Chief Clerk**

32. The Chief Clerk of the Assembly has the following duties, powers, and responsibilities:

(a) To keep the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees who are engaged in duties related to subdivision (a).

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his or her office or out of his or her custody, except upon duly signed receipts from persons authorized.

(f) To mail, before the commencement of each regular session of the Legislature, to each Member a blank form on which the Member may

indicate his or her committee preferences. Accompanying the blank form shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning the form. After their receipt, all those communications shall be held by the Chief Clerk of the Assembly and the information contained in the forms shall be forwarded to the Speaker.

(g) To perform other duties that are prescribed by law or the Committee on Rules.

(h) To make technical changes in measures and amendments pending before the Assembly. The Chief Clerk shall notify the Speaker and the author of the measure of any such change.

(i) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; before they pass out of the possession of the Assembly, to see that each engrossed bill is a true copy of the original, with those amendments that may have been made thereto; and to see that all engrossed bills are reported back in the order in which they were ordered engrossed.

(j) To assist the Committee on Rules, upon its request, in recommending the reference of bills to the appropriate standing committee.

The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his or her absence.

#### **Sergeant at Arms**

33. The Sergeant at Arms has the following duties, powers, and responsibilities:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all process issued by authority of the Assembly and directed by the Speaker; the Sergeant at Arms shall receive actual expenses for himself or herself, or for an assistant, incurred in executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To execute all commands of the Speaker.

(e) To perform all other duties pertaining to his or her office as prescribed by law or Assembly rule.

The Chief Assistant Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his or her absence.

#### **Filling Interim Vacancies—Assembly Elected Officers**

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during joint recesses, the Committee on Rules shall fill the office until the session reconvenes. If a vacancy occurs in the office of the Speaker during a joint recess, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not



less than 10 days prior to the meeting of the caucus. If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place, following the procedure set forth in this rule. Any person selected to fill any vacancy pursuant to this rule holds the office until the session reconvenes.

An affirmative recorded vote of a majority of the duly elected and qualified Members is required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus is the same as the procedure required for the election of the Speaker at a session.

## **B. Printing**

### **Authority for Printing**

35. The State Printer may not charge any printing or other work to the Assembly other than as provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly. All invoices for printing furnished to the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of the printing. When necessary, the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

### **Ordering of Printing**

36. The Chief Clerk is authorized to, and is responsible for, ordering, the printing of bills, resolutions, journals, daily files, histories, and related documents.

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order other printing as directed or authorized by the Committee on Rules, and the written order for that printing shall be countersigned by the Speaker or a person designated by the Speaker. The Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly shall also order other printing as directed or authorized by resolution or motion of the Assembly.

### **Printing Assembly History and Legislative Handbook**

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk, prior to convening on Monday of each week, a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of each Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

## **V. LEGISLATIVE PROCEDURE**

### **Order of Business**

40. (a) The order of business of the Assembly shall be as follows:
1. Roll Call
  2. Prayer by the Chaplain

3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Messages From the Governor
8. Messages From the Senate
9. Motions and Resolutions
10. Business on the Daily File
11. Announcements
12. Adjournment

(b) With the exception of Special Orders of Business, the Speaker may determine that a different order of business will result in a more expeditious processing of the business of the Assembly by ordering resolutions honoring an individual or an organization, introductions, and adjournments in memory of individuals to be taken up in a different order than that listed in subdivision (a).

#### **Pledging of Allegiance to the Flag**

41. At each session, following the prayer by the Chaplain, the Members of the Assembly and its officers and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall invite guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of the United States of America.

#### **Reading and Correcting Journals**

42. (a) The reading of the Journal of the previous day may be dispensed with, on motion, by a majority vote of the Members present and voting.

(b) All journals of the Assembly shall be corrected by the Minute Clerk and delivered to the Chief Clerk.

(c) A motion to correct any day's Journal or to print a letter in the Journal shall always be in order and shall require a majority vote of the Members present and voting.

#### **Presentation of Petitions**

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.

#### **Messages From the Governor**

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

**Messages From the Senate**

45. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Committee on Rules shall refer each bill to a committee, unless upon a motion the Assembly, by an affirmative recorded vote of 41 or more Members, refers it to some other committee. The action to refer a bill is not debatable. The reference shall be entered in the Journal. Assembly bills that have been passed without amendment by the Senate shall be ordered to enrollment.

An Assembly bill amended by the Senate shall be placed upon the unfinished business file but shall not be eligible to be acted upon until it is on the unfinished business file for one legislative day, except that when the Assembly bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately.

**Presentation of Guests or Memorials in the Assembly**

45.5. These rules do not prohibit the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests. A request that a session of the Assembly adjourn in memory of a person shall be made in writing. The request shall be read by the presiding officer immediately prior to adjournment.

**A. Bills and Resolutions****Bills Defined**

46. (a) The word “bill,” as used in these rules, includes a constitutional amendment, a concurrent resolution, and a joint resolution, except as otherwise specifically provided.

(b) A concurrent resolution and a joint resolution, other than a resolution ratifying proposed amendments to the United States Constitution and a resolution calling for a constitutional convention, shall be treated in all respects as a bill except as follows:

- (1) It shall be given only one formal reading.
- (2) It shall not be deemed a bill within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

**Introduction and Reference of Bills**

47. (a) Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced that does not contain the signature of its author or coauthor, the bill, on motion of the Member whose name appears thereon without that signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members.

(b) After the introduction of preprinted bills, and subject to the provisions of the Joint Rules of the Senate and Assembly, any Member desiring to introduce a bill, constitutional amendment, or concurrent or joint resolution may at any time during a session send the same to the Chief Clerk’s desk.

(c) When received at the Chief Clerk’s desk each bill shall, under the proper order of business, be numbered, read the first time, printed, and

referred to a standing committee, and a copy thereof shall be placed upon the desk of each Member before final passage.

All bills and constitutional amendments introduced before the standing committees of the Assembly are appointed shall be referred to committee, the references to take effect when the committees are appointed.

(d) The Committee on Budget may introduce a bill germane to any subject within the jurisdiction of the committee in the same manner as any member. Any other standing committee may introduce a total of five bills in each year of a biennial session that are germane to any subject within the proper consideration of the committee.

(e) No committee, except the Committee on Budget, may introduce or author a House Resolution, Concurrent Resolution, or Joint Resolution.

(f) A committee bill may not be introduced unless it contains the signatures of a majority of all of the members, including the chairperson, of the committee. If all of the members of a committee sign the bill, at the option of the committee chairperson the committee members' names need not appear as authors in the heading of the printed bill.

(g) Subdivision (d) or (e) of this rule may be suspended with respect to a particular bill or resolution by approval of the Committee on Rules.

#### **Bills Authored by a Former Member**

47.1. Whenever the author of a bill in the Assembly is no longer a Member of the Legislature, upon a request of a committee or current Member of the house in which the bill was introduced, the Assembly Committee on Rules may authorize that committee or Member to be the author of that bill. Absent that authorization, an action may not be taken by a committee or the Assembly with respect to a bill authored by a former Member.

#### **Limitation on the Introduction of Bills**

49. (a) A Member may introduce not more than 40 bills in the regular session. As used in this rule, "bills" includes constitutional amendments.

(b) Notwithstanding subdivision (a) of this rule, a Member may introduce not more than five resolutions in the regular session. As used in this rule, "resolutions" include House, Concurrent and Joint Resolutions, but do not include resolutions introduced by a Member for the specific purpose of organizing a session that is convened pursuant to Article IV, Section 3 (a) of the State Constitution or resolutions introduced by the Speaker as part of a session honoring a retiring Assembly Member.

(c) This rule may be suspended with respect to a particular bill or resolution by approval of the Committee on Rules.

#### **Reference of Bills to Committee**

51. Except as otherwise provided in this rule, the Committee on Rules shall refer each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly, by an affirmative recorded vote of 41 or more Members, refer it to some other committee. A motion to refer a bill is not debatable, except as to the propriety of the motion, and it may not open the main question to debate.

The Committee on Rules may require that, if a bill is reported out of the committee to which it has been referred, it shall be re-referred to another committee that shares jurisdiction of the subject matter of the bill.

#### **Spot Bills**

51.5. A bill that upon introduction makes no substantive change in or addition to existing law, and would not otherwise affect the ongoing operations of state or local government, except a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, may not be referred to a committee by the Committee on Rules. If the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 15 days.

#### **Delivery of Bills to State Printer**

52. After introduction and first reading, all bills shall be delivered to the State Printer.

#### **Resolutions**

53. All resolutions shall be numbered and may be referred to the appropriate committee by the Committee on Rules.

Each resolution shall be signed by each Member who is an author or coauthor of the resolution before it is introduced.

#### **Resolutions by Member**

54. A concurrent resolution or a house resolution may be introduced relating to a present or former state or federal elected official or a member of his or her immediate family. Other resolutions for the purpose of commendation or congratulation of any person, group, or organization, or for the purpose of expressing sympathy, regret, or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the committee for appropriate action.

The Committee on Rules may approve exceptions to this rule for house resolutions. The Chief Clerk may not accept for introduction any house resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

### **B. Standing Committee Functions**

#### **Standing Committee Rules**

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee and subcommittee meetings.

#### **Meetings of Standing Committees and Subcommittees**

56. All standing committees and subcommittees shall meet at the hour and place provided by the schedule established by the Speaker, unless permission for a different hearing time is granted by the Speaker. A committee or subcommittee may not meet during any session of the Assembly, nor may any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area that is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee may not be held in the Assembly Chamber.

No bill may be set for hearing, nor may any notice thereof be published by any Assembly committee or subcommittee, until the bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons may adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

#### **Setting and Hearing Bills in Committee**

56.1. All bills referred to a standing committee pursuant to Assembly Rule 51 shall be set and heard, if requested by the author, as specified by the Joint Rules. If the analysis of an author's amendment that is subsequently adopted pursuant to Assembly Rule 68 discloses that the amendment makes a substantial substantive change to the original bill as referred by the Rules Committee, the bill as amended shall either be set and heard by the committee having jurisdiction of the bill as amended or re-referred to the Committee on Rules pursuant to the Assembly Rules.

#### **Committee Analyses**

56.5. Except as otherwise provided in this rule, each standing committee and subcommittee shall prepare an analysis of every bill it has set for hearing, which shall be available to the public in the office of the committee or subcommittee one working day prior to the date on which the hearing is to be held. In the case of a special meeting, or a meeting of the Committee on Appropriations or the Committee on Budget, or their subcommittees, the analysis shall be available to the public at the beginning of the hearing. No question concerning a committee's compliance with this rule with regard to any bill shall be in order following a vote on passage of the bill in that committee. As used in this rule, a "working day" is any day on which a house file is published.

A copy of each committee analysis shall be transmitted by the committee secretary to the Assembly Floor Analysis Unit at the same time it is made available to the public.

#### **Committee Consultants: Floor Analyses**

56.6. Except as otherwise provided in this rule, the consultants of a standing committee or subcommittee are responsible for monitoring bills assigned to their respective committee or subcommittee throughout the entire legislative process. Except for resolutions and bills on the Consent Calendar, a consultant of the appropriate standing committee shall prepare, in a timely fashion, an analysis of every bill on third

reading or the unfinished business file, and of any amendment to a bill that is on the Assembly floor, as directed by the Assembly Floor Analysis Unit.

The committee consultant who prepares the analysis shall transmit a copy of the completed analysis to the Assembly Floor Analysis Unit. The Assembly Floor Analysis Unit is responsible for final editing for grammar and format of all floor analyses.

#### **Consent Calendar**

56.7. If the chairperson of a committee or subcommittee, in advance of a hearing, proposes to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of those bills shall be made available to the public at the same time as the committee analysis required under Rule 56.5.

#### **Committee Quorum**

57. Except as otherwise provided in this rule, a majority of the membership of any standing committee constitutes a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of the membership of the committee, or a subcommittee thereof, is required to report a bill out of the committee or subcommittee, respectively. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee.

Whenever a member is disqualified pursuant to Joint Rule 44 or the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) from voting or taking any other action related to the passage, defeat, or amendment of a bill in committee, that disqualification shall be treated the same as a vacancy. The member shall advise the chairperson of a disqualification, and the chairperson shall announce which members are so disqualified at the commencement of the hearing on the bill.

#### **Reconsideration**

57.1. After a committee has voted on a bill, reconsideration may be granted only one time. Pursuant to subdivision (a) of Joint Rule 62, reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration may not be taken without the same notice required to set a bill for hearing unless that vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. An action taken by a committee may not be reconsidered except by a majority vote of the membership of the committee.

#### **Bills Reported Back to Assembly**

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith; the chairperson of each committee is charged with the observance of this rule. The chairperson of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.



**Appropriations Suspense File**

58.2. The Committee on Appropriations may maintain a suspense file, to which bills may be referred by vote of a majority of the members of the committee present and voting, pending further consideration by the committee. A bill may be taken off the suspense file and heard, upon two days' notice published in the file, by a vote of a majority of the members of the committee present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

**Voting in Committee**

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote may be by roll call vote only. All roll call votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a roll call vote shall show, for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a monthly basis.

The committee secretary of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Assembly Floor Analysis Unit.

A member may submit a written explanation of his or her vote, absence, or failure to vote on any bill or resolution, and that explanation shall be printed in the appendix to the Journal in the appropriate place, provided that no explanation may exceed 50 words in length.

At the request of the author or any member of the committee, the committee shall hold the roll open on any Assembly bill until the adjournment of the committee meeting. At no time may a bill be passed out by a committee without a quorum being present.

This rule does not apply to any of the following:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.
- (d) Votes of subcommittees of the Committee on Budget when considering the Budget Bill.
- (e) Votes of the Committee on Rules when referring bills to committees.

**Subject Matter of Bill Recommended for Interim Study**

59. Whenever it is the decision of a standing committee that a bill referred to that committee shall not be given a do-pass recommendation, but that the subject matter of the bill should be referred for study, that standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for that committee's assignment of the subject matter to an appropriate committee.



Nothing in this rule shall be construed to prohibit a committee from subsequently reporting the bill to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

**Committee Chairperson as Author**

60. A chairperson of a standing committee may not preside at a committee hearing to consider a bill of which he or she is the sole author or the lead author, except that the Chairperson of the Committee on Budget may preside at the hearing of the Budget Bill by the Committee on Budget.

**Reports of Committees**

61. Specially prepared reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the Members present and voting.

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

**Constitutional Amendments**

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and, upon being reported out of that committee, shall be re-referred to the committee having constitutional amendments within its jurisdiction.

**C. Passage of Bills**

**Daily File**

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided that Rule 58 has been complied with in the order of their listing. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

**Copies of Bills for Action on Floor**

64. A bill may not be considered or acted upon on the floor of the Assembly unless and until a copy of the bill as introduced, and a copy of each amended form of the bill, has been distributed to the desk of each Member in hard copy or in portable document format (PDF) via computer.

**Second Reading of Bills**

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day, and may not be read a second time until the next legislative day under that order of business. As used in this rule, “bill” does not include a joint or concurrent resolution, but does include a constitutional amendment.

**Bills Requiring General Fund Appropriation**

66.6. Until the Budget Bill has been enacted, the Assembly may not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the Budget Bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.

**Passage of Budget Bill**

66.7. The Budget Bill may not be voted upon for final passage on the floor of the Assembly unless it complies with subdivision (f) of Section 12 of Article IV and Sections 1.3 and 20 of Article XVI of the California Constitution.

**Committee Amendments**

67. Committee amendments reported with bills shall be considered upon their second reading, and the amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading by committee amendment shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared, or approved as to form, by the Legislative Counsel. Five copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills shall be delivered to the Chief Clerk’s desk.

The Chief Clerk shall cause to be transmitted to the Assembly Floor Analysis Unit a copy of each committee report and committee amendment, unless the committee report or committee amendment is relative to a joint, concurrent, or house resolution.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee, or on the third reading by the Assembly, of the bill, those amendments, or any part thereof.

**Author’s Amendments**

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Notwithstanding any other rule, a bill to be amended pursuant to this rule may not be placed on the second reading file for the adoption of those amendments.

**Vote on Passage of Bill as Amended**

68.5. Except as otherwise provided in this rule, a vote on passage of any bill in a standing committee or subcommittee shall be taken only when the bill is in print, including any previously adopted amendments to the bill. A vote on passage of an amended bill, when the amended form of the bill is not in print, may be taken only if the sole effect of the amendment is to add coauthors to the bill or if the committee determines that the effect of the amendment upon the bill can be readily understood by all of the members and audience present at the hearing. In that circumstance, any member may require that the amendments be in writing at the time of their adoption.

**Bill Analysis Prior to Third Reading**

68.6. A bill, concurrent resolution, or joint resolution may not be considered on third reading unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

**Analysis of Conference Committee Amendments**

68.7. A report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may not be considered unless and until an analysis of the proposed amendment has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

**Printing of Conference Committee Reports**

68.8. A conference report may not be heard by the Assembly until it has been in print for two days prior to being taken up by the house.

**Conference Committee: Substantial Policy Change**

68.9. (a) A conference committee on any bill, other than the Budget Bill or a bill that is making statutory changes to implement the Budget Bill, may not approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Assembly within the current legislative session. For purposes of this rule, the most recent action of a policy committee with regard to a substantial policy change is deemed the only action taken when the policy committee has taken inconsistent actions with respect to a substantial policy change.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term “heard” means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by the Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

**Amendments From the Floor**

69. (a) Any Member may move to amend a bill during its second or third reading, and that motion to amend may be adopted by a majority vote of the Members present and voting.

Amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, or amendments previously printed in the Journal, are not in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members. A copy of a bill that has been amended only to add coauthors to the bill is not required to be placed upon the desks of the Members if both the Speaker and Minority Leader grant an exemption.

Amendments offered from the floor during a bill's second or third reading shall be prepared, or approved as to form, by the Legislative Counsel.

Before debate five copies of the proposed amendment to Assembly bills, and five copies of the proposed amendments to Senate bills, shall be delivered to the Chief Clerk's desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he or she may determine to be necessary.

(b)(1) Amendments from the floor during a bill's second or third reading that would make a substantive change in the bill shall be submitted to the Chief Clerk's desk by 5:00 p.m. or the time of adjournment, whichever is later, the business day before the start of session on the legislative day at which they are to be considered.

(2) Upon receipt of the proposed amendments by the Chief Clerk, an analysis shall be prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit, and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed amendments, unless otherwise ordered by the Speaker.

(3) As used in this subdivision, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

(c) Paragraph (1) of subdivision (b) does not apply to (1) amendments to a bill taken up without reference to file, (2) amendments to a bill to add or delete an urgency clause, (3) amendments to a bill that are identical to other amendments submitted to the Chief Clerk's desk in accordance with the requirements of this rule, (4) amendments to the Budget Bill or to a bill that is making statutory changes necessary to implement the Budget Bill, or (5) amendments to a bill to make the bill contingent upon the enactment of another bill, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

(d) Any bill amended on the second or third reading file shall be ordered reprinted and returned to the third reading file, and may not be acted on by the Assembly until the bill, as amended, has been on the Daily File for one calendar day. This subdivision does not apply to a bill that is amended to add or delete an urgency clause or to a bill that is amended to make statutory changes to implement the Budget Bill.

(e) A motion to amend a bill on the second or third reading file, other than committee amendments reported pursuant to Rule 57, is not in

order on (1) the last two legislative days preceding the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution or (2) the last seven days preceding the scheduled commencement of the interim study recess or the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly. This subdivision may be suspended temporarily by two-thirds vote of the Members present and voting. This subdivision does not apply to amendments to a bill to add or delete an urgency clause, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

#### **Consideration of Political Reform Act Bills**

69.1. Pursuant to Section 81012 of the Government Code, any bill that would amend the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) may not be passed until, 12 days prior to being considered for passage, the bill in its final form has been delivered by the Chief Clerk to the Fair Political Practices Commission for distribution to the news media and to every person who has requested the commission to send a copy of any such bill to him or her.

#### **Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses**

69.5. Any requirement that bills, conference reports, amendments, or an analysis be placed on the desks of the Members is satisfied by electronic distribution of the same information in portable document format (PDF) via computer to the desk of the Members through the Assembly Floor System, unless otherwise ordered by the Speaker.

#### **Consideration of Bills Re-referred to Committee**

70. Whenever a bill that has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and may not be transferred therefrom to the third reading file until the following day.

#### **Uncontested Bills**

71. A bill may not be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

#### **Consideration of Concurrent and Joint Resolutions**

73. A concurrent or joint resolution may be amended by a majority vote of the Members present and voting. The ayes and noes may not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute or the California Constitution.

#### **Adoption of Resolutions**

74. Any resolution upon which a roll call vote is demanded requires an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money requires an affirmative recorded vote of 41 or more Members.

**Printing of Resolutions**

75. When any previously printed house resolution is before the Assembly for adoption, it may be printed in the Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of those amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule, the adding of a coauthor shall not be deemed an amendment.

**Concurrence in Senate Amendments**

77. Concurrence in any Senate Amendment to an Assembly bill requires the same affirmative recorded vote as the vote required by the California Constitution for the passage of the bill. A vote on concurrence may not be taken until the bill has been on the unfinished business file for one calendar day, except that when the bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately. The vote on concurrence shall be deemed the vote upon final passage of the bill.

Senate amendments to Assembly bills may not be concurred in unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and a copy placed upon the desks of the Members, unless otherwise ordered by the Speaker. As used in this rule, “bill” does not include a joint or concurrent resolution, but does include a constitutional amendment.

**Digest of Bills Amended in Senate**

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker a brief digest summarizing the effect of the Senate amendment. Upon receipt from the Legislative Counsel, the Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference in the file to the bill covered by the digest.

**Substantially Amended Bills**

77.2. If the analysis of an amendment adopted on the floor discloses that the amendment makes a substantial substantive change to a bill as passed by the last committee of reference, the bill, as amended, may be referred by the Speaker to the appropriate committee.

A bill that was previously reported from a policy or fiscal committee of reference in compliance with Joint Rule 61 is not subject to the deadlines in Joint Rule 61 if the bill is subsequently referred to a policy or fiscal committee pursuant to this rule.

If the digest to an Assembly Bill that has been returned to the Assembly by the Senate for concurrence in Senate amendments discloses that the Senate has made a substantial substantive change in the bill as first passed by the Assembly, the bill may be referred by the Speaker to the appropriate committee.

**Inactive File**

78. Whenever a bill has been passed twice on the third reading file on two successive legislative days, it shall be placed forthwith upon a special file to be known as the inactive file. A bill also may be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by request of the author. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Assembly File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or the unfinished business file, respectively, in the next published Daily File.

**Engrossing and Enrolling Bills**

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills that come to his or her hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be ordered by the Speaker forthwith to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

**VI. PARLIAMENTARY PROCEDURE**

**A. Motions and Questions**

**Precedence of Motions During Debate**

80. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

- First—To adjourn;
- Second—To recess to a time certain;
- Third—To lay on the table;
- Fourth—For the previous question;
- Fifth—To set as a special order;
- Sixth—To postpone indefinitely;
- Seventh—To refer to or to re-refer;
- Eighth—To amend.

**Questions of Order Decided Without Debate**

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.



**Appeal From Decision of the Speaker**

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. An appeal is not in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken. Upon the appeal being seconded, the Speaker may give his or her reasons for the decision, and the Member making the appeal may give his or her reasons for the appeal, and the Speaker forthwith shall put one of the following questions to the Assembly:

- (1) "Shall the decision of the Speaker be sustained?"
- (2) "Shall the decision of the Speaker be overruled?"

An appeal may not be amended and yields only to a motion to recess or adjourn, or to lay on the table, or a question of personal privilege. If an appeal is laid on the table, that action shall have no effect on the pending question.

An appeal may not be debated when relating to indecorum, the transgression of rules, or the priority of business. A majority vote of the Members present and voting decides any appeal. In the event of a tie vote, the appeal is lost.

**Speaker Explains Order of Business**

83. The Speaker may, on his or her own motion or the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation may not consume more than two minutes.

**To Adjourn**

84. A motion to adjourn is not debatable and may not be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; or (c) during a call of the Assembly. The name of any Member moving an adjournment, and the hour at which the motion was made and adjournment taken, shall be entered in the Journal. A motion to adjourn shall be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. That statement may not occupy more than two minutes and is not debatable.

An affirmative recorded vote of a majority of the duly elected and qualified Members is required to adjourn any session of the Assembly sine die.

**To Recess to a Time Certain**

85. A motion to recess to a time certain is treated the same as a motion to adjourn, except that the motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.



**To Lay on the Table**

86. A motion to lay on the table is not debatable and may not be amended.

A motion to table a bill, constitutional amendment, or concurrent or joint resolution is adopted by an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it, except that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, or concurrent, joint, or house resolution.

A motion to lay an amendment on the table is adopted by a majority vote of the Members present and voting.

A motion to lay on the table may not be applied with respect to reconsideration.

**The Previous Question**

87. The previous question shall be put only when demanded by five Members, and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending, except that the proponent of the matter pending shall be allowed not more than five minutes to close the debate.

**Motion to Set Special Order**

88. A motion to set any matter before the Assembly as a special order of business is adopted by an affirmative recorded vote of 54 or more members. The motion is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

**Motion to Postpone to a Time Certain**

89. A motion to postpone to a time certain is deemed and treated as a motion to set as a special order.

**Motion to Postpone Indefinitely**

90. The making of a motion to postpone indefinitely any bill, motion, or amendment opens the main question to debate. If the motion to postpone indefinitely prevails by an affirmative recorded vote of 41 or more Members, the main question may not be acted upon again during the session.

**Motion to Amend**

91. A motion to amend may itself be amended, but an “amendment to an amendment” may not be amended. A motion to substitute is deemed to be a motion to amend and is considered the same as an amendment.

Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend that is decided in the negative is not again in order on the same day, or at the same stage of proceeding. The fact that a motion to amend by striking out certain words is decided in the negative

does not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words, except that in no case may a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and Rule 69, a motion to amend is in order during the second or third reading of any bill.

#### **Amendment To Be Germane**

92. An amendment to any bill, other than a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, whether reported by a committee or offered by a Member, is not in order when the amendment relates to a different subject than, is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

A motion or proposition on a subject different from that under consideration may not be admitted as an amendment.

An amendment is not in order that changes the original number of any bill.

A Member may not be added or deleted as an author or coauthor of a bill or resolution without his or her consent.

#### **Consideration of Motions**

93. A motion, whether oral or written, may not be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

#### **Motions in Writing**

94. Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

#### **Withdrawal of Motions**

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

#### **Motion to Withdraw or Re-refer Bills**

96. (a) A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer may be debated only as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

(b) A bill or resolution may not be withdrawn from committee and placed upon the file, unless a motion to withdraw has been heard by, and has been approved by a majority vote of, the Committee on Rules. This subdivision does not apply to a bill in a fiscal committee that has been amended so as not to require its reference to a fiscal committee, as indicated by the Legislative Counsel's Digest.

(c) A motion to continue a motion to withdraw a bill or resolution from committee requires a majority of those members present and voting. A motion to withdraw a motion to withdraw is not in order.

#### **Re-reference of Measures on File**

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion is debatable only as to the propriety of that reference and shall require an affirmative recorded vote of 41 or more Members.

**Bills Stricken From File**

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. That bill or resolution may not be acted upon again during the session.

**Motion to Rescind Action or Expunge Record**

99. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by the affirmative recorded vote sufficient to take that action originally, except that an action may not be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. A motion to rescind the action and expunge the record may not be made twice on the same proposition.

A motion to rescind is not in order on any matter upon which a vote to reconsider has previously been taken in the Assembly.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged may not appear in any form whatsoever, except that the record of the proceedings on the motion to rescind and expunge shall appear in the Journal as and when printed.

**Reconsideration of Vote**

100. (a) A motion to reconsider a vote on the next legislative day shall be made on the same day the vote to be reconsidered was taken. A motion to reconsider may not be adopted unless it receives an affirmative recorded vote of 41 or more Members. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote shall be made by a Member voting on the question, and takes precedence over all motions, except a motion to adjourn. Upon that motion being made, the matter to be reconsidered forthwith shall be placed upon the unfinished business file, and further action may not be taken prior to the next legislative day. When a motion to reconsider has once been made, the motion is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status it had prior to the vote being reconsidered.

(b)(1) Interim Study Recess:

No motion to reconsider the vote whereby amendments are concurred in on Assembly bills, the vote whereby a Senate bill is passed and returned to the Senate, or the vote whereby a conference committee report is adopted is in order on the last two legislative days preceding the interim study recess.

A motion to reconsider the vote whereby amendments are refused concurrence on Assembly bills, the vote whereby Senate bills are refused passage, or the vote whereby a conference committee report is refused adoption is in order on the last legislative day preceding the interim study recess. The motion may be taken up before the end of that legislative day.

As used in this paragraph, “bill” does not include a joint or concurrent resolution.

(2) January 31—Even-numbered Year:

A motion to reconsider the vote whereby an Assembly bill is passed to the Senate is not in order on the last two legislative days preceding January 31 of the even-numbered year.

A motion to reconsider the vote whereby an Assembly bill is refused passage on its third reading is in order on the last legislative day preceding January 31 of the even-numbered year. The motion must be taken up before the end of that legislative day.

As used in this paragraph, “bill” does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(3) Spring or Summer Recess:

A motion to reconsider the vote whereby a bill is passed is not in order on the last two legislative days preceding the Spring or Summer Recess as established by the Joint Rules of the Senate and Assembly.

(4) Deadline for Passage by House:

A motion to reconsider the vote whereby an Assembly bill is passed to the Senate is not in order on the last two legislative days preceding the last day for the Assembly to pass a bill introduced in the Assembly, as set forth in the Joint Rules of the Senate and the Assembly.

As used in this paragraph, “bill” does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(5) Final Recess:

A motion to reconsider the vote whereby a bill is passed is not in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated is in order on the day of the final recess. The motion must be taken up before the end of that legislative day.

(c) Any Member voting on any matter may move to take up on the same day the motion, previously made by another Member, to reconsider the vote on that matter. A motion to take up on the same day a motion to reconsider the vote on a bill requires an affirmative recorded vote of at least 41 Members. A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill requires an affirmative vote of a majority vote of the Members present and voting. The motion to take up the reconsideration on the same day takes precedence over the motion to reconsider and, upon demand of any Member, the motion to take up the reconsideration on the same day shall be put to an immediate vote. If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider is the next order of business before the Assembly.

(d) A second motion to reconsider the same question is not in order, nor is a motion to reconsider reconsideration in order.

(e) A motion to continue a motion to reconsider requires a majority vote of those Members present and voting.

#### **Call of Assembly**

101. After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly. The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and direct the Chief Clerk to prepare a list of absentees as disclosed by the last roll call. The list of absentees shall be furnished to the Sergeant at Arms, whereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and a person may not be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Each Member who is found to be absent, and for whom a leave of absence has not been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms, his or her assistants, or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, and sheriffs or their deputies, and brought to the Assembly Chamber.

A recess or adjournment may not be taken during a call of the Assembly. Additional business may be conducted and calls placed regardless of the number of calls in effect. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, that action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered, unless, prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

#### **Division of Question**

102. Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition would remain for the decision of the Assembly. This rule does not apply to an individual bill or resolution.

### **B. Voting**

#### **Members Voting**

104. Every Member in the Assembly Chamber when a roll call is required shall record his or her vote openly and without debate, unless the Assembly excuses that member by a majority vote of the Members present and voting.

A Member may not operate the voting switch of any other Member, except that a Member presiding at the time of a roll call, who is not the Speaker or the Speaker pro Tempore, may direct another Member on the floor to operate the voting switch of the presiding Member, and any Member so presiding, including the Speaker and the Speaker pro Tempore, may also operate the voting switches at the rostrum of the Speaker and the Speaker pro Tempore, at their direction.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal, together with a statement that he or she was present and did so refuse to vote. Any Member who refuses so to vote may, if he or she so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and that explanation shall be printed in the Journal, provided that no explanation may exceed 50 words in length.

In addition to the entry of his or her name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, at the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker. Censure of a Member as provided by this rule does not constitute a bar to proceedings for his or her expulsion from the Assembly pursuant to Section 5 of Article IV of the California Constitution.

A Member may submit a written explanation of his or her vote on any bill or house resolution, and that explanation shall be printed in the Journal immediately following the vote, provided that no explanation may exceed 50 words in length.

A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to add his or her vote to any previously announced vote that had been taken during his or her absence, so long as the outcome of the vote is not thereby changed. The Chief Clerk shall record any vote additions or vote changes in the order signed by the Members at the Clerk's desk.

#### **Ayes and Noes**

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

#### **Voting and Vote Changes**

106. When once begun, voting may not be interrupted, except that, before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer shall instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, and in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, so long as the outcome of the vote is not thereby changed. The Chief Clerk may record any vote change only after the Member making the change has announced it to the Assembly.

#### **Tie Vote**

107. In case of an equal division, or tie vote, the question shall be lost.

### **VII. MEMBERS' DECORUM AND PRIVILEGES**

#### **Order in Speaking to Questions**

108. When a Member desires to address the Assembly, the Member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker" or "Madame Speaker." Upon being recognized, the Member may speak, confining himself or herself to the question under consideration. When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

A Member may not speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question has the right to open and close the debate thereon. A Member may not be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question may be allowed to speak more than five minutes thereon. A Member may not yield to any other Member the time for which he or she is entitled to speak on any matter.

**Rules of Decorum**

108.1. (a) In accordance with Rule 10, Members of the Assembly shall conduct themselves in accordance with the rules of decorum specified in Sections 120 to 126, inclusive, of Mason's Manual of Legislative Procedure.

(b) Notwithstanding subdivision (a), the Committee on Rules may adopt additional rules of decorum by majority vote of the membership of the committee.

**Motions**

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating his or her motion, except in the case of a nomination, and in any other case may not speak to the merits of the motion at that time, but shall confine his or her remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate on the motion.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member may not be permitted to conclude his or her debate by making any motion or by demanding the previous question.

**Leave of Absence**

110. A Member may not absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. A Member may not obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business, or is excused for nonattendance for personal business, thereby waives his or her per diem allowance for attendance upon any session of the Legislature for which he or she secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused for nonattendance for legislative business unless the Member has filed with the Speaker a statement of the legislative business for which he or she seeks that leave of absence or excuse. That statement shall be printed in the Journal.

If a Member is not recorded on the attendance roll within 30 minutes after the scheduled start of the session, the Member shall stand up before the Assembly and explain the reason he or she is late before he or she is recorded on the roll call for any vote. If a Member does not explain his or her reason for being late, any other Member may raise a point of order under this rule, whereupon the tardy Member's vote may not be recorded until an explanation is made.

**Personal Privilege**

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member forthwith shall be recognized by the Speaker, but may not discuss a question in that explanation. Matters of personal privilege yield only to a motion to recess or adjourn.



**Objection to Reading of Any Paper**

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. When that objection is made, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement by the Speaker of the substance of the objection.

**Members at Chief Clerk's Desk**

113. A Member or other person may not be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

**Members Called to Order for Transgressing Rules**

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order immediately shall take his or her seat, until the Speaker, without debate, has determined whether the Member is in order. That decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in debate, the person calling him or her to order shall state to the Assembly the words to which exception is taken. No Member may be held to answer, or be subject to censure by the Assembly, for language used in debate if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

**VIII. MISCELLANEOUS****Committee of the Whole**

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as that committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairperson of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairperson, but may not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

**Use of Assembly Chamber**

116. The Assembly Chamber may not be used for any public or private business, other than legislative matters, except upon approval of the Speaker or the Chair of the Committee on Rules.



**Use of Assembly Facilities: Smoking**

117. The smoking of tobacco products is prohibited within any building, or portion of a building, occupied or used by Assembly Members or employees if the building or portion of the building is under the jurisdiction or control of the Assembly. This smoking prohibition shall apply to any outdoor area within five feet of an entrance or exit to any building or portion of a building subject to this rule. This smoking prohibition shall apply to the Assembly Chamber, Assembly hearing rooms, and Assembly offices, and to hallways, stairways, and bathrooms within any building or portion of a building subject to this rule.

**Floor of the Assembly: Telephones**

117.5. A cellular telephone may not be used on the floor of the Assembly during any session of the Assembly.

**Meeting of the Assembly: Firearms**

117.7. A person, except a peace officer acting within the scope of his or her employment, may not carry or possess a firearm on the floor of the Assembly during any session of the Assembly or in a committee hearing room during any meeting of a committee or subcommittee.

**Persons Admitted to Floor of the Assembly**

118. A person other than Members of the Legislature, officers, employees of the Legislature, accredited members of the press, and guests may not be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member may be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. A guest card is valid only on the legislative day for which it is issued. A lobbyist, as defined by Section 82039 of the Government Code, may not, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, may not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Guests may be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber, and may not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative may be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except a Member of the Legislature, may engage in influencing the passage or defeat of legislation in the Assembly Chamber.

A person other than a Member of the Legislature, the Sergeant at Arms or his or her assistants, the Chief Clerk or his or her assistants, or the Legislative Counsel or his or her representatives, may not be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

**Business Attire**

118.1. Notwithstanding any other provision of these Rules, a Member of the Legislature, officer or employee of the Legislature, accredited member of the press, or any other person may be admitted to the floor of the Assembly during any session only if dressed in appropriate business attire.

**Qualifications and Elections of Members**

119. An affirmative vote of 41 or more Members shall be required to determine the qualifications and election of any Member pursuant to Section 5 of Article IV of the California Constitution. A motion to disqualify a Member is not in order at the convening of a legislative session until a Speaker has been elected in accordance with Section 9023 of the Government Code.

**Compensation and Expenses of Member Convicted of Felony**

120. If a Member of the Assembly is convicted of a felony by a superior court, his or her right to further compensation or expenses is thereupon suspended, and his or her membership on any committee is thereupon suspended. If the conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If the conviction is reversed by an appellate court or a motion for a new trial is granted, and the Member is thereafter found not guilty or the charges against him or her are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his or her committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice thereof to the Controller, directing him or her to discontinue any further payments to the Member unless and until the Committee on Rules notifies the Controller that the Member has been found not guilty or that the charges against him or her are dismissed. The Controller may not draw any warrant payable to that Member except as provided in this rule.

**The Seal of the Assembly**

121. The Seal of the Assembly may be used only by or on behalf of a Member of the Assembly, or when specifically authorized by the Committee on Rules.

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# STANDING RULES OF THE SENATE

2007–08 Regular Session

Senate Resolution No. 4 (Ackerman)

(Adopted December 4, 2006, Senate Journal, p. 5;  
as amended by Senate Resolution No. 8 (Perata),  
adopted February 5, 2007; Senate Journal, p. 111)

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**STANDING RULES OF THE SENATE**  
**CONVENING AND SESSIONS**

**Hours of Meeting**

1. The Senate shall meet at 9:00 a.m. daily, except Saturdays and Sundays, unless otherwise ordered by the Senate.

**Calling to Order**

2. The President pro Tempore, Assistant President pro Tempore, Vice Chair of the Committee on Rules, or senior member present shall call the Senate to order at the hour stated and, if a quorum is present, shall proceed with the order of business.

**Attendance of Senators**

3. No Senator may absent himself or herself from attendance upon the Senate without first obtaining leave. A lesser number than a quorum of the Senate is authorized to send the Sergeant at Arms for any and all absent Senators at the expense of the absent Senators, unless an excuse for nonattendance made to the Senate when a quorum is present shall be judged sufficient, and in that case the expense shall be paid out of the Senate Operating Fund. The President pro Tempore or Assistant President pro Tempore, or less than a quorum present, shall have the power to issue process directly to the Sergeant at Arms to compel the attendance of Senators absent without leave. Any Senator who refuses to obey that process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant at Arms shall have power to use force as may be necessary to compel the attendance of the absent Senator, and for this purpose he or she may command the force of the county, or of any county in the state.

**Order of Business**

4. The order of business shall be as follows:
- (1) Rollcall.
  - (2) Prayer by the Chaplain.
  - (3) Pledge of Allegiance.
  - (4) Privileges of the Floor.
  - (5) Communications and Petitions.
  - (6) Messages from the Governor.
  - (7) Messages from the Assembly.
  - (8) Reports of Committees.
  - (9) Motions, Resolutions and Notices.
  - (10) Introduction and First Reading of Bills.
  - (11) Consideration of Daily File:
    - (a) Second Reading.
    - (b) Special Orders.
    - (c) Unfinished Business.
    - (d) Third Reading.
  - (12) Announcement of Committee Meetings.
  - (13) Leaves of Absence.
  - (14) Adjournment.

**Executive Sessions**

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business that may require an executive session, he or she who is presiding shall require all persons, except the Senators, Secretary, Minute Clerk, and Sergeant at Arms, to withdraw, and during the discussion of that business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

**OFFICERS OF THE SENATE****The President**

6. The President may preside upon invitation of the Senate.

**The President pro Tempore**

7. The President pro Tempore shall take the Chair and call the Senate to order at the hour of the meetings of the Senate. The President pro Tempore is the Presiding Officer of the Senate.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate. He or she shall maintain order in the Senate Chamber and, in case of a disturbance or disorderly conduct outside the bar or in the gallery, he or she shall have the power to order the same cleared.

The President pro Tempore shall serve *ex officio* as a member of all Senate and joint committees of which he or she is not a regular member, with all of the rights and privileges of that membership except the right to vote. In counting a quorum of any of these committees, the President pro Tempore may not be counted as a member.

The Assistant President pro Tempore or the Vice Chair of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority, of the President pro Tempore.

**Presiding by Senators**

8. The President pro Tempore of the Senate may name a Senator to perform the duties of the Chair in his or her absence. The Senator so named shall be vested, during that time on the floor, with all the powers of the President pro Tempore, and the Senator who performs these duties shall be known as the Assistant President pro Tempore.

In the absence of the President pro Tempore, the Assistant President pro Tempore, or the Vice Chair of the Committee on Rules, any Senator may perform the duties of the Chair.

**Secretary of the Senate**

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, and read all bills, amendments, and resolutions, and all papers ordered read by the Senate or the Presiding Officer.

The Secretary of the Senate shall superintend all printing to be done for the Senate.

The Secretary of the Senate shall certify to, and transmit to, the Assembly all bills, joint and concurrent resolutions, constitutional amendments, and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

The Secretary of the Senate shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers, and records of the Senate and may not permit any of the bills, documents, records, or papers to be taken from the Desk or out of his or her custody by any person, except in the regular course of the business of the Senate.

The Secretary of the Senate is the Executive Officer of the Committee on Rules and shall act as its authorized representative in all matters delegated to him or her by the committee.

Initiative measures received by the Secretary of the Senate in accordance with Section 9034 of the Elections Code shall be transmitted to the Committee on Rules and referred by the Committee on Rules to the appropriate committee.

#### **Sergeant at Arms of the Senate**

10. The Sergeant at Arms shall attend the Senate during all of its sittings, and shall execute the commands of the Senate from time to time, together with all process issued by its authority, as shall be directed to him or her by the President. The Sergeant at Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation or otherwise making a noise to the disturbance of the Senate. The actual expenses for the Sergeant at Arms for every arrest and for each day's custody and release, and his or her traveling expenses, shall be paid out of the Senate Operating Fund.

The Sergeant at Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, Journals, Histories, and Files, when printed, on the desks of Senators, at least one hour previous to the opening of the session.

#### **Elected and Appointed Officers**

10.5. On the first day of each session, the President pro Tempore, members of the Committee on Rules, Secretary of the Senate, and Sergeant at Arms shall be elected by a majority vote of the duly elected and qualified Members of the Senate and shall serve until their successors are elected and qualify. The Committee on Rules shall appoint an Assistant Secretary, a Minute Clerk, a Chaplain, and other employees with such duties as the committee requires.

#### **Officers and Employees Compensation: Approval**

10.6. The Controller is hereby authorized and directed to draw his or her warrants in favor of officers and employees who render services to the Senate, as certified by the Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

### **COMMITTEES OF THE SENATE**

#### **Appointment of Committees**

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chair of the committee, and four other Members of the Senate to be elected by the Senate. There is a

vacancy on the committee in the event a member ceases to be a Member of the Senate or resigns from the Committee on Rules. Any vacancy occurring during a summer, interim study, or final recess, except in the case of the President pro Tempore, shall be filled by the remaining members of the Committee on Rules. A vacancy occurring at any other time shall be filled by election by the Senate.

The Committee on Rules shall appoint all other committees of the Senate and shall designate a chair and vice chair of each committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience. However, in making committee appointments, the Committee on Rules shall, as far as practicable, give equal representation to all parts of the state.

#### **Standing Committees**

12. The standing committees of the Senate and subjects to be referred to each are set out below. The provisions set forth below as to the assignment of bills are intended as a guide to the Committee on Rules, but are not binding upon the committee.

(1) Agriculture, 5 members. Bills relating to agriculture.

(2) Appropriations, 17 members. Bills that are subject to Joint Rule 10.5 and are not referred to the Budget and Fiscal Review Committee. Bills that constitute a state-mandated local program.

(3) Banking, Finance and Insurance, 11 members. Bills relating to financial institutions, corporations, and retail credit interest rates. Bills relating to insurance, managed care, indemnity, surety, and warranty agreements.

(4) Budget and Fiscal Review, 14 members. The Budget Bill and bills implementing the Budget. Bills that directly affect the State Budget, including deficiencies and reappropriations.

(5) Business, Professions and Economic Development, 8 members. Bills relating to business and professional practices, licensing, and regulations other than bills relating to horse racing, alcoholic beverages, oil, mining, geothermal, and forestry industries. Bills relating to economic development, commerce, and international trade.

(6) Education, 9 members. Bills relating to education, higher education, and certificated educational personnel.

(7) Elections, Reapportionment, and Constitutional Amendments, 5 members. Bills relating to elections and reapportionment. Bills relating to constitutional amendments, when favorably reported out of the standing committee having jurisdiction of the subject matter.

(8) Energy, Utilities, and Communications, 9 members. Bills relating to public utilities and carriers, energy companies, alternative energy development and conservation, and communications development and technology.

(9) Environmental Quality, 7 members. Bills relating to environmental quality, air quality, water quality, integrated waste management, recycling, toxics, and hazardous waste.

(10) Governmental Organization, 9 members. Bills relating to horse racing, public gaming, and alcoholic beverages, bills related to the management of public safety emergencies and disaster response, and bills regarding the use of state-controlled lands and buildings, state publishing, seals, bonds, and interstate compacts.



(11) Health, 11 members. Bills relating to public health, alcohol and drug abuse, mental health, managed care, and related institutions.

(12) Human Services, 5 members. Bills relating to welfare, social programs and services, and related institutions.

(13) Judiciary, 5 members. Bills amending the following:

(a) Civil Code, except measures related to retail credit interest rates.

(b) Code of Civil Procedure.

(c) Evidence Code, except matters relating to criminal procedure.

(d) Family Code.

(e) Probate Code.

(f) Bills relating to municipal and state court judgeships, court attachés, and personnel. Bills relating to liens, claims, and unclaimed property, collections, and franchises.

(14) Labor and Industrial Relations, 5 members. Bills relating to labor, industrial safety, unemployment, workers' compensation and insurance, and noncertificated public school employees.

(15) Local Government, 5 members. Bills relating to local governmental procedure and organization. Bills relating to land use. Bills that have been considered by other committees having jurisdiction of the appropriate subject, for consideration of any questions relating to local government administration.

(16) Natural Resources and Water, 8 members. Bills relating to conservation and the management of public resources, fish and wildlife, regulation of oil, mining, geothermal development, acid deposition, wetlands and lakes, global atmospheric effects, ocean and bay pollution, coastal resources, forestry practices, recreation, parks, and historical resources. Bills relating to water supply management.

(17) Public Employment and Retirement, 5 members. Bills relating to state and local nonschool public employees and public employee retirement.

(18) Public Safety, 5 members. Bills amending the following:

(a) Evidence Code, relating to criminal procedure.

(b) Penal Code.

(c) Statutes of a penal nature not related closely to a subject included in another subdivision of this rule.

(d) Bills relating to the Department of Corrections and Rehabilitation.

(19) Revenue and Taxation, 8 members. Bills relating to state and local revenues and taxation, except bills described in subdivision (a) of Rule 28.9.

(20) Rules, 5 members. Proposed amendments to the rules and other matters relating to the business of the Legislature.

(21) Transportation and Housing, 11 members. Bills relating to the operation, safety, equipment, transfer of ownership, licensing, and registration of vehicles, aircraft, and vessels. Bills relating to the Department of Transportation and the Department of Motor Vehicles. Bills relating to waterways, harbors, highways, public transportation systems, and airports. Bills relating to housing and community redevelopment.

(22) Veterans Affairs, 5 members. Bills relating to veterans, military affairs, and armories. Bills amending the Military and Veterans Code.

The standing committees of any regular session shall be the standing committees of concurrent special or extraordinary sessions unless otherwise ordered by the Senate.

**Committee on Legislative Ethics**

12.3. (a) (1) The Committee on Legislative Ethics is hereby created. The committee shall be appointed by the Committee on Rules and shall consist of six Senators, at least two of whom are members of the political party having the greatest number of members in the Senate and at least two of whom are members of the political party having the second greatest number of members in the Senate. The members of the committee shall serve two-year terms. The President pro Tempore and the Minority Floor Leader shall serve as ex officio, nonvoting members of the committee.

(2) The Committee on Rules shall select a Chair and a Vice Chair, who may not be members of the same political party. The Chair may not serve more than two consecutive two-year terms, and the Committee on Rules shall select a successor who is not a member of the same political party as the immediately previous Chair.

(3) Vacancies in the committee shall be filled within 30 days by the Committee on Rules for the remainder of a term.

(4) If a complaint is filed against a member of the committee, the Committee on Rules shall temporarily replace the member with a Senator of the same political party, who shall serve until the complaint is dismissed by the committee or the Senate takes action as it deems appropriate, whichever occurs earlier.

(5) The Committee on Rules, upon the recommendation of the Committee on Legislative Ethics, shall appoint a Chief Counsel to assist the committee in carrying out its functions. The staff of the committee shall be considered permanent and professional, and shall perform their duties in a nonpartisan manner. No staff of the committee may engage in partisan activities regarding a Senate election campaign. The committee may retain independent counsel when necessary for specific investigations.

(b) The committee shall do all of the following:

(1) The committee shall formulate and recommend, for adoption by the Senate, standards of conduct for Senators and officers and employees of the Senate in the performance of their legislative responsibilities. The Ethics Manual for Members, Officers, and Employees of the United States House of Representatives, as prepared by the Staff of the Committee on Standards of Official Conduct, 102nd Congress Second Session (United States Government Printing Office, Washington, 1992), the Code of Ethics (Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code), and Joint Rule 44 shall serve as guides in the formulation of the standards of conduct.

(2) At the request of any Senator or officer or employee of the Senate, the committee shall provide an advisory opinion with respect to the standards of conduct of the Senate on the general propriety of past, current, or anticipated conduct of that Senator, officer, or employee. The opinion shall be rendered within 21 days unless the Chair and Vice Chair agree otherwise. The committee may, with appropriate deletions

to ensure the privacy of the individuals concerned, publish the advisory opinions for the guidance of other Senators, officers, or employees.

(3) The committee shall develop, issue, and annually update a clear, informative, and usable manual for the Senate based on the standards of conduct adopted by the Senate, including any advisory opinions published pursuant to paragraph (2).

(4) The committee shall conduct periodic workshops, at least once each calendar year, for Senators and officers and employees of the Senate, including workshops specifically designed for newly elected Senators and newly appointed officers and employees. At least once in each biennial session, each Senator, and each officer or employee of the Senate who is a designated employee under the Senate Conflict of Interest Code, shall attend one of these workshops. The workshops shall include, but not be limited to, a comprehensive review of all applicable statutes and Senate rules.

(5) After adoption by the Senate of the standards of conduct, the committee shall receive and review complaints alleging violations of the standards of conduct by Senators, or officers or employees of the Senate, in accordance with the procedures specified in subdivisions (c) to (s), inclusive.

(6) The committee shall maintain a record of its investigations, hearings, and other proceedings. All records, complaints, documents, and reports filed with, submitted to, or made by the committee, and all records and transcripts of any investigations or hearings of the committee shall be confidential and may not be open to inspection by any person other than a member of the committee or the staff of the committee, except as otherwise specifically provided for in this rule. Any member of the committee or any person on the staff of the committee who discloses any record, complaint, document, report, or transcript that is confidential shall be subject to discipline. The committee may, by a majority vote of the membership of the committee, authorize the release of any records, complaints, documents, reports, and transcripts in its possession to the appropriate enforcement agency if the committee determines that there is probable cause to believe that the violation or violations alleged in the complaint would constitute a felony or if the committee determines that the information is material to any matter pending before the enforcement agency.

(c) (1) Any person may file a complaint with the committee that alleges a violation of the standards of conduct.

(2) Except as provided in paragraphs (3) and (4), a complaint may not be filed more than 18 months after the date that the alleged violation occurred.

(3) If the committee determines that the person filing the complaint did not know, or through the exercise of reasonable diligence could not have known, of the alleged violation within 18 months after the date that the alleged violation occurred, the complaint may be filed within three years after the date that the alleged violation occurred.

(4) If a complaint is filed within 60 days prior to an election at which a Senator or officer or employee is a candidate for elective office, the complaint shall be returned to the person filing the complaint, and the person shall be informed that the complaint may be filed with an appropriate enforcement agency and may be refiled with the committee after the election. The period of time for filing the complaint shall be extended for 60 days.

(5) A complaint may not be filed if it alleges a violation that occurred prior to the adoption of the standards of conduct.

(d) A complaint shall satisfy all of the following requirements:

(1) It shall be in writing.

(2) It shall state the name of the person filing the complaint.

(3) It shall state the name of Senator, or the name and position or title of the officer or employee of the Senate, who is alleged to have committed a violation of the standards of conduct.

(4) It shall set forth allegations that, if true, would constitute a violation of the standards of conduct. The allegations shall be stated with sufficient clarity and detail to enable the committee to make a finding pursuant to subdivision (h).

(5) It shall state the date of the alleged violation.

(6) It shall include a statement that the allegations are true of the person's own knowledge or that the person believes them to be true, and shall be signed by the person under penalty of perjury.

(e) The committee, on its own motion, two-thirds of the membership concurring, may initiate a proceeding by filing a complaint that complies with paragraphs (1) to (5), inclusive, of subdivision (d).

(f) The committee shall promptly send a copy of a complaint to the Senator, or officer or employee of the Senate, alleged to have committed the violation, who shall thereafter be designated as the respondent.

(g) If a complaint is filed by a person other than the committee, the Chair and Vice Chair of the committee shall examine the complaint to determine whether it was filed in accordance with this rule and any rules of the committee. Within 15 days after the complaint is filed, the Chair and Vice Chair shall provide to the committee a copy of the complaint and their opinion as to whether the allegations in the complaint, if true, would constitute a violation of the standards of conduct. If the committee, by a two-thirds vote of its membership, finds that the allegations, if true, would constitute a violation of the standards of conduct, the committee shall hold a hearing within 30 days to conduct a preliminary inquiry. If two-thirds of the membership of the committee fails to find that the allegations, if true, would constitute a violation of the standards of conduct, it shall dismiss the complaint and so notify the person who filed the complaint and the respondent, and the complaint shall not be made public.

(h) At the preliminary inquiry, the respondent may respond to the allegations in the complaint by written statement or oral testimony. If two-thirds of the membership of the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the committee shall issue a count-by-count statement of alleged violations. If two-thirds of the membership of the committee fails to find that probable cause exists, the committee shall dismiss the complaint. In either event, the committee shall immediately notify the respondent and the person who filed the complaint of its action. If the committee finds that probable cause exists, the statement of alleged violations shall be made public within seven days.

(i) Within 21 days after the issuance of the statement of alleged violations, the respondent may file an answer that admits or denies each count. Upon request of the respondent, the committee may grant the respondent an additional 21 days to respond.

(j) Within 60 days after the issuance of the statement of alleged violations, the committee shall hold a disciplinary hearing. If a majority

of the membership of each party on the committee fails to find that the respondent committed a violation of the standards of conduct, the committee shall dismiss the complaint. If a majority of the membership of each party on the committee finds by clear and convincing evidence that the respondent committed a violation of the standards of conduct, the committee shall take the following action:

(1) If the respondent is a Senator, it shall hold a hearing to determine an appropriate sanction.

(2) If the respondent is an officer or employee, it shall transmit its findings to the Committee on Rules for appropriate action.

(k) (1) At the hearing to determine an appropriate sanction, two-thirds of the membership of the committee shall determine whether the violation is serious or minor.

(2) If the committee determines that a violation is minor or fails to determine that a violation is serious, two-thirds of the membership of the committee (A) shall, if it determines that the violation bears upon the exercise of a right or privilege, recommend that the Committee on Rules deny or limit that right or privilege and shall transmit its findings and recommendation to the Committee on Rules, or (B) shall impose any lesser sanction. Within 15 days after the imposition of a lesser sanction, the respondent may appeal the sanction imposed to the Committee on Rules.

(3) If the committee determines that a violation is serious, two-thirds of the membership of the committee shall recommend that the Senate take one or more of the following actions and shall transmit its findings and recommendation to the Senate:

(A) The denial or limitation of any right or privilege, if the violation bears upon the exercise of that right or privilege.

(B) A reprimand for a serious violation.

(C) A censure for a more serious violation.

(D) An expulsion for a most serious violation.

(l) The Senate shall, within 15 legislative days after receiving the findings and recommendation, vote on the recommendation of the committee. The Senate, by 21 votes, may deny or limit any right or privilege of, reprimand, or censure the Senator or, by 27 votes, may expel the Senator.

(m) The committee or Senate may defer any action required by this rule if other proceedings have been commenced on the same matter.

(n) (1) At all hearings, the Chief Counsel of the committee shall present the case. All relevant and probative evidence is admissible unless it is privileged. Witnesses may be called and cross-examined by the committee and the respondent, and exhibits and other documents may be entered into the record. The respondent has the right to be represented by legal counsel or any other person of his or her choosing.

(2) If the committee receives, at any time, any exculpatory information relating to the alleged violation, the committee shall make the information available to the respondent.

(o) If the committee determines that the complaint was filed with malicious intent, it may request that the Committee on Rules reimburse the expenses incurred by the respondent.

(p) At any time during the proceedings, the respondent may admit that he or she committed a violation of the standards of conduct. If the respondent admits some but not all of the violations alleged in the complaint or the counts set forth in the statement of alleged violations,

the committee shall find that the admitted violations constituted a violation of the standards of conduct and may continue the proceedings to determine whether the other alleged violations constituted violations of the standards of conduct. If the respondent admits to all alleged violations, the committee shall find that the admitted violations constituted a violation of the standards of conduct, terminate the preliminary inquiry or disciplinary hearing, and take the action required by paragraph (1) or (2) of subdivision (j).

(q) Meetings of the committee may not be open to the public until the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct. Subsequent meetings of the committee or Senate shall be public, and notice of any meeting shall be published in the Senate File for four calendar days prior to the meeting.

(r) If the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the transcript of any testimony given, or any documents admitted into evidence, at a public hearing and any report prepared by the committee subsequent to that finding that states a final finding or recommendation shall be open to public inspection.

(s) Upon request of the respondent, the committee may permit the respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects that relate to the allegations in the complaint. If the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the committee shall permit the respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects that relate to the statement of alleged violations.

(t) (1) A Senator or officer or employee of the Senate may not directly or indirectly use or attempt to use his or her official authority or influence to intimidate, threaten, coerce, command, or attempt to intimidate, threaten, coerce, or command any person for the purpose of interfering with the right of that person to file a complaint with the committee, testify before, or in any way cooperate with, the committee or any panel.

(2) For the purpose of paragraph (1), “use of official authority or influence” includes promising to confer, or conferring, any benefit; effecting, or threatening to effect, any reprisal; or taking, or directing others to take, or recommending, processing, or approving, any personnel action, including, but not limited to, appointment, promotion, transfer, assignment, performance evaluation, suspension, or other disciplinary action.

(3) Nothing in this subdivision may be construed to authorize any person to disclose information the disclosure of which is otherwise prohibited by law.

(u) The committee may adopt rules governing its proceedings not inconsistent with this rule. The provisions of Joint Rule 36 relating to investigating committees apply to the committee to the extent those provisions are consistent with this rule.

(v) The powers and procedures set forth in subdivisions (b) to (u), inclusive, confer independent authority and may not be limited or altered by Joint Rule 45.



**General Research Committee**

12.5. The General Research Committee is hereby created pursuant to Section 11 of Article IV of the California Constitution, which relates to legislative committees. The committee consists of the 40 Senators, and the President pro Tempore is its chair. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The General Research Committee may act through subcommittees appointed by the Senate Committee on Rules, and each of the subcommittees may act only on the particular study or investigation assigned by the Committee on Rules to that subcommittee. Each member of the General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee.

The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Senate Rules and the Joint Rules of the Senate and Assembly. However, neither the committee nor its members may issue a subpoena without the prior approval of the Committee on Rules. The committee has the following additional powers and duties:

(a) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope established by this rule, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(c) To meet and act at any place within the State of California and, when authorized in writing by the Committee on Rules to do so, to meet and act outside the state to carry out its duties.

(d) To report its findings and recommendations to the Legislature and the people from time to time.

(e) To act during sessions of the Legislature, including any recess.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The Committee on Rules may allocate, from time to time, to the General Research Committee from the Senate Operating Fund those sums that are necessary to permit the General Research Committee and the members thereof to carry out the duties imposed on them. In addition, the Committee on Rules may allocate to any subcommittee from the Senate Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee.

**Additional Committee on Rules Powers**

12.7. In addition to other rights, duties and powers vested in the Committee on Rules, the committee and the members thereof shall have and exercise all of the rights, duties, and powers of the General Research

Committee and the members thereof, as provided in Rule 12.5, with authority to act on any subject allocated by Rule 12.5 to the General Research Committee.

#### **Committee on Rules**

13. (a) The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee has general charge of the books, documents, and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed, or otherwise disposed of in accordance with applicable law and rules. The committee also has the duties of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and its committees, including investigating committees consisting wholly or in part of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish those purposes.

(b) The Committee on Rules shall continue in existence during any recess of the Legislature until the convening of the next regular session, and shall have the same powers and duties as while the Senate is in session. The committee has the authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.

(c) The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

(d) The committee may make available to any Senate or joint committee, or any Member of the Senate, assistance in connection with the duties of the committee or other legislative matters as the personnel resources under the direction of the committee or its other facilities permit.

(e) All employees on the payroll of the Senate are employees of the Senate and not of individual members, and they are under the direct control of the Committee on Rules. The Committee on Rules has general supervision over all employees of the Senate and the powers and duties to suspend, discipline, or discharge any employees when necessary. Any insubordination or inefficiency on the part of any employee shall be reported to the Committee on Rules.

(f) The committee shall make available and furnish to the Members of the Senate, and the Senate committees, personnel resources as may be reasonably necessary for the Members and the committees to carry out their duties.

(g) The Committee on Rules constitutes the Committee on Introduction of Bills and has charge of the engrossment and enrollment of bills, the contingent expenses of the Senate, and legislative printing, except insofar as these functions are delegated to the Secretary of the Senate.

(h) The rooms, passages, and buildings set apart for the use of the Senate are under the direction of the Committee on Rules, and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.



(i) Executive communication of nominations sent by the Governor, or any other entity with the authority to make appointments, to the Senate for confirmation shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

(j) The Committee on Rules shall, at each regular session, appoint a Member of the Senate to serve on the Judicial Council and has the authority during any joint recess to fill any vacancy in that position that occurs during the recess.

(k) When a report of a joint legislative committee is delivered to the Senate Desk, the Committee on Rules shall refer it to a standing committee for review and appropriate action.

#### **Expenses of Senate Committees**

13.1. All claims for expenses incurred by investigating committees of the Senate, the Secretary of the Senate, and the Sergeant at Arms shall be approved by the Committee on Rules or its authorized representative before the claims are presented to the Controller.

All proposed expenditures, including furniture, equipment, and other property, but not including stationery supplies, shall be approved by the Committee on Rules or its authorized representatives before the expenses are incurred, unless the expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

A warrant may not be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with this rule.

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Senate investigating committees and regulating the terms and conditions of employment of their employees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chair of every investigating committee.

#### **Alteration, Repair, Improvement to Senate**

13.2. The Committee on Rules is authorized and directed to incur and pay expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to committees or for other purposes. If insufficient money is available in any appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which the allocations shall be paid.

#### **Rooms and Property of Senate**

13.3. The Committee on Rules is responsible for the safekeeping of Senate property. The Director of General Services is directed to maintain the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in a condition that they will be available for the use of the Senate at any time. It is further directed that no persons other than the Members, officers, and employees of the Senate may occupy or use the offices, committee rooms, or other rooms now occupied by the Senate without permission as hereinafter provided, that the desks, furniture, and other equipment of

the Senate shall be at the disposal of the Committee on Rules, and that no person except Members of the Senate may occupy any of the Senate's offices or make use of Senate equipment without permission of the committee or its authorized representative.

#### **Inventory of Senate Property**

13.4. The Committee on Rules is authorized and directed, through its authorized representative, to make and maintain a complete inventory of all property of the Senate, including all property in the possession or control of any Senate committee. The Committee on Rules has custody and control of all property of the Senate and shall adopt rules or orders as it may determine are necessary relating to the purchase, care, custody, and use or disposal thereof.

#### **Status of Standing Rules for Regular Session**

13.5. The adoption of the Standing Rules for any special session are not to be construed as modifying or rescinding the Standing Rules of the Senate for a regular session.

#### **Operating Expense Fund**

13.6. The Committee on Rules is the committee identified in Section 9126 of the Government Code. The balance of all money in the Senate Operating Fund, including money now or hereafter appropriated by the Legislature, except sums that are made available specifically for purposes other than the expenses of designated committees, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Senate or concurrent resolution.

#### **Rules Committee Appointees**

13.8. The Committee on Rules shall review its nonlegislator appointees every two years. That review shall be completed not later than the 120th calendar day of the regular session in which the review is undertaken.

#### **Schedule of Committee Meetings**

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit all members of each committee to attend without a conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Those schedules may provide a special schedule of committee meetings upon certain days of the week or to meet any special condition that may arise.

#### **Powers of Standing Committees**

16. Each standing committee of the Senate to which a proposed law or bill is assigned has full power and authority during the session of the Legislature, or any recess thereof, to make an investigation and study concerning any proposed law or bill as the committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this rule, each committee may appoint a secretary and employ clerical, legal, and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, to require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. However, no committee may issue a subpoena, nor may a committee require testimony under oath, without the prior approval of the Committee on Rules.

The Sergeant at Arms, or other person designated by the Sergeant at Arms or by the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

Each of the members of the standing committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, apply to the committees.

All officers of this state, including the head of each department, agency, and subdivision thereof, all employees of the departments, agencies, and subdivisions of the state, the Legislative Counsel, and all other persons, whether connected with the state government or not, shall give and furnish to these committees upon request such information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it, and may expend such money as may be made available by the Senate for that purpose, except that no committee may incur any indebtedness unless money has been first made available therefor.

#### **Funerals**

17.5. The Chair or Vice Chair of the Committee on Rules may designate any one or more of the Members of the Senate as a Senate committee to attend funerals in appropriate circumstances. The Members so designated may receive expenses as provided in Joint Rule 35.

The Chair or Vice Chair of the Committee on Rules, or any Member of the Senate designated by either of these officers, may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for the funeral.

All expenses incurred pursuant to this rule shall be paid out of the money allocated from the Senate Operating Fund to the Committee on Rules and disbursed, after certification by the Chair or Vice Chair of the committee or by the committee's disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the Controller upon the Treasury.

**Expenditures**

18. A member of a committee may not incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, and officers and employees of the Senate that are not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly, and for the payment of the expenditures from the Senate Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

**Printing of Reports**

18.5. All requests for the printing of reports of Senate committees shall be made to the Committee on Rules.

The Committee on Rules shall determine if the report is to be printed, the number of copies needed, and whether or not the report shall be printed in the Journal.

If the report is to be printed by the Office of State Publishing, it shall hold the type for each Senate committee report for a period of 90 days from the date of the first printing or for such other time as the Committee on Rules deems necessary.

**PROCEDURES AND RULES****Resolutions and Constitutional Amendments**

19. Joint, concurrent, and Senate resolutions, and constitutional amendments shall be treated the same as bills under these rules, except that they shall have only one official reading, which reading shall occur after they have been reported by committee.

**Parliamentary Rules**

20. In all cases not provided for by the Constitution, these rules, the Joint Rules of the Senate and Assembly, or statute, the authority shall be the latest edition of Mason's Manual or the custom and usage of the Senate.

**Suspension of Rules or Amending of Rules**

21. A standing rule of the Senate may not be adopted, amended, or repealed except upon an affirmative vote of a majority of the membership of the Senate, one day's notice being given, except that any rule not requiring more than a majority vote may be temporarily suspended without that notice by a vote of a majority of the membership of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, except that a rule requiring a two-thirds vote may be temporarily suspended without that notice by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

**Suspension of the Joint Rules**

21.1. Pursuant to Joint Rule 33, a joint rule may not be suspended by the Senate except with the concurrence of 27 Members unless a lower vote is prescribed by these rules or the Joint Rules of the Senate and the Assembly.

**Permission of Committee on Rules**

21.2. Notwithstanding Rule 21 or 21.1, a Senate or Joint Rule may not be suspended unless the Committee on Rules determines that an extraordinary circumstance exists that justifies the suspension.

**Rules Governing Standing Committees**

21.5. Except as otherwise provided in these rules, standing committees of the Senate shall be governed as follows:

(a) The officers of each Senate committee shall be a chair, vice chair, and secretary.

(b) The chair shall preside at meetings when present except when the committee is considering a bill of which he or she is the sole author or the lead author. Whenever the chair is not presiding, the vice chair shall assume the duties of the chair. In the absence of both, a member designated by the chair shall preside.

(c) The secretary shall keep a complete record of the meetings and actions taken by the committee. Bills and other measures favorably acted upon shall be reported to the Senate as expeditiously as the reports can be prepared.

(d) The committee shall meet in regular session on the day and hour designated by the Committee on Rules. Adjourned meetings or special meetings shall be held at the time fixed in the adjourning motion, or, for a special meeting, on the call of the chair.

(e) A special meeting may be called by the chair, with the approval of the Committee on Rules, by giving reasonable notice to all members of the committee, either in writing or by telephone, specifying the purpose of the meeting, the time and place thereof, and the matters to be considered at the meeting. Notice of hearing of bills as required by subdivision (a) of Joint Rule 62 may also be given in the Daily File. A matter may not be considered at the special meeting unless specified in the notice.

A special meeting shall be scheduled so as to permit all members of the committee to attend without conflict with other scheduled committee meetings.

(f) A majority of the membership of the committee shall constitute a quorum. A vote of a majority of the membership of the committee shall be required to table a bill, remove it from the table, or reconsider a vote on a bill.

(g) Action may not be taken on any measure outside of a duly constituted committee meeting.

(h) The chair shall set the hearings of bills and arrange the calendar for committee hearings. Notice of hearing of any bill shall be given to the author and other persons requiring notice. A bill may not be considered in the absence of the author without his or her consent, except that a bill may be presented by the author's representative who is authorized in writing.

(i) A committee or a subcommittee thereof, by a majority vote of the membership of the committee, may meet in executive session for any purpose authorized by Section 9029 of the Government Code. Otherwise, all meetings shall be open and public.

(j) The chair shall direct the order of presentation of the arguments for and against matters for consideration by the committee, and shall permit questions to be asked by members of the committee in an orderly fashion and in keeping with proper decorum.

(k) Further consideration of a bill that has been voted out of a committee or defeated shall be by reconsideration only, as follows:

(1) A motion to reconsider a vote by which a bill is voted out shall be in order, and shall be voted upon at the same meeting. If the motion is carried by a vote of a majority of the membership of the committee, the bill may be considered at that meeting, provided the author is present, or at a subsequent meeting.

(2) The procedure for reconsideration of a bill that has been defeated shall conform to the requirements of subdivision (a) of Joint Rule 62. Any bill as to which reconsideration has been granted pursuant to this paragraph may not be heard again until a subsequent meeting of the committee, after being calendared in the Daily File.

(l) Any bill that has been laid on the table and is removed from the table at a later meeting may not be heard again until a subsequent meeting of the committee, after being calendared in the Daily File and after notice.

(m) When a committee adopts proposed amendments to a bill, the bill may be taken up for vote at that meeting or, if the committee or author requests, sent out to print before final action. If the amendments are not in proper form, they shall be prepared and submitted to the chair for approval before being reported to the Desk. Amendments submitted by the author that, in the opinion of the committee chair, are major or substantial shall be submitted to the committee at least two legislative days before the bill is scheduled for hearing.

(n) A bill may not be set for hearing, nor may any notice thereof be published, by a Senate committee until the bill has been referred to the committee by the Committee on Rules.

(o) The chair may appoint, with the permission of the Committee on Rules, subcommittees of one or more members to consider and recommend to the full committee action on matters as may be assigned to the subcommittee for consideration from time to time by the chair. The chair may assign and reassign members of, and matters to, the various subcommittees. The recommendation of a subcommittee may be accepted by a vote of a majority of the members of the committee.

(p) In all cases not provided for by this rule, the Senate Rules, the Joint Rules of the Senate and Assembly, or statute, the authority shall be the latest edition of Mason's Manual.

#### **Additional Rules**

21.6. Committees may adopt additional rules that are not in conflict with Rule 21.5 or other rules.

#### **Reporting Measures Out of Committee**

21.7. The vote of a majority of the membership of a standing committee shall be required to report a bill, constitutional amendment, concurrent resolution, or joint resolution out of committee.

A vote of a majority of all members of a standing committee who are present and voting shall be required to report a Senate resolution out of committee.

#### **Press Participation**

21.8. Accredited press representatives may not be excluded from any public legislative meeting or hearing, and may not be prohibited

from taking photographs of, televising, or recording the committee or house hearings, subject to the following conditions:

- (1) This rule extends to all public legislative meetings.
- (2) Lights may be used only when cameras are filming and, when possible, proceedings in hearing rooms and the chamber shall be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin.
- (4) The committee chair or the Committee on Rules shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.
- (5) To the extent practical, flash cameras shall not be used.
- (6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the Members in the chamber.

However, the chair of a committee may request any person to relocate or remove any object, or discontinue the use of any equipment, that is situated or used in a manner so as to disrupt the proceedings or to create a potential danger to, or substantially obstruct the view of, members of the committee or the public.

In case any person fails to respond to a request of the chair to relocate, remove, or discontinue the use of the objects or equipment, the committee may, by majority vote, require it.

## **INTRODUCTION AND REFERENCE OF MEASURES**

### **Introduction, First Reading, and Reference of Measures**

22. Any Senator desiring to introduce a bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution shall send it to the Senate Desk.

When received at the Secretary's desk, a bill shall, under the proper order of business, be numbered, read, printed, and referred by the Committee on Rules to a standing committee. The Committee on Rules shall check all Assembly measures before reference to committee and shall designate the committee to which they shall be referred.

All joint resolutions, concurrent resolutions, and Senate resolutions shall be automatically referred to the Committee on Rules upon introduction, and may be rereferred to any other standing committee upon the vote of a majority of the membership of the Committee on Rules.

Unless otherwise ordered by the Senate without debate, the assignment of the measure shall then be complete and, after printing, the Secretary shall deliver the measure to the committee designated by the Committee on Rules.

Under the order of Messages from the Assembly, the Secretary shall read each Assembly bill the first time and shall read the name of the committee to which the bill has been assigned by the Committee on Rules. Unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete, and the Secretary shall deliver the bill to the committee so designated.

### **Bill Introduction Limitation**

22.5. (a) A Member of the Senate may introduce or subsequently author not more than 50 bills in the regular session.

(b) This rule may be suspended with respect to a particular bill by approval of the Committee on Rules.



(c) This rule does not apply to a constitutional amendment, any type of resolution, or a bill introduced by a committee.

#### **Short Title**

22.6. A bill may not add a short title that names a current or former Member of the Legislature.

#### **Introduction of Bills by a Committee**

23. (a) A standing committee may introduce a bill germane to any subject within the proper consideration of the committee in the same manner as any Member. A committee bill shall contain the signatures of all of the members of the committee.

(b) A committee may amend into a bill related provisions germane to the subject and embraced within the title and, with the consent of the author, may constitute that bill a committee bill.

#### **Bill Introduction Deadline**

23.5. The Senate Desk shall remain open for the introduction of bills from 9:00 a.m. to 5:00 p.m. on the days designated in subdivision (a) of Joint Rule 54 as the deadlines for the introduction of bills in the first and second years of the regular session.

#### **Introduction of Bills and Resolutions at Special Sessions**

24. Whenever, at any special session, a bill or resolution is received at the Desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules, which shall decide whether or not the bill or resolution can properly be considered at the session. If, in the judgment of the Committee on Rules, the bill or resolution can be considered, the committee shall report the bill or resolution back and designate the committee to which it shall be assigned. Thereafter the bill or resolution shall be assigned a number by the Secretary, read the first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

#### **Resolutions**

24.5. A Senate concurrent resolution or Senate resolution may be introduced relating to a present or former state or federal elected official or a member of his or her immediate family. Other resolutions for the purpose of commendation or congratulation of any person, group, or organization, or for the purpose of expressing sympathy, regret, or sorrow on the death of any person, shall be prepared as Rules Committee resolutions and presented to the Committee on Rules for appropriate action.

The Committee on Rules may approve exceptions to this rule for Senate resolutions. The Secretary may not accept for introduction any Senate resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

#### **Senate Resolutions**

25. All Senate resolutions eligible to be introduced under the rules, upon being presented, shall be given a number by the Secretary. A Senate resolution shall be printed, and indexed in the History and Journal.

#### **Bills Authored by a Former Member**

26. Whenever a bill in the Senate is authored by an individual who is no longer a Member of the Legislature, upon a request of a committee



or current Member of the house in which the bill was introduced, the Senate Committee on Rules may authorize that committee or Member to be the author of that bill. Absent that authorization, action may not be taken by a committee or the Senate with respect to a bill authored by a former Member.

#### **BILLS IN COMMITTEE**

##### **Author's Amendments**

27. Upon request of the author of a bill, the chair of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Senate with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and rereferred to the committee.

##### **Withdrawing a Bill From Committee**

28. A bill or resolution may not be withdrawn from committee except upon written notice being first given to the Committee on Rules and by 21 votes of the Senate.

##### **Consent Calendar**

28.3. (a) If a Senate bill or Assembly bill is amended in the Senate to create a new bill or to rewrite the bill, a standing committee may not place the bill on its consent calendar, and may not report the bill out of committee with the recommendation that it be placed on the consent calendar on the floor.

(b) For purposes of this rule, an amendment creates a new bill or rewrites the bill if the amendment (1) changes the subject of the bill to a new or different subject, or (2) adds a new subject to the bill that is different from, and not related to, the contents of the bill.

##### **Referral of Bills**

28.4. (a) If a Senate bill or Assembly bill is amended in the Committee on Appropriations to create a new bill or to rewrite the bill and the chair of the committee determines pursuant to Senate Rule 28.8 that (1) any additional state costs are not significant and do not and will not require the appropriation of additional state funds, and (2) the bill will cause no significant reduction in revenues, the bill shall be reported to the Senate with the recommendation that it be placed on second reading, except that the bill first shall be referred to the Committee on Rules. Upon receipt of the bill, the Committee on Rules shall either refer the bill to an appropriate policy committee or order that the bill be placed on second reading.

(b) For purposes of this rule, an amendment creates a new bill or rewrites the bill if the amendment (1) changes the subject of the bill to a new or different subject, or (2) adds a new subject to the bill that is different from, and not related to, the contents of the bill.

##### **Measures to Be Authored**

28.5. Each bill, constitutional amendment, or resolution shall be authored by a Member or committee of the Legislature before it is considered or voted on by a committee or the Senate. Each amendment to a bill, constitutional amendment, or resolution shall be signed by a Member or committee of the Legislature prior to adoption by the Senate. A bill may be authored only by a Member or committee of the

house of origin. A Member other than a Member of the house of origin may be a “principal coauthor” or “coauthor.”

**Vote in Committee**

28.7. Voting on the disposition of bills, constitutional amendments, concurrent resolutions, and joint resolutions by committees shall be by rollcall vote only. A rollcall vote shall be taken on a motion to amend only if requested by any member of the committee or the author of the measure. All rollcall votes taken in committees shall be promptly transmitted by their respective chairs to the Secretary of the Senate, who shall cause a record of the rollcall votes to be printed in the Journal, together with the text of amendments voted upon where the rollcall has been recorded and the amendments adopted.

This rule does not apply to:

- (a) Procedural motions that do not have the effect of disposing of a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) A committee’s return of a bill to the Senate, if the bill has not been voted on by the committee.
- (d) The assignment of bills to committee.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance, he or she, in the absence of any objection, may instruct the committee secretary of a committee of which he or she is a member to add his or her vote to any previously announced vote that was taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not thereby changed. This provision does not apply to any rollcall after adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the committees of which they are members.

**Appropriations Committee**

28.8. Any bill referred to the Committee on Appropriations pursuant to Joint Rule 10.5 that does not appropriate money may not be set for hearing and shall, along with any nonsubstantive amendments, promptly be reported to the Senate with the recommendation it be placed on second reading if the chair of the committee determines that (a) any additional state costs are not significant and do not and will not require the appropriation of additional state funds, and (b) the bill will cause no significant reduction in revenues.

**State-Mandated Local Program Bills**

28.9. (a) Any bill having a digest that, pursuant to Section 17575 of the Government Code, indicates that the bill requires state reimbursement to local agencies or school districts for costs mandated by the state shall be rereferred to the Committee on Appropriations. The bill may not be rereferred to the Committee on Revenue and Taxation.

(b) Any bill rereferred to the Committee on Appropriations pursuant to this rule that does not appropriate money and does not contain a complete disclaimer of all of the provisions of Section 905.2 of, and Part 7 (commencing with Section 17500) of Division 4 of Title 2 of, the

Government Code, need not be set for hearing and may, along with any nonsubstantive amendments, be reported to the Senate with the recommendation that it be placed on second reading if the chair of the committee determines, after consideration of the analyses of local costs prepared by the Legislative Analyst and the Department of Finance, that (1) any additional local costs are not significant and (2) the bill will cause no significant reduction in local revenues.

For the purposes of this rule, “complete disclaimer” means a provision in a bill that prohibits local agencies and school districts from filing claims with the State Board of Control for reimbursement for the costs of unfunded mandated programs or services.

(c) Whenever the Assembly amends and passes a Senate bill and the Senate must concur in the amendments, upon the request of any Senator the bill shall be rereferred to the Committee on Appropriations if, based upon the Legislative Counsel’s Digest of the Assembly amendments, the bill (1) imposes state-mandated local costs without providing adequate reimbursement, or (2) contains a complete disclaimer. The Committee on Appropriations shall make a recommendation to the Senate regarding whether the Senate should concur in the Assembly amendments.

(d) Any bill referred to the Committee on Appropriations solely pursuant to this rule, and that otherwise would not be rereferred to the committee pursuant to Joint Rule 10.5, is not subject to subparagraph (a)(1), (a)(6), (b)(3), or (b)(8) of Joint Rule 61.

#### **Display Bills**

28.10. A display bill shall not be heard or acted on in any committee, or voted on by the Senate. For purposes of this rule, “display bill” means a bill that sets forth substantive changes in or additions to existing law but states in the text of the bill that its provisions are set forth for display purposes only, or words of like effect.

### **CONSIDERATION OF BILLS**

#### **Order of Making Files**

29. When bills are reported from committee they shall be placed upon the Daily File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the Second Reading Senate or Assembly File, in the order in which the reports are made and, after the second reading, shall be placed at the foot of the Senate or Assembly Third Reading File, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate Second Reading File, Assembly Second Reading File, Special Orders, Unfinished Business, Senate Third Reading File, Assembly Third Reading File. The bills upon the third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

A Senate bill returned from the Assembly for concurrence in Assembly amendments may not be considered until it appears under Unfinished Business on the Daily File pursuant to Joint Rule 26.5 and an analysis is provided to each Senator pursuant to Senate Rule 29.8.

An inactive file shall be kept, to which bills and resolutions may be transferred at the request of the author, or on motion. Bills shall be so transferred when they have been passed on third reading file without action three successive times. Bills and resolutions may be transferred

from the inactive file to the second reading file on motion and, after being read the second time, the bills shall take their place regularly on third reading file and be available for consideration and passage.

Bills, resolutions, and other questions may be transferred from the unfinished business file to the inactive file upon request or motion and may be returned to the unfinished business file by request or on motion.

Placement of any question on the inactive file shall not prejudice the question.

#### **Strike From File**

29.2. A motion to strike any bill, resolution, or other question from the File shall require 21 votes. That bill, resolution, or other question may not be acted upon again during the session.

#### **Measures Amended From the Floor**

29.3. (a) The consideration of a bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution that has been amended by amendments offered from the floor, except committee amendments reported with measures or amendments offered with a motion to amend and rerefer to committee, is not in order until the amended measure has been in print for not less than one legislative day. Any measure so amended shall be placed on the second reading file.

(b) A bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution shall not be recommended for amendment by any committee after the last day specified in the Joint Rules for the 2007–08 Regular Session to amend bills on the floor, as specified in paragraph (13) of subdivision (a) of Joint Rule 61 for odd-numbered years, and in paragraph (16) of subdivision (b) of Joint Rule 61 for even-numbered years.

#### **Bills Approving Memoranda of Understanding**

29.4. The Senate may not pass a bill that approves a memorandum of understanding, for purposes of Section 3517.5 and following of the Government Code, until the final version of the subject memorandum of understanding is received by the Secretary of the Senate and made available for review for seven legislative days and its availability for review noted in the Senate Daily Journal for that period.

#### **Amended Forms of Measures**

29.5. No bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution may be considered for passage unless and until a copy of the measure as last amended is on the desk of each Member in printed or electronic form.

#### **Conference Reports**

29.6. (a) No conference committee on any bill, other than the Budget Bill and the budget implementation bills, may approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Senate during the current legislative session.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term “heard” means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session, or that an amendment, which was drafted and given a request number or

approved as to form by Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

#### **Conference Committee Meetings**

29.7. Before the adoption of a conference report by the Senate, any Senator may raise a point of order and put the following question to the chair of the committee on conference from the Senate: “Did the Committee on Conference meet at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the Committee on Conference and adopt the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the Committee on Conference?” If the chair answers this question in the negative, the conference report shall be returned to the Committee on Conference and may not be further considered by the Senate until the committee has met at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the committee, and has adopted the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the committee.

#### **Analysis of Measures, Conference Reports, and Floor Amendments**

29.8. (a) With the exception of the Budget Bill and budget implementation bills, no bill, constitutional amendment, concurrent resolution, joint resolution, Senate resolution, unfinished business item, or report of a conference committee may be considered unless and until an analysis thereof has been prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators, unless otherwise ordered by the President pro Tempore.

(b) An amendment from the floor is not in order unless and until the amendment has been reviewed by the Office of Senate Floor Analyses. Upon a request by the Chair or Vice Chair of the Committee on Rules, or by the lead author of the measure to which a substantive amendment is proposed from the floor, an analysis thereof shall be prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators.

#### **Consideration of Conference Reports**

29.9. No conference report may be adopted by the Senate until it has been in print for two days prior to being taken up by the Senate.

#### **Referral of Bills**

29.10. (a) If the analysis, prepared in accordance with subdivision (b) of Rule 29.8, of proposed floor amendments to a bill, other than the Budget Bill, discloses that the amendments create a new bill or rewrite the current form of the bill, upon adoption of the amendments the bill shall be reprinted and referred to the Committee on Rules.

(b) When amendments adopted pursuant to subdivision (a) rewrite the bill, as specified in subdivision (e), the Committee on Rules shall refer the bill to a standing committee. The standing committee shall meet and act upon the bill no later than the next scheduled hearing of the committee. If the bill is referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the bill as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the bill. Upon

receipt of the bill, the committee by a vote of a majority of the membership may do any of the following: (1) hold the bill, (2) return the bill as approved by the committee to the Senate floor, or (3) rerefer the bill to fiscal committee pursuant to Joint Rule 10.5.

If the bill is referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the bill is referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill before adjourning for the recess. If the bill is referred to the Committee on Rules on any of the three legislative days preceding February 1 or September 1 of an even-numbered year, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill on the same legislative day.

(c) When amendments adopted pursuant to subdivision (a) create a new bill, as specified in subdivision (f), the bill shall be referred to the Committee on Rules. The Committee on Rules, by a vote of a majority of its membership may either (1) hold the bill or, (2) refer the bill to the appropriate standing committee subject to all of the time and other limitations provided in these rules and the Joint Rules for the hearing and passage of bills.

(d) If the analysis, prepared in accordance with subdivision (a) of Rule 29.8, of a bill, other than the Budget Bill, that is returned to the Senate for a vote on concurrence discloses that the Assembly amendments create a new bill or rewrite the bill as passed by the Senate, the bill shall be referred to the Committee on Rules. The Committee on Rules by a vote of a majority of its membership may either (1) refer the bill to an appropriate standing committee, (2) recommend that the bill be taken up for consideration of the Assembly amendments, or (3) hold the bill.

If the bill is referred to a standing committee, the committee shall meet and act upon the bill no later than the next scheduled hearing of the committee. If the bill is referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the bill as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the bill. Upon receipt of the bill, the standing committee by a majority vote of the membership may either (1) hold the bill, or (2) return the bill to the Senate floor for consideration of the bill as amended in the Assembly.

If the bill is referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the bill is referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill before adjourning for the recess. If the bill is referred to the Committee on Rules on any of the three legislative days preceding February 1 or September 1 of an even-numbered year, the Committee on Rules and, if the bill is referred to a standing committee,

the standing committee, shall meet and act upon the bill on the same legislative day.

(e) An amendment rewrites a bill if the amendment (1) is germane to the previous version of the bill, but adds a new subject to the bill that is different from, but related to, the contents of the bill, or (2) is not described in subdivision (f) and makes a change of fiscal or policy significance that may be appropriate for review by a standing committee.

(f) An amendment creates a new bill if the amendment changes the subject of the bill to a new or different subject.

#### **Special Order**

30. Any measure or subject may, by vote of a majority of those voting, be made a special order and, when the time fixed for its consideration arrives, he or she who is presiding shall lay it before the Senate.

#### **Messages From the Governor or Assembly**

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

#### **Engrossing Measures**

32. All Senate bills, constitutional amendments, and joint and concurrent resolutions shall be engrossed after each amendment and before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed measure with the original measure introduced and any amendments adopted to ascertain that it is correct, and making necessary technical corrections. When a measure is reported correctly engrossed it shall be substituted for the original measure.

#### **Enrolling Measures**

33. All Senate measures shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every bill, constitutional amendment, or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signature of the Secretary of the Senate or his or her designee, and the Chief Clerk of the Assembly or his or her designee, and transmitted to the Governor or Secretary of State, as the case may be.

#### **DEBATE**

##### **Statement of Motion**

34. A motion may not be debated until it is distinctly announced by he or she who is presiding, and it shall be reduced to writing if desired by any Senator, and read by the Secretary, before it is debated.



**Regulations as to Speaking**

35. (a) When a Senator desires to address the Senate, he or she shall rise in his or her place, address he or she who is presiding, and, when recognized, proceed to speak through the public address system.

(b) A Senator may not speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; Senators who have once spoken are not again entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

(c) When two or more Senators arise at the same time to address the Senate, he or she who is presiding shall designate the Senator who is entitled to the floor.

(d) A Senator may not be interrupted when speaking, and no question may be asked of him or her except through he or she who is presiding.

(e) The author of a bill, motion, or resolution shall have the privilege of closing the debate.

**Order in Debate**

36. When a Senator is called to order he or she shall sit down until he or she who is presiding has determined whether or not he or she is in order. Every question of order shall be decided by he or she who is presiding, subject to an appeal to the Senate by any Senator. If a Senator is called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

**Right to Address the Senate**

37. A person other than a Member of the Senate may not address the Senate while it is in session, except that the Senate may resolve itself into a Committee of the Whole and, while sitting as a Committee of the Whole, may be addressed by persons other than Members.

**QUESTIONS AND MOTIONS****Amendments to Measures**

38. When amendments to a measure are reported by a committee or offered from the floor, the amendments shall be submitted in writing.

Adoption of amendments to any measure in the Senate prior to third reading, other than by rollcall, shall not preclude subsequent consideration, in committee or on the third reading of the measure, of the amendments or any part thereof by the Senate.

**Amendments to Be Germane**

38.5. Every amendment proposed must be germane. In order to be germane, an amendment must relate to the same subject as the original bill, resolution, or other question under consideration.

A point of order may be raised that the proposed amendment or an amendment now in the bill, resolution, or other question under consideration is not germane, so long as the question is within control of the body. In that case the President pro Tempore shall decide whether the point of order is well taken. In the absence of the President pro Tempore, the Vice Chair of the Committee on Rules shall decide whether the point of order is well taken. If, in the opinion of the President pro Tempore or the Vice Chair of the Committee on Rules, the point of order is well taken, the question of germaneness shall on his or her motion be referred to the Committee on Rules for determination. The Committee on Rules shall make its determination by the following



legislative day. If the point of order is raised and referral is made on the last legislative day preceding a joint recess, the Committee on Rules shall make its determination before adjourning for the recess.

The proposition shall remain on file until the determination is made. If, upon consideration of the matter, the Committee on Rules determines that the amendment is not germane, the bill, resolution, or other question shall be stricken from the file and may not be acted upon during the remainder of the session, provided that the author of a bill, resolution, or other question shall be given the opportunity to amend the bill, resolution, or other question to delete the portions that are not germane, in which case the bill, resolution, or other question may continue to be acted upon. If the Committee on Rules determines that the amendment is germane, the bill, resolution, or other question may thereafter be acted upon by the house.

Notwithstanding Rule 21, this rule may not be suspended unless the Committee on Rules determines that an extraordinary circumstance and overwhelming public interest exist that justify the suspension.

#### **Amendments From the Floor**

38.6. Amendments to a bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution offered from the floor, except committee amendments reported with measures or amendments offered with a motion to amend and refer to committee, are not in order unless and until a copy of the proposed amendments provided by the author has been placed upon the desks of the Members.

#### **Motion to Lay on the Table**

39. When an amendment proposed to any pending measure is laid on the table, it may not carry with it or prejudice the measure.

#### **Division of a Question**

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

#### **The Previous Question**

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present, and its effect shall be to put an end to all the debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

#### **Call of the Senate**

42. Upon a motion being carried for a call of the Senate, he or she who is presiding shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous rollcall. Thereupon, a Member may not be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or, in his or her absence, of the Assistant President pro Tempore or of the Vice Chair of the Committee on Rules, or, in their absence of another member of the Committee on Rules designated for that purpose by the President pro Tempore or the Vice Chair of the Committee on Rules. Those Members who are found to be absent and for whom no excuse or insufficient excuses are made may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant at Arms whenever

found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the Members present may order a rollcall of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote. A call of the Senate may be dispensed with at any time upon a majority vote of the Senators present, that action to become effective upon completion of the rollcall and the announcement of the vote upon the matter for which the call was ordered.

A recess may not be taken during a call of the Senate. During any call, the call may be made to apply also to other items of business by a motion made and adopted by a majority vote of the Members present. Under those circumstances, when the call of the Senate is dispensed with as to any item of business, the call is deemed to be continued in effect until other items of business that have been made subject to the call by a majority of the Members present have been acted upon. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a rollcall, the pending rollcall shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

A motion to adjourn is not in order during a call of the Senate.

#### **Reconsideration**

43. On the day on which a vote has been taken on any question, a motion to reconsider the vote may be made by any Member. Reconsideration may be granted only once.

The motion may be considered on the day made or on the succeeding legislative day, but may not be further postponed without the concurrence of 30 Members.

A vote by which a bill was passed may not be reconsidered on the last legislative day preceding the interim study joint recess or the final recess, and a vote by which the bill was passed may not be reconsidered on a Senate bill introduced during the first year of the biennium of the legislative session on January 31, or on the last legislative day immediately preceding January 31, of an even-numbered year.

When reconsideration of the vote by which any bill has passed has been demanded, the Secretary may not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. The motion shall be put to a vote immediately without debate and, if not adopted, shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate, and the vote on the reconsideration shall be on the merits of the main question.

#### **VOTING BY SENATE**

##### **Rescinding**

43.5. An action whereby a bill has been passed or defeated may not be rescinded without the concurrence of 27 Members.

**Voting on Rollcall**

44. Whenever a rollcall is required by the Constitution or rules, or is ordered by the Senate or demanded by three Members, every Member within the Senate shall without debate answer “Aye” or “No” when his or her name is called.

The names of Members shall be called alphabetically.

A Senator may not vote or change his or her vote after the announcement of the vote by the presiding officer.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance throughout a session, he or she, in the absence of any objection, may instruct the Secretary of the Senate to add his or her vote to any previously announced vote that was taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not thereby changed. This provision does not apply to any rollcall after adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the Senate.

**Excused From Voting**

45. When a Senator declines or fails to vote on call of his or her name, he or she may, after completion of the rollcall and before the announcement of the vote, be required to assign his or her reasons therefor and, the Senator having assigned them, the presiding officer shall submit the question to the Senate: “Shall the Senator, for the reasons assigned by him or her, be excused from voting?” which question shall be decided without debate. Unless the Senator is excused from voting he or she shall be required to vote.

**Voting by Presiding Senator**

46. When any Member is presiding over the Senate, he or she shall vote on rollcall the same as though he or she were not presiding.

**Vote Required**

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly, or these rules, any action that can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 32 votes:

(1) To pass a bill amending specified provisions of the Tobacco Tax and Health Protection Act of 1988 (Prop. 99, Nov. 8, 1988; Sec. 30130, R.& T.C.).

(2) To pass a bill amending the Clean Air and Transportation Improvement Act of 1990 (Prop. 116, June 5, 1990; Sec. 99605, P.U.C.).

(3) To pass a bill amending the California Wildlife Protection Act of 1990 (Sec. 8, Prop. 117, June 5, 1990).

The following actions require 30 votes:

(4) To dispense with the constitutional provision requiring a 30-calendar-day delay after introduction before a bill may be heard by any committee or acted upon by either house (Constitution, Art. IV, Sec. 8(a)).

(5) To postpone the reconsideration of a vote beyond the first legislative day succeeding the day the motion was made.

The following action requires 28 votes:

(6) To pass a bill amending the statutory provisions, other than the bond provisions, of the California Stem Cell Research and Cures Act (Sec. 8, Prop. 71, Nov. 2, 2004).

The following actions require 27 votes:

(7) To pass an urgency clause and urgency statute (Constitution, Art. IV, Sec. 8(d)).

(8) To dispense with the constitutional provision requiring the reading of bills on three several days (Constitution, Art. IV, Sec. 8(b)).

(9) To pass a bill over the Governor's veto (Constitution, Art. IV, Sec. 10).

(10) To prescribe compensation and reimbursement for travel and living expenses of the Members of the Legislature (Constitution, Art. IV, Sec. 4).

(11) To propose an amendment to or revision of the Constitution (Constitution, Art. XVIII, Secs. 1, 2).

(12) To amend or withdraw a proposed legislative constitutional amendment or revision (Constitution, Art. XVIII, Sec. 1).

(13) To classify or exempt personal property for property taxation purpose (Constitution, Art. XIII, Sec. 2).

(14) To permit an exemption of real property from taxation (Constitution, Art. XIII, Sec. 7).

(15) To remove a member of the Public Utilities Commission (Constitution, Art. XII, Sec. 1).

(16) To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.

(17) To rescind the action whereby a bill has been passed or defeated.

(18) To suspend the rule against lobbying in the Senate Chamber.

(19) To concur in Assembly amendments to, or adopt a report of a committee on conference concerning, a constitutional amendment or bill that requires 27 votes for passage.

(20) To concur in Assembly amendments to, or adopt a report of a committee on conference concerning, a Senate bill that contains an item or items of appropriation subject to Section 12(d) of Article IV of the Constitution.

(21) To amend an initiative statute that permits that action and requires 27 votes for passage.

The following actions require 21 votes:

(22) To adopt, amend, or suspend the rules, except as provided in Rule 21.

(23) To pass a bill, unless under other rules a greater vote is required (Constitution, Art. IV, Sec. 8(b)).

(24) To adopt a joint or concurrent resolution.

(25) To reconsider a bill, or a joint or concurrent resolution.

(26) To confirm an appointment by the Governor, unless a greater vote is required by statute, or to reconsider the same.

(27) To recall a bill from committee.

(28) To concur in Assembly amendments to, or adopt a report of a committee on conference concerning, a joint or concurrent resolution or bill that requires 21 votes for passage.

(29) To change a rate of bank and corporation taxation, or tax on insurers, for state purposes (Constitution, Art. XIII, Secs. 27, 28).

(30) To strike from file.

(31) To adopt a resolution that does not favor a Governor's Reorganization Plan (Sec. 12080.5, Gov. Code).

Actions requiring 14 votes:

(32) To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

**Vote Required for Amendments**

48. A constitutional amendment or bill requiring a vote of two-thirds of the Members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

**CONTENTS OF SENATE JOURNAL**

**Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution, or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal.

**Titles of Measures to Be Printed**

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be printed in the Journal.

**Other Matters to Be Printed**

51. Messages from the Governor (other than annual messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Letters of transmittal presenting reports of committees and reports of state departments and agencies as shall be made to the Senate pursuant to law or resolution adopted by the Senate shall be printed in the Journal, but the reports shall be printed in the Appendix to the Journal unless otherwise directed by the Senate.

**Duty of Secretary to Order Printing**

52. It shall be the duty of the Secretary of the Senate, and he or she is hereby directed, to order for the Senate the necessary printing, including stationery for the Members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary of the Senate shall order from the Office of State Publishing the number of copies of bills, Journals, Histories, Files, forms, and other printing as shall be necessary.

It shall further be the duty of the Secretary of the Senate to order bills and other legislative publications for which there is a demand, to be printed before the supply of same shall become exhausted.

**Printing Only on Written Orders; Rush Orders**

53. The Office of State Publishing may not charge any printing or other work to the Senate except as required by law unless he or she has a written order from the Secretary of the Senate prior to beginning the printing or other work. All printing orders by the Secretary of the Senate

shall be delivered as directed by him or her. The Secretary of the Senate may, when necessity requires it, order from the Office of State Publishing the printing that he or she deems necessary to be printed in advance of the regular order of business, under a specially prepared written order to be known as a "Rush Order."

## **THE SENATE CHAMBER**

### **Admission to the Senate Chamber**

55. (a) Persons who are not Members, officers, or employees of the Senate may be admitted to the Senate Chamber only as follows:

1. The Members, officers, and assistant clerks of the Assembly.
2. The Legislative Counsel or his or her representatives.
3. The accredited press, radio, and television representatives.
4. Former State Senators and Assembly Members.
5. Visitors in the chairs reserved for that purpose, on invitation of the President or a Senator or on presentation of a pass.

(b) While the Senate is in session a person, except Members of the Legislature, may not engage in influencing the passage or defeat of legislation in any way in the Senate Chamber.

(c) A person meeting the definition of a lobbyist in Section 82039 of the Government Code may not be admitted to the Senate Chamber while the Senate is in session.

(d) Only Members and officers of the Senate and Assembly, former Members of the Senate, assistant clerks of the Senate and the Assembly, the Legislative Counsel or his or her representatives, Senate employees for the purpose of delivering messages and when so directed by a Member of the Senate, and members of the press who have seats assigned to them may be permitted on the Floor of the Senate.

(e) The Senate Chamber is the Senate Chamber proper, the adjoining hallway, Rooms 3030, 3046, 3191, 3195, and 3196 of the Capitol Annex, and Room 215 of the Capitol.

(f) The Floor of the Senate is all of the Senate Chamber except the adjoining hallway and the rooms listed in subdivision (e), the visitors seating area, and the western portion of Room 3191.

(g) Notwithstanding any other provision of this rule, any person may be admitted to Room 3191 and Room 215 to attend a meeting of a Senate, Assembly, joint, or conference committee.

(h) Notwithstanding any other provision of this rule, a person may not be permitted on the Floor of the Senate while it is in session unless the person is wearing appropriate attire. Appropriate attire includes coats and ties for men. Accredited camerapersons, sound technicians, and photographers are excepted from this requirement. Floor of the Senate, for this purpose, has the same meaning set forth in subdivision (f).

(i) This rule may be suspended by a vote of two-thirds of the Members of the Senate.

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**STANDARDS OF CONDUCT  
OF THE SENATE**

(adopted by the Senate May 4, 1992)

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**Standards of Conduct  
of the Senate  
(adopted by the Senate May 4, 1992)**

The Standards of Conduct of the Senate are as follows:

First—That each Senator and each officer and employee of the Senate has an obligation to exercise his or her independent judgment on behalf of the people of California, rather than for any personal gain or private benefit.

(a) No Senator or officer or employee of the Senate should accept anything from anyone that would interfere with the exercise of his or her independent judgment.

(b) No Senator or officer or employee of the Senate should accept outside employment that is inconsistent with the conscientious performance of his or her duties.

(c) No Senator should use the prestige of his or her office, and no Senate officer or employee of the Senate should use the status of his or her position for material or financial gain or private benefit.

Second—That each Senator has an obligation to provide energetic and diligent representation, and each officer and employee of the Senate has an obligation to provide energetic and diligent service on behalf of the Senate, with due consideration for the interests of all of the people of California.

(a) Each Senator and each officer and employee of the Senate has an obligation to be informed and prepared, recognizing all sides of an issue.

(b) Each Senator and each officer and employee of the Senate, when intervening on behalf of a constituent with any governmental agency should make every effort to ensure that decisions affecting any constituent are made on their merits and in a fair and equitable manner.

(c) Each Senator should be accessible to all constituents, making a special effort to attend to the concerns of those who might not otherwise be heard.

(d) Each Senator should fairly characterize the issues confronting the Legislature and accurately inform the public regarding the conduct of his or her office.

Third—That each Senator and each officer and employee of the Senate has an obligation to the public and to his or her colleagues to be informed about, and abide by, the rules that govern the proceedings of the Senate and the Legislature.

(a) Each Senator should perform his or her duties with courtesy and respect for both colleagues and those who may appear before them.

(b) In exercising the power of confirmation, each Senator should act with due regard for the general welfare of the people of California.

(c) Each Senator and each officer and employee of the Senate, when exercising oversight functions with respect to any governmental agency, should act in an informed fashion, with attention to the underlying policies being implemented and with due respect for the independence of the agency.

Fourth—Each Senator, when acting in a position of leadership, should exercise his or her power and carry out his or her responsibility so as to enhance reasoned and visible decisionmaking by the Senate.

Fifth—Each Senator has an obligation to treat every officer and employee of the Senate with fairness and without discrimination, and to ensure that each officer and employee performs only those tasks for which there is a legislative or governmental purpose.

Sixth—Each officer and employee of the Senate has an obligation to perform his or her properly assigned duties using his or her best judgment with diligence and a duty of loyalty to the Senate as an institution.

Seventh—Each Senator and each officer and employee of the Senate has an obligation to make proper use of public funds.

(a) No Senator and no officer or employee of the Senate may use state resources for personal or campaign purposes.

(b) Each officer and employee of the Senate is free to volunteer for, and participate in, campaign activities on his or her own time, but no officer or employee of the Senate may be intimidated, coerced, or compelled, as a condition of continued appointment or employment, to either volunteer time or contribute money to a candidate or campaign.

Eighth—Each Senator and each officer and employee of the Senate shall uphold the Constitution of California and the Constitution of the United States, and shall adhere to the spirit and the letter of the laws, rules, and regulations governing officeholder conduct.

Ninth—Each Senator and each officer and employee of the Senate shall conduct himself or herself in the performance of his or her duties in a manner that each does not discredit the Senate.

Tenth—Each Senator and each officer and employee of the Senate, is encouraged to report to the proper authority any apparent and substantial violation of these standards, or related statutes, regulations, and rules, and to consult with the Senate Committee on Legislative Ethics, or any other appropriate governmental agency, regarding the propriety of any conduct.

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**JOINT RULES**  
**OF THE**  
**SENATE AND ASSEMBLY**  
**2007–08 REGULAR SESSION**

(SCR No. 1 (Scott), Resolution Chapter 2, Statutes of 2007,  
2007–08 Regular Session, Assembly Journal, p. 108)

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## **JOINT RULES OF THE SENATE AND ASSEMBLY**

### **Standing Committees**

1. Each house shall appoint standing committees as the business of the house may require, the committees, the number of members, and the manner of selection to be determined by the rules of each house.

### **Joint Meeting of Committees**

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen or chairwomen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of the bill.

### **Effect of Adoption of Joint Rules**

3.5. The adoption of the Joint Rules for any extraordinary session may not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the committees created by those rules.

### **Definition of Word "Bill"**

4. Whenever the word "bill" is used in these rules, it includes any constitutional amendment, any resolution ratifying a proposed amendment to the United States Constitution, and any resolution calling for a constitutional convention.

### **Concurrent and Joint Resolutions**

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions relate to matters connected with the federal government.

### **Resolutions Treated as Bills**

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

- (a) They shall be given only one formal reading in each house.
- (b) They may not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.
- (c) They may not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, subdivisions (a) and (c) of Rule 54, and subdivisions (a) and (b) of Rule 62.
- (d) They may not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of subdivision (c) of Rule 62.

## **PREPARATION AND INTRODUCTION OF BILLS**

### **Title of Bill**

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall indicate the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number is not deemed sufficient.

**Division of Bill Into Sections**

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills that are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

**Digest of Bills Introduced**

8.5. A bill may not be introduced unless it is contained in a cover attached by the Legislative Counsel and it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law that are proposed by the bill. A bill may not be printed where the body of the bill or the Legislative Counsel's Digest has been altered, unless the alteration has been approved by the Legislative Counsel. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction, that does not comply with the foregoing requirements of this rule, the Secretary or Chief Clerk shall return it to the member who presented it. The digest shall be printed on the bill as introduced, commencing on the first page thereof.

**Digest of Bills Amended**

8.6. Whenever a bill is amended in either house, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, shall request the Legislative Counsel to prepare an amended digest and cause it to be printed on the first page of the bill as amended. The digest shall be amended to show changes in the existing law that are proposed by the bill as amended, with any material changes in the digest indicated by the use of appropriate type.

**Errors in Digest**

8.7. If a material error in a printed digest referred to in Rule 8.5 or 8.6 is brought to the attention of the Legislative Counsel, he or she shall prepare a corrected digest that shows the changes made in the digest as provided in Rule 10 for amendments to bills. He or she shall deliver the corrected digest to the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. If the correction so warrants in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

**Bills Amending Title 9 of the Government Code**

8.8. A member who is the first-named author of a bill, that would amend, add, or repeal any provision of Title 9 (commencing with Section 81000) of the Government Code, upon introduction or amendment of the bill in either house shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of the bill. Thereafter, the Chief Clerk of the Assembly or the Secretary of the Senate shall deliver a copy of the bill as introduced or amended to the Fair Political Practices Commission pursuant to Section 81012 of the Government Code.



**Bills Amending the California Stem Cell Research and Cures Act**

8.9. A member who is the first-named author of a bill, that would amend, add, or repeal any statutory provision of the California Stem Cell Research and Cures Act, other than the bond provisions thereof, upon introduction or amendment of the bill in either house shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of the bill. At least 14 days prior to passage in the Assembly or Senate, respectively, the Chief Clerk of the Assembly or the Secretary of the Senate shall make copies of the bill as introduced or amended available in the Bill Room for access by the public and news media.

**Restrictions as to Amendments**

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment, or resolution under consideration. An amendment is not in order when all that would be done to the bill is the addition of a coauthor or coauthors, unless the Committee on Rules of the house in which the amendment is to be offered grants prior approval.

**Changes in Existing Law to Be Marked by Author**

10. In a bill amending or repealing a code section or a general law, any new matter shall be underlined, and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as “strikeout” type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in “strikeout” type.

In an amendment to a bill that sets out for the first time a section being amended or repealed, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended or repealed was a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification, or when an entire title, part, division, chapter, or article of a code is repealed, the sections comprising the code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

**Rereferral to Fiscal and Rules Committees**

10.5. A bill shall be rereferred to the fiscal committee of each house when it would do any of the following:

- (1) Appropriate money.
- (2) Result in substantial expenditure of state money by:
  - (a) imposing new responsibilities on the state, (b) imposing new or additional duties on a state agency, or (c) liberalizing any state program, function, or responsibility.
- (3) Result in a substantial loss of revenue to the state.
- (4) Result in substantial reduction of expenditures of state money by reducing, transferring, or eliminating any existing responsibilities of any state agency, program, or function.

Concurrent and joint resolutions shall be rereferred to the fiscal committee of each house when they contemplate any action that would involve any of the following:

- (1) Any substantial expenditure of state money.
- (2) Any substantial loss of revenue to the state.

The above requirements do not apply to bills or concurrent resolutions that contemplate the expenditure or allocation of operating funds.

A bill that assigns a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be rereferred to the respective rules committees. Before the committee may act upon the bill, it shall obtain from the Joint Legislative Budget Committee an estimate of the amount required to be expended to make the study.

This rule may be suspended in either house as to any particular bill by approval of the Committee on Rules of the house and two-thirds vote of the membership of the house.

#### **Short Title**

10.6. A bill may not add a short title that names a current or former Member of the Legislature.

#### **Heading of Bills**

10.7. A bill or resolution may be authored only by a member or committee of the house of origin. Members or committees that are not of the house of origin may be “principal coauthors” or “coauthors.” A bill may not indicate in its heading or elsewhere that it was introduced at the request of a state agency or officer or any other person. A bill may not contain the words “By request” or words of similar import.

#### **Consideration of Bills**

10.8. The limitation contained in subdivision (a) of Section 8 of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for dispensation entitled “Request to Consider and Act on Bill Within 30 Calendar Days” shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and transmitted to the Committee on Rules of the appropriate house.

(b) The Committee on Rules of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill’s introduction.

(c) If the Committee on Rules recommends that the waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution requires an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.

**Printing of Amendments**

11. (a) Any bill amended by either house shall be immediately reprinted. Except as otherwise provided in subdivision (b), if new matter is added by the amendment, the new matter shall be printed in italics in the printed bill; if matter is omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

(b) If amendments to a bill, including the report of a committee on conference, are adopted that omit the entire contents of the bill, the matter omitted need not be reprinted in the amended version of the bill. Instead, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, may select the amended bill and cause to be printed a brief statement to appear after the last line of the amended bill identifying which previously printed version of the bill contains the complete text of the omitted matter.

**Manner of Printing Bills**

12. The State Printer shall observe the directions of the Joint Rules Committee in printing all bills, constitutional amendments, and concurrent and joint resolutions.

**Distribution of Legislative Publications**

13. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications as may be necessary for legislative requirements.

A complete list of bills may not be delivered except upon payment therefor of the amount fixed by the Joint Rules Committee for any regular or extraordinary session. No more than one copy of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, may be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the President of the Senate, the Secretary of the Senate, or the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; the Attorney General's office; the Secretary of State's office; the Controller's office; the Governor's office; the Clerk of the Supreme Court; the clerk of the court of appeal for each district; the Judicial Council; the California Law Revision Commission; the State Library; the Library of Congress; the libraries of the University of California at Berkeley and at Los Angeles; or accredited members of the press. The State Printer shall fix the cost of the bills and publications, including postage, and moneys as may be received by him or her shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed may not exceed 2,500.

**Legislative Index**

13.1. The Legislative Counsel shall provide for the periodic publication of a cumulative Legislative Index, which shall include tables of sections affected by pending legislation. The State Printer shall print the Legislative Index in the quantities, and at the times, determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of that printing shall be paid from the legislative printing appropriation.

**Summary Digest**

13.3. The Legislative Counsel shall compile and prepare for publication a summary digest of legislation passed at each regular and extraordinary session, which digest shall be prepared in a form suitable for inclusion in the publication of statutes. The digest shall be printed as a separate legislative publication on the order of the Joint Rules Committee, and may be made available to the public in the quantities, and at the prices, determined by the Joint Rules Committee.

**Statutory Record**

13.5. The Legislative Counsel shall prepare for publication from time to time a cumulative statutory record. The statutory record shall be printed as a legislative publication on the order of the Secretary of the Senate or the Chief Clerk of the Assembly.

**OTHER LEGISLATIVE PRINTING****Printing of the Daily Journal**

14. The State Printer shall print, in the quantities directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Daily Journal of each day's proceedings of each house. At the end of the session he or she shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Daily Journal of the respective houses of the Legislature.

**What Shall Be Printed in the Daily Journal**

15. The following shall be printed in the Daily Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced in, offered to, or acted upon by, the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

**Printing of the Daily File**

16. A Daily File of bills ready for consideration shall be printed each day for each house when the Legislature is not in joint recess, except days when a house does not meet.

**Printing of History**

17. Each house shall cause to be printed, once each week, a complete Weekly History of all bills, constitutional amendments, and concurrent, joint, and house resolutions originating in, considered by, or acted upon by, the respective houses and committees thereof. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. The Weekly History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. Except for periods when the houses are in joint recess, for each day intervening there shall be printed a Daily History showing the consideration given to or action taken upon any measure since the issuance of the complete Weekly History.

**Authority for Printing Orders**

18. The State Printer may not print for use of either house, nor charge to legislative printing, any matter other than provided by law or by the rules, except upon a written order signed by the Secretary of the Senate, on behalf of the Senate, or the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly. Persons authorized to order printing under this rule may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly, are hereby authorized and directed to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering those orders. All bills for printing must be presented by the State Printer within 30 days after the completion of the printing.

**RECORD OF BILLS****Secretary and Chief Clerk to Keep Records**

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

**Secretary and Chief Clerk Shall Endorse Bills**

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning the bill.

**ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER****After a Bill Has Been Passed by the Senate or Assembly**

21. When a bill has been passed by either house it shall be transmitted promptly to the other, unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

**Messages to Be in Writing Under Proper Signatures**

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. A receipt shall be taken from the officer to whom the message is delivered.

**Consent Calendar: Uncontested Bills**

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the Consent Calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman or chairwoman appropriate forms for that report. As used in this rule, “uncontested bill” means a bill that (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present, (b) has no opposition expressed by any person present at the committee meeting with respect to the final version of the bill as approved by the committee, and (c) prior to final action by the committee, has been requested by the author to be placed on the Consent Calendar.

**Consent Calendar**

22.2. Following its second reading and the adoption of any committee amendments thereto, any bill certified by the committee chairman or chairwoman as an uncontested bill shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the Consent Calendar, and shall be known as a “Consent Calendar bill.” Any Consent Calendar bill that is amended from the floor shall cease to be a Consent Calendar bill and shall be returned to the third reading file. Upon objection of any member to the placement or retention of any bill on the Consent Calendar, the bill shall cease to be a Consent Calendar bill and shall be returned to the third reading file. No Consent Calendar bill may be considered for adoption until the second legislative day following the day of its placement on the Consent Calendar.

**Consideration of Bills on Consent Calendar**

22.3. A bill on the Consent Calendar is not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit a proponent of the bill to answer the questions. Immediately prior to voting on the first bill on the Consent Calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the members the fact that the next rollcall will be the rollcall on the first bill on the Consent Calendar.

The Consent Calendar shall be considered as the last order of business on the Daily File.

**PASSAGE AND ENROLLING OF BILL****Procedure on Defeat of More Than Majority Bill**

23.5. Whenever a bill containing a section or sections requiring for passage an affirmative recorded vote of more than 21 votes in the Senate

and more than 41 votes in the Assembly is being considered for passage, and the urgency clause, if the bill is an urgency bill, or the bill, in any case, fails to receive the necessary votes to make all sections effective, further action may not be taken on the bill, except that an amendment to remove all sections requiring the higher vote for passage from the bill shall be in order prior to consideration of further business. If the amendment is adopted, the bill shall be reprinted to reflect the amendment. When the bill is reprinted, it shall be returned to the same place on the file that it occupied when it failed to receive the necessary votes.

#### **Enrollment of Bill After Passage**

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the Secretary of the Senate and Chief Clerk of the Assembly and, except as otherwise provided by these rules, presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Daily Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, and concurrent and joint resolutions, shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Daily Journal.

### **AMENDMENTS AND CONFERENCES**

#### **Amendments to Amended Bills Must Be Attached**

25. Whenever a bill or resolution that has been passed in one house is amended in the other, it shall immediately be reprinted as amended by the house making the amendment or amendments. One copy of the amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted"; the amendment or amendments, if concurred in by the house in which the bill or resolution originated, shall be endorsed "concurred in"; and the endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be. However, an amendment to the title of a bill adopted after the passage of the bill does not necessitate reprinting, but the amendment must be concurred in by the house in which the bill originated.

#### **Amendments to Concurrent and Joint Resolutions**

25.5. When a concurrent or joint resolution is amended, and the only effect of the amendments is to add coauthors, the joint or concurrent resolution may not be reprinted unless specifically requested by one of the added coauthors, but a list of the coauthors shall appear in the Daily Journal and History.



**To Concur or Refuse to Concur in Amendments**

26. If the Senate amends and passes an Assembly bill, or the Assembly amends and passes a Senate bill, the Senate (if it is a Senate bill) or the Assembly (if it is an Assembly bill) must either “concur” or “refuse to concur” in the amendments. If the Senate concurs (if it is a Senate bill), or the Assembly concurs (if it is an Assembly bill), the Secretary of the Senate or Chief Clerk of the Assembly shall so notify the house making the amendments, and the bill shall be ordered to enrollment.

**Reference to Committee**

26.5. Pursuant to Rule 26, whenever a bill is returned to its house of origin for a vote on concurrence in an amendment made in the other house, the Legislative Counsel shall promptly prepare and transmit to the Chief Clerk of the Assembly and the Speaker of the Assembly in the case of an Assembly bill, or to the Secretary of the Senate and Chair of the Senate Committee on Rules in the case of a Senate bill, a brief digest summarizing the effect of the amendment made in the other house. The Secretary or Chief Clerk shall, upon receipt from the Legislative Counsel, cause the digest to be printed in the Daily File immediately following any reference to the bill covered by the digest. A motion to concur or refuse to concur in the amendment is not in order until the Legislative Counsel’s Digest has appeared in the Daily File or an analysis of the bill has been prepared and distributed pursuant to Senate Rule 29.8 or Assembly Rule 77.

If the digest discloses that the amendment of the other house has made a substantial substantive change in the bill as first passed by the house of origin, the bill, if it is a Senate bill, shall, on motion of the Chair of the Senate Committee on Rules, be referred to the Senate Committee on Rules for reference to an appropriate standing committee. If the bill is an Assembly bill it shall be referred by the Speaker to the appropriate committee.

Upon receipt of the bill, the committee may, by a vote of a majority of its membership, recommend concurrence or nonconcurrence in the amendment or hold the bill in committee. The committee shall be subject to all the requirements for procedure provided under Rule 62 for committees, other than committees of first referral, and shall be subject to other requirements for normal committee procedure as the Assembly or Senate may separately provide in the standing rules of their respective houses.

Any of the provisions of this rule may be dispensed with regard to a particular bill in its house of origin upon an affirmative vote of a majority of the members of that house.

**Concurring in Amendments Adding Urgency Section**

27. When a bill that has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency statute, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the membership of the house vote in



the affirmative, the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of the membership of the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of the questions is less than two-thirds of the membership of the house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Rule 28.

#### **When Senate or Assembly Refuses to Concur**

28. If the Senate (if it is a Senate bill) or the Assembly (if it is an Assembly bill) refuses to concur in amendments to the bill made by the other house, and the other house has been notified of the refusal to concur, a conference committee shall be appointed for each house in the manner prescribed by these rules. The Senate Committee on Rules, on behalf of the Senate, and the Speaker of the Assembly, on behalf of the Assembly, shall each appoint a committee of three on conference, and the Secretary of the Senate or the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

#### **Committee on Conference**

28.1. (a) The Senate Committee on Rules and the Speaker of the Assembly, in appointing a committee on conference, shall each select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his or her vote on the appropriate rollcall, as follows:

(1) In the Assembly—

(A) The rollcall on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments.

(B) The rollcall on the question of concurrence with Senate amendments to an Assembly bill.

(2) In the Senate—

(A) The rollcall on the question of final passage of an Assembly bill amended in the Senate when the Assembly has refused to concur with the Senate amendments.

(B) The rollcall on the question of concurrence with Assembly amendments to a Senate bill.

(b) Either house may suspend this rule by a two-thirds vote of the membership of the house.

#### **Meetings and Reports of Committees on Conference**

29. The first Senator named on the conference committee shall act as chairman or chairwoman of the committee from the Senate, and the first Member of the Assembly named on the committee shall act as chairman or chairwoman of the committee from the Assembly. The chairman or chairwoman of the committee on conference for the house

of origin of the bill shall arrange the time and place of meeting of the conference committee, and shall prepare or direct the preparation of reports. It shall require an affirmative vote of not less than two of the Assembly Members and two of the Senate Members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. The committee on conference shall report to both the Senate and the Assembly. The report is not subject to amendment. If either house refuses to adopt the report, the conferees shall be discharged and other conferees appointed, except that no more than three different conference committees may be appointed on any one bill. A member who has served on a committee on conference may not be appointed a member of another committee on conference on the same bill. It shall require the same affirmative recorded vote to adopt any conference report as required by the California Constitution upon the final passage of the bill affected by the report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of each house to adopt any conference report affecting any bill that contains an item or items of appropriation that are subject to subdivision (d) of Section 12 of Article IV of the California Constitution. The report of a conference committee shall be in writing, and shall have affixed thereto the signatures of each Senator and each Member of the Assembly consenting to the report. Space shall also be provided where a member of a conference committee may indicate his or her dissent in the committee's findings. Any dissenting member may have attached to a conference committee report a dissenting report which shall not exceed, in length, the majority committee report. A copy of any amendments proposed in the majority report shall be placed on the desk of each member of the house before it is acted upon by the house.

The vote on concurrence or upon the adoption of the conference report shall be deemed the vote upon final passage of the bill.

#### **Conference Committees**

29.5. (a) All meetings of any conference committee on the Budget Bill shall be open and readily accessible to the public.

A conference committee on any bill may not meet, consider, or act on the subject matter of the bill except in a meeting that is open and readily accessible to the public, unless the action is on a report determined by the Legislative Counsel to be nonsubstantive. The Legislative Counsel shall examine each proposed report and shall note upon the face of the report that the amendments proposed are "substantive" or "nonsubstantive" as the case may be.

The chairman or chairwoman of the conference committee of each house shall give notice to the File Clerk of their respective houses of the time and place of the meeting. Notice of each public meeting shall be published in the Daily File of each house one calendar day prior to the meeting, except that the notice is not required for a meeting of a conference committee on the Budget Bill. When this subdivision is waived with respect to a meeting of any public conference committee, or when there is a meeting of a conference committee on the Budget Bill, every effort shall be made to inform the public that a meeting has been called. When this subdivision has been waived with respect to the

meeting of any public conference committee, the chairman or chairwoman of the conference committee of each house shall immediately notify the chairman or chairwoman of the policy committee of their respective houses that considered the bill in question of the waiver, and of the time and place of the meeting.

(b) The first committee on conference of the Budget Bill, if a committee is appointed, shall submit its report to each house no later than 15 days after the Budget Bill has been passed by both houses. If the report is not submitted by that date, the conference committee shall be deemed to have reached no agreement and shall so inform each house pursuant to Rule 30.7.

(c) A committee on conference of the Budget Bill may consider only differences between the Assembly version of the Budget Bill as passed by the Assembly and the Senate version of the Budget Bill as passed by the Senate, and may not approve any item of expenditure or control that exceeds that contained in one of the two versions before the conference committee.

(d) A conference committee on any bill, other than the Budget Bill, may not approve any substantial financial provision in any bill if the financial provision has not been heard by the fiscal committee of each house, nor may any conference committee approve substantial policy changes that have not been heard by the policy committee of each house.

(e) A waiver of the one-calendar-day Daily File notice requirement of subdivision (a) is not effective for longer than three calendar days.

#### **Conference Committee Reports**

30. Upon submission of any report of a committee on conference recommending that the bill be further amended, the bill shall be reprinted incorporating the amendments recommended by the conference committee. The consideration of the report of a committee on conference is not in order until the bill, in the form recommended by the report of the committee on conference, has both been in print and been noticed in the Daily File for not less than one legislative day.

If the conference committee's report recommends only that the amendments of the Senate or the Assembly "be concurred in," consideration of the report shall be in order at any time, and reprinting of the bill is not required, but notice shall appear in the Daily File for not less than one legislative day.

A conference committee report is not in order unless it has been received by the Secretary of the Senate and the Chief Clerk of the Assembly at least three calendar days preceding the scheduled commencement of the summer, interim, or final recess of the Legislature.

This rule may be suspended as to any particular conference committee report by a two-thirds vote of the membership of either house.

This rule does not apply to a report of a committee on conference on the Budget Bill.

**Conference Committee Reports on Urgency Statutes**

30.5. When the report of a committee on conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency statute, the procedure and the vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall adopt the report of the committee on conference shall be put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby shall be effective.

If the affirmative vote on either of the questions is less than two-thirds of the members elected to the house, the effect is a refusal to adopt the report of the committee on conference.

**Failure to Agree on Report**

30.7. A conference committee may find and determine that it is unable to submit a report to the respective houses, upon the affirmative vote to that effect of not less than two of the Assembly Members and not less than two of the Senate Members constituting the committee. That finding may be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate in the form of a letter from the chairman or chairwoman of the committee on conference for the house of origin of the bill, containing the signatures of the members of the committee consenting to the finding and determination that the committee is unable to submit a report. The Chief Clerk of the Assembly and the Secretary of the Senate, upon being notified that a conference committee is unable to submit a report, shall so inform each house, whereupon the conferees shall be discharged and other conferees appointed, in accordance with Rule 29.

**MISCELLANEOUS PROVISIONS****Authority When Rules Do Not Govern**

31. All relations between the houses that are not covered by these rules shall be governed by Mason's Manual.

**Press Rules**

32. (a) Any person desiring privileges of an accredited press representative shall make application to the Joint Rules Committee. The application shall constitute compliance with any provisions of the rules of the Assembly or the Senate with respect to registration of news correspondents. The application shall state in writing the name of any print or electronic periodic news publication, news association, or radio or television station that employs the press representative, and any other occupations or employment he or she may have. The press representative shall further declare in the application that he or she is not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation, or association, and will not become so employed while retaining the privilege of an accredited press representative.

(b) The application required by subdivision (a) of this rule shall be authenticated in a manner that is satisfactory to the Standing Committee

of the Capitol Correspondents Association, which shall see that occupation of seats and desks in the Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent news media identified in subdivision (a). It is the duty of the standing committee, at its discretion, to report any violation of accredited press privileges to the Speaker of the Assembly or the Senate Committee on Rules and, pending action thereon, the offending correspondent may be suspended by the standing committee.

(c) Except as otherwise provided in this subdivision, persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to news associations requiring telegraphic, radio, television, or electronic service are not entitled to the privileges accorded accredited press representatives. The press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list of only those persons authenticated by the Standing Committee of the Capitol Correspondents Association. Accreditation may be granted to any bona fide correspondent of reputable standing employed by a periodic publication of general circulation if the applicant is employed on a regular basis in the Capitol area preparing articles dealing with state government and politics and the publication is not an organ or organization involved in legislative advocacy.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President pro Tempore of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with this rule.

(e) An accredited member of the Capitol Correspondents Association may not, for compensation, perform any service for state constitutional officers or members of their staffs, for state agencies, for the Legislature, for candidates for state office, for a state officeholder, or for any person registered or performing as a legislative advocate.

(f) An accredited member of the association who violates subdivision (a) or (e) of this rule shall be subject to the following penalties:

(1) For the first offense, the Standing Committee of the Capitol Correspondents Association shall send a letter of admonition to the offending member, his or her employer, and the Joint Rules Committee. The letter shall state the nature of the member's rule violation and shall warn of an additional penalty for a second offense.

(2) For a second offense, the Standing Committee of the Capitol Correspondents Association shall recommend to the Joint Rules Committee that the member's accreditation be suspended or revoked and that he or she lose all rights and privileges attached thereto. The Standing Committee of the Capitol Correspondents Association shall also dismiss the member from the association.

Any member of the Standing Committee of the Capitol Correspondents Association may propose that the committee make an

inquiry to determine if an association member has violated subdivision (a) or (e) of this rule. Upon a majority vote of the Standing Committee of the Capitol Correspondents Association, an inquiry shall be made.

Upon receipt of a signed, written notice from any association member of his or her belief that another association member may have violated subdivision (a) or (e) of this rule, the Standing Committee of the Capitol Correspondents Association shall commence an inquiry into the possible violation.

If the Standing Committee of the Capitol Correspondents Association determines by majority vote that an association member has violated an association rule, it shall inform the member of its finding. Within two weeks of notification, the member may request a meeting of the membership. If the member makes that request, the Standing Committee of the Capitol Correspondents Association shall promptly schedule a meeting at the earliest possible time. After hearing the member and the committee review the circumstances of the alleged violation, the membership may, by majority vote, nullify the finding of the Standing Committee of the Capitol Correspondents Association. If nullification does not occur, the Standing Committee of the Capitol Correspondents Association immediately shall impose the appropriate penalty.

#### **Dispensing With Joint Rules**

33. A joint rule may not be dispensed with except by a vote of two-thirds of each house or as otherwise provided in these rules. If either house violates a joint rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of the house. If it is decided that the joint rules have been violated, the bill involving the violation shall be returned to the house in which it originated, and the disputed matter shall be considered in like manner as in conference committee.

#### **Dispensing with Joint Rules: Unanimous Consent**

33.1. Notwithstanding any other rule, a joint rule that may be dispensed with by one house may be done so by unanimous consent if the rules committee of that house has approved.

#### **Opinions of Legislative Counsel**

34. Whenever the Legislative Counsel issues an opinion to any person other than the first-named author analyzing the constitutionality, operation, or effect of a bill or other legislative measure that is then pending before the Legislature or of any amendment made or proposed to be made to the bill or measure, he or she is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests. A copy of any letter prepared by the Legislative Counsel for the sole purpose of advising a member of a conflict between two or more bills as to the sections of law being amended, repealed, or added shall be submitted to the chairman or chairwoman of the committee to which each bill has been referred.

**Resolutions Prepared by Legislative Counsel**

34.1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he or she shall inform that requester and each subsequent requester that a resolution is being, or has been, prepared, and shall inform them of the name of the Member for whom the resolution was, or is being, prepared.

**Resolutions**

34.2. A concurrent resolution, Senate resolution, or House resolution may be introduced to memorialize the death of a present or former state or federal elected official or a member of his or her immediate family. In all other instances, a resolution other than a concurrent resolution, as specified by the Committee on Rules of each house, or as provided by the Joint Rules Committee in those cases requiring that the resolution should emanate from both houses, shall be used for the purpose of commendation, congratulation, sympathy, or regret with respect to any person, group, or organization.

A concurrent resolution requesting the Governor to issue a proclamation may not be introduced without the prior approval of the Committee on Rules of the house in which the resolution is to be introduced.

**Identical Drafting Requests**

34.5. Whenever it comes to the attention of the Legislative Counsel that a member has requested the drafting of a bill that will be substantially identical to one already introduced, the Legislative Counsel shall inform the member of that fact.

**Expense of Members**

35. As provided in Section 8902 of the Government Code, each Member of the Legislature is entitled to reimbursement for living expenses while required to be in Sacramento to attend a session of the Legislature, while traveling to and from or in attendance at a committee meeting, or while attending to any legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member, at the same rate as may be established by the State Board of Control for other elected state officers. Each member shall be reimbursed for travel expenses incurred in traveling to and from a session of the Legislature, when traveling to and from a meeting of a committee of which he or she is a member, or when traveling pursuant to any other legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member, at the rate prescribed by Section 8903 of the Government Code.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly Committee on Rules, on behalf of the Assembly, weekly or as otherwise directed by either house, and upon certification the Controller shall draw his or her warrants in payment of the allowances to the respective members.



**Issuance of Subpoenas**

35.5. A subpoena requiring the attendance of a witness or the production of documents may be issued by the Senate Committee on Rules, the Speaker of the Assembly, or the chairman or chairwoman of a committee conducting an investigation only if permission has been secured from the rules committee of the respective house, or from the Joint Rules Committee if the subpoena is issued by the chairman or chairwoman of a joint committee.

**Investigating Committees**

36. In order to expedite the work of the Legislature, either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee pursuant to this rule shall state the purpose of the committee and the scope of the subject concerning which it is to act, and may authorize it to act either during sessions of the Legislature or, when authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may employ clerical, legal, and technical assistants as may be authorized by: (a) the Joint Rules Committee in the case of a joint committee, (b) the Senate Committee on Rules in the case of a Senate committee, or (c) the Assembly Committee on Rules in the case of an Assembly committee.

Except as otherwise provided herein for joint committees or by the rules of the Senate or the Assembly for single house committees, each committee may adopt and amend rules governing its procedure as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. The rules may include provisions fixing the quorum of the committee and the number of votes necessary to take action on any matter. With respect to all joint committees, a majority of the membership from each house constitutes a quorum, and an affirmative vote of a majority of the membership from each house is necessary for the committee to take action.

Each committee is authorized and empowered to summon and subpoena witnesses, to require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. A committee's issuance of a subpoena shall comply with Rule 35.5.

Each member of the committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, apply to the committees. A committee may grant a witness immunity from criminal prosecution, pursuant to subdivision (a) of Section 9410 of the Government Code, only after securing permission from the rules committee of the respective house, or from the Joint Rules Committee in the case of a joint committee.



The Sergeant at Arms of the Senate or Assembly, or other person as may be designated by the chairman or chairwoman of the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so by the chairman or chairwoman, or by a majority of the membership of the committee.

Every department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state, shall give and furnish to these committees and to their subcommittees upon request information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each committee was created.

Each committee or subcommittee of either house, in accordance with the rules of that respective house, and each joint committee or subcommittee thereof, may meet at any time during the period in which it is authorized to act, either at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it, subject to the following exceptions:

(a) When the Legislature is in session:

(1) A committee or subcommittee of either house may not meet outside the State Capitol without the prior approval of the Senate Committee on Rules with respect to Senate committees and subcommittees, or the Speaker of the Assembly with respect to Assembly committees and subcommittees.

(2) A committee or subcommittee of either house, other than a standing committee or subcommittee thereof, may not meet unless notice of the meeting has been printed in the Daily File for four days prior thereto. This requirement may be waived by a majority vote of either house with respect to a particular bill.

(3) A joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, may not meet outside the State Capitol without the prior approval of the Joint Rules Committee.

(4) A joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, may not meet unless notice of the meeting has been printed in the Daily File for four days prior thereto.

(b) When the Legislature is in joint recess, each joint committee or subcommittee, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, shall notify the Joint Rules Committee at least two weeks prior to a meeting.

(c) The requirements placed upon joint committees by subdivisions (a) and (b) of this rule may be waived as deemed necessary by the Joint Rules Committee.

Each committee may expend such money as is made available to it for its purpose, but a committee may not incur any indebtedness unless money has been first made available therefor.

Living expenses may not be allowed in connection with legislative business for a day on which the member receives reimbursement for expenses while required to be in Sacramento to attend a session of the Legislature. The chairman or chairwoman of each committee shall audit and approve the expense claims of the members of the committee, including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairman or chairwoman, but excluding other types of mileage, and shall certify the amount approved to the Controller. The Controller shall draw his or her warrants upon the certification of the chairman or chairwoman.

Subject to the rules of each house for the respective committees of each house, or the joint rules for any joint committee, with the permission of the appointing authority of the respective house, or the permission of the appointing authorities of the two houses in the case of a joint committee, the chairman or chairwoman of any committee may appoint subcommittees and chairmen or chairwomen thereof for the purpose of more expeditiously handling and considering matters referred to it, and the subcommittees and the chairmen or chairwomen thereof shall have all the powers and authority herein conferred upon the committee and its chairman or chairwoman. The chairman or chairwoman of a subcommittee shall audit the expense claims of the members of the subcommittee, and other claims and the expenses incurred by it, and shall certify the amount thereof to the chairman or chairwoman of the committee, who shall, if he or she approves the same, certify the amount thereof to the Controller; the Controller shall draw his or her warrant therefor upon that certification, and the Treasurer shall pay the same. Any committee or subcommittee thereof that is authorized to leave the State of California in the performance of its duties shall, while out of the state, have the same authority as if it were acting and functioning within the state, and the members thereof shall be reimbursed for expenses.

Notwithstanding any other provision of this rule, if the standing rules of either house require that expense claims of committees for goods or services, pursuant to contracts, or for expenses of employees or members of committees be audited or approved, after approval of the committee chairman or chairwoman, by another agency of either house, the Controller shall draw his or her warrants only upon the certification of the other agency. All expense claims approved by the chairman or chairwoman of any joint committee, other than the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be approved by the Joint Rules Committee, and the Controller shall draw his or her warrants only upon the certification of the Joint Rules Committee.

Except salary claims of employees clearly subject to federal withholding taxes and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

**Expenses of Committee Employees**

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees, when entitled to traveling expenses, are entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the State Board of Control from time to time in limitation of reimbursement of expenses of state employees generally. However, if an allowance for hotel accommodations, breakfast, lunch, and dinner is made by a committee at a rate in excess of the rate fixed by the State Board of Control, the chairman or chairwoman of the committee shall notify the Controller of that fact in writing.

**Appointment of Committees**

36.5. This rule applies whenever a joint committee is created by a statute or resolution that either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or makes no provision for the appointment of members or the filling of vacancies.

The Senate members of the committee shall be appointed by the Senate Committee on Rules; the Assembly members of the committee shall be appointed by the Speaker of the Assembly; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

**Appointment of Joint Committee Chairmen or Chairwomen**

36.7. The chairman or chairwoman of each joint committee heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be appointed by the Joint Rules Committee from a member or members recommended by the Senate Committee on Rules and the Speaker of the Assembly.

**Joint Committee Funds**

36.8. Each joint committee heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall expend the funds heretofore or hereafter made available to it in compliance with the policies set forth by the Joint Rules Committee with respect to personnel, salaries, purchasing, office space assignment, contractual services, rental or lease agreements, travel, and any and all other matters relating to the management and administration of committee affairs.

**Joint Legislative Budget Committee**

37. In addition to any other committee provided for by these rules, there is a joint committee to be known as the Joint Legislative Budget Committee, which is hereby declared to be a continuing body.

It is the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the state, and the organization and functions of the state and its departments, subdivisions, and agencies, with a view to reducing the cost of the state government and securing greater efficiency and economy.

The committee consists of eight Members of the Senate and eight Members of the Assembly. The Senate members of the committee shall be appointed by the Senate Committee on Rules. The Assembly members of the committee shall be appointed by the Speaker of the Assembly. The committee shall select its own chairman or chairwoman.

Any vacancy occurring at any time in the Senate membership of the Joint Legislative Budget Committee shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he or she is not reelected at the general election.

Any vacancy occurring at any time in the Assembly membership of the Joint Legislative Budget Committee shall be filled by appointment by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over between regular sessions until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he or she is not reelected at the general election.

The committee may adopt rules to govern its own proceedings and its employees. The committee, with the permission of the appointing authorities of the two houses, may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation, or hearing that the committee itself has authority to undertake or hold. A subcommittee for the purpose of this assignment has and may exercise all the powers conferred upon the committee, limited only by the express terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Those powers may be withdrawn or terminated at any time by the committee.

The Joint Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Joint Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Joint Legislative Budget Committee of the cost of the services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter into those contracts with the Joint Legislative Budget Committee. Money received by the Joint Legislative Budget Committee pursuant to any agreement shall be in augmentation of the current appropriation for the support of the Joint Legislative Budget Committee.

The provisions of Rule 36 shall apply to the Joint Legislative Budget Committee, which has all the authority provided in that rule or pursuant to Section 11 of Article IV of the California Constitution.

The committee has authority to appoint a Legislative Analyst, to fix his or her compensation, to prescribe his or her duties, and to appoint any other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst are as follows:

(1) To ascertain the facts and make recommendations to the Joint Legislative Budget Committee and, under its direction, to the committees of the Legislature concerning:

- (a) The State Budget.
- (b) The revenues and expenditures of the state.

(c) The organization and functions of the state and its departments, subdivisions, and agencies.

(2) To assist the Senate Budget and Fiscal Review Committee and the Assembly Committees on Appropriations and Budget in consideration of the Budget, all bills carrying express or implied appropriations, and all legislation affecting state departments and their efficiency; to appear before any other legislative committee; and to assist any other legislative committee upon instruction by the Joint Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Joint Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Joint Legislative Budget Committee, and to keep and make available all documents, data, and reports submitted to him or her by any Senate, Assembly, or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The chairman or chairwoman of the committee or, in the event of that person's inability to act, the vice chairman or vice chairwoman, shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee. The chairman or chairwoman shall certify to the Controller the expense amount approved, the Controller shall draw his or her warrants upon the certification of the chairman or chairwoman, and the Treasurer shall pay the same to the chairman or chairwoman of the committee, to be disbursed by the chairman or chairwoman.

On and after the commencement of a succeeding regular session, those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel, and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody all documents, data, reports, and other materials that have come into the possession of the committee and that are not included within the final report of the committee to the Assembly, Senate, or the Legislature, as the case may be. The documents, data, reports, and other materials shall be available, upon request, to Members of the Legislature, the Senate Office of Research, and the Assembly Office of Research.

The Legislative Analyst, with the consent of the committee, shall make available to any Member or committee of the Legislature any other reports, records, documents, or other data under his or her control, except that reports prepared by the Legislative Analyst in response to a request from a Member or committee of the Legislature may be made available only with the written permission of the member or committee who made the request.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature to conduct a study or provide

information that falls within the scope of his or her responsibilities and that concerns the administration of the government of the State of California, shall at once advise the Joint Legislative Budget Committee of the nature of the request without disclosing the name of the Member or committee making the request.

The Legislative Analyst shall immediately undertake to provide the requesting committee or legislator with the service or information requested, and shall inform the committee or legislator of the approximate date when this information will be available. Should there be any material delay, he or she shall subsequently communicate this fact to the requester.

Neither the Committee on Rules of either house nor the Joint Rules Committee may assign any matter for study to the Joint Legislative Budget Committee or the Legislative Analyst without first obtaining from the Joint Legislative Budget Committee an estimate of the amount required to be expended by it to make the study.

Any concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be referred to the respective rules committees. Before the committees may act upon or assign the resolution, they shall obtain an estimate from the Joint Legislative Budget Committee of the amount required to be expended to make the study.

#### **Citizen Cost Impact Report**

37.1. Any Member or committee of the Legislature may recommend that the Legislative Analyst prepare a citizen cost impact analysis on proposed legislation. However, the recommendation shall first be reviewed by the Committee on Rules of the house where the recommendation originated, and this committee shall make the final determination as to which bills shall be assigned for preparation of an impact analysis.

In selecting specific bills for assignment to the Legislative Analyst for preparation of citizen cost impact analyses, the Committee on Rules shall request the Legislative Analyst to present an estimate of his or her time and prospective costs for preparing the analyses. Only those bills that have a potential significant cost impact shall be assigned. Where necessary, the Committee on Rules shall provide funds to offset added costs incurred by the Legislative Analyst.

The citizen cost impact analyses shall include those economic effects that the Legislative Analyst deems significant and that he or she believes will result directly from the proposed legislation. Insofar as feasible, the economic effects considered by the Legislative Analyst shall include, but not be limited to, the following:

- (a) The economic effect on the public generally.
- (b) Any specific economic effect on persons or businesses in the case of legislation that is regulatory.

The Legislative Analyst shall submit the citizen cost impact analyses to the committee or committees when completed, and at the time or times designated by the Committee on Rules.

The Legislative Analyst shall submit from time to time, but at least once a year, a report to the Legislature on the trends and directions of the state's economy, and shall list the alternatives and make



recommendations as to legislative actions that, in his or her judgment, will ensure a sound and stable state economy.

#### **Joint Legislative Audit Committee**

37.3. The Joint Legislative Audit Committee is created pursuant to the Legislature's rulemaking authority under the California Constitution, and pursuant to Chapter 4 (commencing with Section 10500) of Part 2 of Division 2 of Title 2 of the Government Code. The committee consists of seven Members of the Senate and seven Members of the Assembly, who shall be selected in the manner provided for in these rules. Notwithstanding any other provision of these rules, four members from each house constitute a quorum of the Joint Legislative Audit Committee and the number of votes necessary to take action on any matter. The Chairman or Chairwoman of the Joint Legislative Audit Committee, upon receiving a request by any Member of the Legislature or committee thereof for a copy of a report prepared or being prepared by the Bureau of State Audits, shall provide the member or committee with a copy of the report when it is, or has been, submitted by the Bureau of State Audits to the Joint Legislative Audit Committee.

#### **Study or Audits**

37.4. (a) Notwithstanding any other provision of law, the Joint Legislative Audit Committee shall establish priorities and assign all work to be done by the Bureau of State Audits.

(b) Any bill requiring action by the Bureau of State Audits shall contain an appropriation for the cost of any study or audit.

(c) Any bill or concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Audit Committee or to the Bureau of State Audits shall be referred to the respective rules committees. Before the committees may act upon or assign the bill or resolution, they shall obtain an estimate from the Joint Legislative Audit Committee of the amount required to be expended to make the study.

#### **Waiver**

37.5. Subdivision (b) of Rule 37.4 may be waived by the Joint Legislative Audit Committee. The chairman or chairwoman of the committee shall notify the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel in writing when subdivision (b) of Rule 37.4 has been waived. If the cost of a study or audit is less than one hundred thousand dollars (\$100,000), the chairman or chairwoman of the committee may exercise the committee's authority to waive subdivision (b) of Rule 37.4.

#### **Administrative Regulations**

37.7. (a) Any Member of the Senate may request the Senate Committee on Rules, and any Member of the Assembly may request the Speaker of the Assembly, to direct a standing committee or the Office of Research of his or her respective house to study any proposed or existing regulation or group of related regulations. Upon receipt of a request, the Senate Committee on Rules or the Speaker of the Assembly shall, after review, determine whether a study shall be made. In reviewing the request, the Senate Committee on Rules or the Speaker of the Assembly shall determine:

- (1) The cost of making the study.

- (2) The potential public benefit to be derived from the study.
- (3) The scope of the study.
- (b) The study may consider, among other relevant issues, whether the proposed or existing regulation:
  - (1) Exceeds the agency's statutory authority.
  - (2) Fails to conform to the legislative intent of the enabling statute.
  - (3) Contradicts or duplicates other regulations adopted by federal, state, or local agencies.
  - (4) Involves an excessive delegation of regulatory authority to a particular state agency.
  - (5) Unfairly burdens particular elements of the public.
  - (6) Imposes social or economic costs that outweigh its intended benefits to the public.
  - (7) Imposes unreasonable penalties for violation.

The respective reviewing unit shall, in a timely manner, transmit its concerns, if any, to the Senate Committee on Rules or the Speaker of the Assembly, and the promulgating agency.

In the event that a state agency takes a regulatory action that the reviewing unit finds to be unacceptable, the unit shall file a report for publication in the Daily Journal of its respective house indicating the specific reasons why the regulatory action should not have been taken. The report may include a recommendation that the Legislature adopt a concurrent resolution requesting the state agency to reconsider its action or that the Legislature enact a statute to restrict the regulatory powers of the state agency taking the action.

#### **Joint Rules Committee**

40. The Joint Rules Committee is hereby created. The committee has a continuing existence and may meet, act, and conduct its business during sessions of the Legislature or any recess thereof.

The committee consists of the members of the Assembly Committee on Rules, the Assembly Majority Floor Leader, the Assembly Minority Floor Leader, the Speaker of the Assembly, four members of the Senate Committee on Rules, and as many Members of the Senate as may be required to maintain equality in the number of Assembly Members and Senators on the committee, to be appointed by the Senate Committee on Rules. Vacancies occurring in the membership shall be filled by the appointing power.

The committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning:

- (a) The relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.
- (b) The legislative branch of the state government and any defects or deficiencies in the law governing that branch.
- (c) Methods whereby legislation is proposed, considered, and acted upon.



(d) The operation of the Legislature and the committees thereof, and the means of coordinating the work thereof and avoiding duplication of effort.

(e) Aids to the Legislature.

(f) Information and statistics for the use of the Legislature, the respective houses thereof, and the members.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is not in recess, and shall be referred to the committee for action if the Legislature is in recess.

The committee has the following additional powers and duties:

(a) To select a chairman or chairwoman from its membership. The vice chairman or vice chairwoman of the committee shall be one of the Senate members of the committee, to be selected by the Senate Committee on Rules.

(b) To allocate space in the State Capitol Building and all annexes and additions thereto as provided by law.

(c) To approve, as provided by law, the appearance of the Legislative Counsel in litigation.

(d) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(f) To report its findings and recommendations, including recommendations for the needed revision of any and all laws and constitutional provisions relating to the Legislature, to the Legislature and to the people from time to time.

(g) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and are authorized to leave the state in the performance of their duties.

(h) To expend funds as may be made available to it to carry out the functions and activities related to the legislative affairs of the Senate and Assembly.

(i) To appoint a chief administrative officer of the committee, who shall have duties relating to the administrative, fiscal, and business affairs of the committee as the committee shall prescribe. The committee may terminate the services of the chief administrative officer at any time.

(j) To employ persons as may be necessary to assist all other joint committees, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, in the exercise of their powers and performance of their duties. In accordance with Rule 36.8, the committee shall govern and administer the expenditure of funds by other joint committees, requiring that the claims of joint committees be approved by the Joint Rules Committee or its designee. All expenses of the committee and of all other joint committees may be paid from the Operating Funds of the Assembly and Senate.

(k) To appoint the chairmen or chairwomen of joint committees, as authorized by Rule 36.7.

(l) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The members of the Joint Rules Committee from the Senate may meet separately as a unit, and the members of the Joint Rules Committee from the Assembly may meet separately as a unit, and consider any action that is required to be taken by the Joint Rules Committee. If the majority of members of the Joint Rules Committee of each house at the separate meetings vote in favor of that action, the action shall be deemed to be action taken by the Joint Rules Committee.

The Joint Rules Committee shall meet not less than biweekly during a session of the Legislature, other than during a joint recess, at a regularly scheduled time and place. If the full committee fails to so meet, the members of the committee from the Senate shall meet separately as a unit and the members of the committee from the Assembly shall meet separately as a unit within five days of the regularly scheduled meeting date.

The committee succeeds to, and is vested with, all of the powers and duties of the Joint Committee on Legislative Organization, the State Capitol Committee, the Joint Committee on Interhouse Cooperation, the Joint Legislative Committee for School Visitations, and the Joint Standing Committee on the Joint Rules of the Senate and the Assembly.

#### **Review of Administrative Regulations**

40.1. The Joint Rules Committee, with regard to joint committees, and the respective rules committee of each house, with regard to standing and select committees of the house, shall approve any request for a priority review made by a committee pursuant to Section 11349.7 of the Government Code and shall submit approved requests to the Office of Administrative Law. The Joint Rules Committee or the respective rules committee, and the committee initiating the request, shall each receive a copy of the priority review.

#### **Subcommittee on Legislative Space and Facilities**

40.3. (a) A subcommittee of the Joint Rules Committee is hereby created, to be known as the Subcommittee on Legislative Space and Facilities. The subcommittee consists of three Members of the Senate and three Members of the Assembly, appointed by the Chairman or Chairwoman of the Joint Rules Committee, and the chairman or chairwoman of the fiscal committee of each house who shall have full voting rights on the subcommittee. The chairman or chairwoman of the subcommittee shall be appointed by the members thereof. For purposes of this subcommittee, the chairmen or chairwomen of the fiscal committees are ex officio members of the Joint Rules Committee, but do not have voting rights on that committee, nor may they be counted in determining a quorum. The subcommittee shall consider the housing of the Legislature and legislative facilities.

(b) The subcommittee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees

and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this subcommittee and its members.

(c) The subcommittee has the following additional powers and duties:

(1) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the subcommittee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the subcommittee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

(d) The subcommittee is authorized to leave the State of California in the performance of its duties.

#### **Claims for Workers' Compensation**

41. The Chairman or Chairwoman of the Committee on Rules of each house, or a designated representative, shall sign any required worker's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer, or employee of the house, or any employee of a standing or investigating committee thereof. In the case of a joint committee, the Chairman or Chairwoman of the Committee on Rules of either house, or a designated representative, may sign any report with respect to a member or employee of a joint committee.

#### **Information Concerning Committees**

42. The Committee on Rules of each house shall provide for a continuous cumulation of information concerning the membership, organization, meetings, and studies of legislative investigating committees. Each Committee on Rules shall be responsible for information concerning the investigating committees of its own house, and concerning joint investigating committees under a chairman or chairwoman who is a member of that house. To the extent possible, each Committee on Rules shall seek to ensure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within a reasonable period of time.

The information thus cumulated shall be made available to the public by the Committee on Rules of each house and shall be published periodically under their joint direction.

**Joint Committees**

43. Any concurrent resolution creating a joint committee of the Legislature and any concurrent resolution allocating moneys from the Operating Funds of the Assembly and Senate to the committee shall be referred to the Committee on Rules of the respective houses.

**Conflict of Interest**

44. (a) A Member of the Legislature may not, while serving, have any interest, financial or otherwise, direct or indirect, engage in any business or transaction or professional activity, or incur any obligation of any nature, that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state.

(b) A Member of the Legislature may not, during the term for which he or she was elected:

(1) Accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties, or require him or her, or induce him or her, to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

(2) Willfully and knowingly disclose, for pecuniary gain, to any other person, confidential information acquired by him or her in the course of and by reason of his or her official duties, or use the information for the purpose of pecuniary gain.

(3) Accept or agree to accept, or be in partnership with any person who accepts or agrees to accept, any employment, fee, or other thing of value, or portion thereof, in consideration of his or her appearance, agreeing to appear, or taking of any other action on behalf of another person regarding a licensing or regulatory matter, before any state board or agency that is established by law for the primary purpose of licensing or regulating the professional activity of persons licensed, pursuant to state law.

This rule does not prohibit a member who is an attorney at law from practicing in that capacity before the Workers' Compensation Appeals Board or the Commissioner of Corporations, and receiving compensation therefor, or from practicing for compensation before any state board or agency in connection with, or in any matter related to, any case, action, or proceeding filed and pending in any state or federal court. This rule does not prohibit a member from making inquiry for information on behalf of a constituent before a state board or agency, if no fee or reward is given or promised in consequence thereof. The prohibition contained in this rule does not apply to a partnership in which a Member of the Legislature is a member if the Member of the Legislature does not share directly or indirectly in the fee resulting from the transaction, nor does it apply in connection with any matter pending before any state board or agency on the operative date of this rule if the affected Member of the Legislature is attorney of record or representative in the matter prior to the operative date.

(4) Receive or agree to receive, directly or indirectly, any compensation, reward, or gift from any source except the State of California for any service, advice, assistance, or other matter related to the legislative process, except fees for speeches or published works on

legislative subjects and except, in connection therewith, the reimbursement of expenses for actual expenditures for travel and reasonable subsistence for which no payment or reimbursement is made by the State of California.

(5) Participate, by voting or any other action, on the floor of either house, or in committee or elsewhere, in the enactment or defeat of legislation in which he or she has a personal interest, except as follows:

(i) If, on the vote for final passage, by the house of which he or she is a member, of the legislation in which he or she has a personal interest, he or she first files a statement (which shall be entered verbatim in the Daily Journal) stating in substance that he or she has a personal interest in the legislation to be voted on and that, notwithstanding that interest, he or she is able to cast a fair and objective vote on the legislation, he or she may cast his or her vote without violating any provision of this rule.

(ii) If the member believes that, because of his or her personal interest, he or she should abstain from participating in the vote on the legislation, he or she shall so advise the presiding officer prior to the commencement of the vote and shall be excused from voting on the legislation without any entry in the Daily Journal of the fact of his or her personal interest. In the event that a rule of the house requiring that each member who is present vote aye or nay is invoked, the presiding officer shall order the member excused from compliance and shall order entered in the Daily Journal a simple statement that the member was excused from voting on the legislation pursuant to law.

(c) A person subject to this rule has an interest that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or a personal interest, arising from any situation, within the scope of this rule, if he or she has reason to believe or expect that he or she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity. He or she does not have an interest that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or a personal interest, arising from any situation, within the scope of this rule, if any benefit or detriment accrues to him or her as a member of a business, profession, occupation, or group to no greater extent than any other member of the business, profession, occupation, or group.

(d) A person who is subject to this rule may not be deemed to be engaged in any activity that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or to have a personal interest, arising from any situation, within the scope of this rule, solely by reason of any of the following:

(1) His or her relationship to any potential beneficiary of any situation is one that is defined as a remote interest by Section 1091 of the Government Code or is otherwise not deemed to be a prohibited interest under Section 1091.1 or 1091.5 of the Government Code.

(2) Receipt of a campaign contribution that is regulated, received, reported, and accounted for pursuant to Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code, so long as the contribution is not made on the understanding or agreement, in violation

of law, that the person's vote, opinion, judgment, or action will be influenced thereby.

(e) The enumeration in this rule of specific situations or conditions that are deemed not to result in substantial conflict with the proper discharge of the duties and responsibilities of a legislator or legislative employee, or in a personal interest, may not be construed as exclusive.

The Legislature, in adopting this rule, recognizes that Members of the Legislature and legislative employees may need to engage in employment, professional, or business activities other than legislative activities in order to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with specific provisions of this rule. However, in construing and administering this rule, weight should be given to any coincidence of income, employment, investment, or other profit from sources that may be identified with the interests represented by those sources that are seeking action of any character on matters then pending before the Legislature.

(f) An employee of either house of the Legislature may not, during the time he or she is so employed, commit any act or engage in any activity prohibited by any part of this rule.

(g) A person may not induce or seek to induce any Member of the Legislature to violate any part of this rule.

(h) A violation of any part of this rule is punishable as provided in Section 8926 of the Government Code.

#### **Ethics Committees**

45. The Senate Committee on Legislative Ethics and the Assembly Legislative Ethics Committee, respectively, shall receive complaints concerning members of their respective houses, and may investigate and make findings and recommendations concerning violations by members of their respective houses of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code. Each house shall adopt rules governing the establishment and procedures of the committee of that house.

#### **Designating Legislative Sessions**

50. Regular sessions shall be identified with the odd-numbered year subsequent to each general election, followed by a hyphen, and then the last two digits of the following even-numbered year. For example: 2007–08 Regular Session.

#### **Designating Extraordinary Sessions**

50.3. All extraordinary sessions shall be designated in numerical order by the session in which convened.

#### **Days and Dates**

50.5. (a) As used in these rules, "day" means a calendar day, unless otherwise specified.

(b) When the date of a deadline, recess requirement, or circumstance falls on a Saturday, Sunday, or Monday that is a holiday, the date shall be deemed to refer to the preceding Friday. When the date falls on a holiday on a weekday other than a Monday, the date shall be deemed to refer to the preceding day.

**Legislative Calendar**

51. (a) The Legislature shall observe the following calendar during the first year of the regular session:

(1) Organizational Recess—The Legislature shall meet on the first Monday in December following the general election to organize. Thereafter, each house shall be in recess from the time it determines until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(2) Spring Recess—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(3) Summer Recess—The Legislature shall be in recess from July 20 until August 20. This recess shall not commence until the Budget Bill is passed.

(4) Interim Study Recess—The Legislature shall be in recess from September 14 until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(b) The Legislature shall observe the following calendar for the remainder of the legislative session:

(1) Spring Recess—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(2) Summer Recess—The Legislature shall be in recess from July 3 until August 4. This recess may not commence until the Budget Bill is passed.

(3) Final Recess—The Legislature shall be in recess on September 1 until adjournment sine die on November 30.

(c) Recesses shall be from the hour of adjournment on the day specified, reconvening at the time designated by the respective houses.

(d) The recesses specified by this rule shall be designated as joint recesses.

**Recall From Recess**

52. Notwithstanding the power of the Governor to call a special session, the Legislature may be recalled from joint recess and reconvene in regular session by any of the following means:

(a) It may be recalled by joint proclamation, which shall be entered in the Daily Journal, of the Senate Committee on Rules and the Speaker of the Assembly or, in his or her absence from the state, the Assembly Committee on Rules.

(b) Ten or more Members of the Legislature may present a request for recall from joint recess to the Chief Clerk of the Assembly and the Secretary of the Senate. The request immediately shall be printed in the Daily Journal. Within 10 days thereafter, the Speaker of the Assembly or, if the Speaker is absent from the state, the Assembly Committee on Rules, and the Senate Committee on Rules shall act upon the request. If they concur in desiring to recall the Legislature from joint recess, they shall issue their joint proclamation to that effect entered in the Daily Journal no later than 20 days after publication of the request in the Daily Journal.

(c) If either or both of the parties specified in subdivision (b) does not concur, 10 or more Members of the Legislature may request the Chief Clerk of the Assembly or the Secretary of the Senate to petition the membership of the respective house. The petition shall be entered in the



Daily Journal and shall contain a specified reconvening date commencing not later than 20 days after the date of the petition. If two-thirds of the members of the house or each of the two houses concur, the Legislature shall reconvene on the date specified. The necessary concurrences must be received at least 10 days prior to the date specified for reconvening.

#### **Procedure on Suspending Rules by Single House**

53. Whenever these rules authorize suspension of the Joint Rules as to a particular bill by action of a single house after approval by the Committee on Rules of that house, the following procedure shall be followed:

(a) A written request to suspend the joint rule shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and shall be transmitted to the Committee on Rules of the appropriate house.

(b) The Assembly Committee on Rules or the Senate Committee on Rules, as the case may be, shall determine whether there exists an urgent need for the suspension of the joint rule with regard to the bill.

(c) If the appropriate rules committee recommends that the suspension be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to suspend the joint rule. The adoption of the resolution granting permission shall require an affirmative recorded vote of the elected members of the house in which the request is made.

#### **Introduction of Bills**

54. (a) A bill may be not introduced in the first year of the regular session after February 23 and a bill may not be introduced in the second year of the regular session after February 22. These deadlines do not apply to constitutional amendments, committee bills introduced pursuant to Assembly Rule 47 or Senate Rule 23, bills introduced in the Assembly with the permission of the Speaker of the Assembly, or bills introduced in the Senate with the permission of the Senate Committee on Rules. Subject to these deadlines, a bill may be introduced at any time except when the houses are in joint summer, interim, or final recess. Each house may provide for introduction of bills during a recess other than a joint recess. Bills shall be numbered consecutively during the regular session.

(b) The Desks of the Senate and Assembly shall remain open during a joint recess, other than a joint spring, summer, interim, or final recess, for the introduction of bills during business hours on Monday through Friday, inclusive, except holidays. Bills received at the Senate Desk during these periods shall be numbered and printed. After printing, the bills shall be delivered to the Secretary of the Senate and referred by the Senate Committee on Rules to a standing committee. Bills received at the Assembly Desk during these periods shall be numbered, printed, and referred to a committee by the Assembly Committee on Rules. After printing, the bills shall be delivered to the Chief Clerk of the Assembly. On the reconvening of each house, the bills shall be read the first time, and shall be delivered to the committee to which they were referred.

(c) A member may not author a bill during a session that would have substantially the same effect as a bill he or she previously introduced during that session. This restriction does not apply in cases where the



previously introduced bill was vetoed by the Governor or its provisions were “chaptered out” by a later chaptered bill pursuant to Section 9605 of the Government Code. An objection based on this restriction may be raised only while the bill is being considered by the house in which it is introduced. The objection shall be referred to the Committee on Rules of the house for a determination. The bill shall remain on Daily File or with a committee, as the case may be, until a determination is made. If, upon consideration of the objection, the Committee on Rules determines that the bill objected to would have substantially the same effect as another bill previously introduced during the session by the author, the bill objected to shall be stricken from the Daily File or returned to the desk by the committee, as the case may be, and may not be acted upon during the remainder of the session. If the Committee on Rules determines that the bill objected to would not have substantially the same effect as a bill previously introduced during the session by the author, the bill may thereafter be acted upon by the committee or the house, as the case may be. The Committee on Rules may obtain assistance as it may desire from the Legislative Counsel as to the similarity of a bill or amendments to a prior bill.

This joint rule may be suspended by approval of the Committee on Rules and three-fourths vote of the membership of the house.

(d) During a joint recess, the Chief Clerk of the Assembly or Secretary of the Senate shall order the preparation of preprint bills when so ordered by any of the following:

- (1) The Speaker of the Assembly.
- (2) The Committee on Rules of the respective house.

(3) A committee, with respect to bills within the subject matter jurisdiction of the committee.

Preprint bills shall be designated and shall be printed in the order received and numbered in the order printed. To facilitate subsequent amendment, a preprint bill shall be so prepared that, when introduced as a bill, the page and the line numbers will not change. The Chief Clerk of the Assembly and Secretary of the Senate shall publish a list periodically of preprint bills showing the preprint bill number, the title, and the Legislative Counsel’s Digest. The Speaker of the Assembly and Senate Committee on Rules may refer any preprint bill to committee for study.

### **30-Day Waiting Period**

55. A bill other than the Budget Bill may not be heard or acted upon by committee or either house until the bill has been in print for 30 days. The date a bill is returned from the printer shall be entered in the Daily History. This rule may be suspended concurrently with the suspension of the requirement of Section 8 of Article IV of the Constitution or, if that period has expired, this rule may be suspended by approval of the Committee on Rules and two-thirds vote of the house in which the bill is being considered.

### **Return of Bills**

56. Bills introduced in the first year of the regular session and passed by the house of origin on or before the January 31st constitutional deadline are “carryover bills.” Immediately after January 31, bills introduced in the first year of the regular session that do not

become “carryover bills” shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate, respectively. Notwithstanding Rule 4, as used in this rule, “bills” does not include constitutional amendments.

#### **Appropriation Bills**

57. Appropriation bills that may not be sent to the Governor shall be held, after enrollment, by the Chief Clerk of the Assembly or Secretary of the Senate, respectively. The bills shall be sent to the Governor immediately after the Budget Bill has been passed.

#### **Urgency Clauses**

58. An amendment to add a section to a bill to provide that the act shall take effect immediately as an urgency statute may not be adopted unless the author of the amendment has first secured the approval of the Committee on Rules of the house in which the amendments are offered.

#### **Vetoes**

58.5. The Legislature may consider a Governor’s veto for only 60 days, not counting days when the Legislature is in joint recess.

#### **Publications**

59. During periods of joint recess, weekly, if necessary, the following documents shall be published: Daily Files, Histories, and Daily Journals.

#### **Committee Hearings**

60. (a) A standing committee or subcommittee thereof may not take action on a bill at any hearing held outside of the State Capitol.

(b) A committee may hear the subject matter of a bill or convene for an informational hearing during a period of recess. Four days’ notice in the Daily File is required prior to the hearing.

(c) A bill may not be acted upon by a committee during a joint recess.

#### **Deadlines**

61. The deadlines set forth in this rule shall be observed by the Senate and Assembly. After each deadline, the Secretary of the Senate and the Chief Clerk of the Assembly may not accept committee reports from their respective committees except as otherwise provided in this rule:

(a) Odd-numbered year:

(1) Feb. 23—Last day for bills to be introduced.

(2) Apr. 27—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.

(3) May 11—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.

(4) May 25—Last day for policy committees to meet prior to June 11.

(5) June 1—Last day for fiscal committees to hear and report to the floor bills introduced in their house.

(6) June 1—Last day for fiscal committees to meet prior to June 11.

(7) June 4–June 8—Floor session only. No committee may meet for any purpose.

(8) June 8—Last day for each house to pass bills introduced in that house.

(9) June 11—Committee meetings may resume.

(10) July 13—Last day for policy committees to meet and report bills.

(11) Aug. 31—Last day for fiscal committees to meet and report bills.

(12) Sept. 3—Sept. 14—Floor session only. No committee may meet for any purpose.

(13) Sept. 7—Last day to amend on the floor.

(14) Sept. 14—Last day for each house to pass bills.

(b) Even-numbered year:

(1) Jan. 18—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in the odd-numbered year.

(2) Jan. 25—Last day for any committee to hear and report to the floor bills introduced in that house in the odd-numbered year.

(3) Jan. 31—Last day for each house to pass bills introduced in that house in the odd-numbered year.

(4) Feb. 22—Last day for bills to be introduced.

(5) April 18—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.

(6) May 2—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.

(7) May 16—Last day for policy committees to meet prior to June 2.

(8) May 23—Last day for fiscal committees to hear and report to the floor bills introduced in their house.

(9) May 23—Last day for fiscal committees to meet prior to June 2.

(10) May 27—May 30—Floor session only. No committee may meet for any purpose.

(11) May 30—Last day for each house to pass bills introduced in that house.

(12) June 2—Committee meetings may resume.

(13) June 27—Last day for policy committees to meet and report bills.

(14) Aug. 15—Last day for fiscal committees to meet and report bills.

(15) Aug. 18—Aug. 31—Floor session only. No committee may meet for any purpose.

(16) Aug. 22—Last day to amend on floor.

(17) Aug. 31—Last day for each house to pass bills.

(c) If a bill is acted upon in committee before the relevant deadline, and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate and the Chief Clerk of the Assembly may subsequently receive a report recommending the bill for passage or for rereferral together with the amendments at any time within two legislative days after the deadline or, if the Legislature has recessed for the Summer Recess, within seven calendar days after the deadline.

(d) Notwithstanding subdivisions (a) and (b), a policy committee may report a bill to a fiscal committee on or before the relevant deadline for reporting nonfiscal bills to the floor if, after the policy committee deadline for reporting the bill to fiscal committee, the Legislative Counsel's Digest is changed to indicate reference to fiscal committee.

(e) Any bill in the house of origin that is not acted upon during the odd-numbered year as a result of the deadlines imposed in subdivision (a) may be acted upon when the Legislature reconvenes after the interim study joint recess, or at any time the Legislature is recalled from the interim study joint recess.

(f) The deadlines imposed by this rule do not apply to the rules committees of the respective houses.

(g) The deadlines imposed by this rule do not apply in instances where a bill is referred to committee under Rule 26.5.

(h) The deadlines imposed by this rule do not apply in instances where a bill is referred to a committee under Assembly Rule 77.2.

(i) (1) Notwithstanding subdivisions (a) and (b), a policy committee or fiscal committee may meet for the purpose of hearing and reporting a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the California Constitution, at any time other than those periods when no committee may meet for any purpose.

(2) Notwithstanding subdivisions (a) and (b), either house may meet for the purpose of considering and passing a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the California Constitution, at any time during the session.

(j) This rule may be suspended as to any particular bill by approval of the Committee on Rules and two-thirds vote of the membership of the house.

#### **Committee Procedure**

62. (a) Notice of a hearing on a bill by the committee of first reference in each house, or notice of an informational hearing, shall be published in the Daily File at least four days prior to the hearing. Otherwise, notice shall be published in the Daily File two days prior to the hearing. That notice requirement may be waived by a majority vote of the house in which the bill is being considered. A bill may be set for hearing in a committee only three times. A bill is "set," for purposes of this subdivision, whenever notice of the hearing has been published in the Daily File for one or more days. If a bill is set for hearing, and the committee, on its own initiation and not the author's, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, that hearing is not counted as one of the three times a bill may be set. After hearing the bill, the committee may vote on the bill. If the hearing notice in the Daily File specifically indicates that "testimony only" will be taken, that hearing is not counted as one of the three times a bill may be set. A committee may not vote on a bill so noticed until it has been heard in accordance with this rule. After a committee has voted on a bill, reconsideration may be granted only one time. Reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever first occurs. A vote on reconsideration may not be taken without the same notice required to set a bill unless that vote is taken at the same meeting at which the vote to be reconsidered was taken, and the author is present. When a bill fails to get the necessary votes to pass it out of committee, or upon failure to receive reconsideration, it shall be returned to the Chief Clerk of the

Assembly or Secretary of the Senate of the house of the committee and may not be considered further during the session.

This subdivision may be suspended with respect to a particular bill by approval of the Committee on Rules and two-thirds vote of the members of the house.

(b) If the committee adopts amendments other than those offered by the author and orders the bill reprinted prior to its further consideration, the hearing shall not be the final time a bill may be set under subdivision (a) of this rule.

(c) When a standing committee takes action on a bill, the vote shall be by roll call vote only. All roll call votes taken by a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly and the Secretary of the Senate. The chairman or chairwoman of each standing committee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly or the Secretary of the Senate, respectively, who shall cause the votes to be published as prescribed by each house.

This subdivision also applies to action of a committee on a subcommittee report. The rules of each house shall prescribe the procedure as to roll call votes on amendments.

Any committee may, with the unanimous consent of the members present, substitute a roll call from a prior bill, provided that the members whose votes are substituted are present at the time of the substitution.

A bill may not be passed out by a committee without a quorum being present.

This subdivision does not apply to:

(1) Procedural motions that do not have the effect of disposing of a bill.

(2) Withdrawal of a bill from a committee calendar at the request of an author.

(3) Return of a bill to the house where the bill has not been voted on by the committee.

(4) The assignment of a bill to committee.

(d) The chairman or chairwoman of the committee hearing a bill may, at any time, order a call of the committee. Upon a request by any member of a committee or the author in person, the chairman or chairwoman shall order the call.

In the absence of a quorum, a majority of the members present may order a quorum call of the committee and compel the attendance of absentees. The chairman or chairwoman shall send the Sergeant at Arms for those members who are absent and not excused by their respective house.

When a call of a committee is ordered by the chairman or chairwoman with respect to a particular bill, he or she shall send the Sergeant at Arms, or any other person to be appointed for that purpose, for those members who have not voted on that particular bill and are not excused.

A quorum call or a call of the committee with respect to a particular bill may be dispensed with by the chairman or chairwoman without objection by any member of the committee, or by a majority of the members present.

If a motion is adopted to adjourn the committee while the committee is operating under a call, the call shall be dispensed with and any pending vote announced.

The committee secretary shall record the votes of members answering a call. The rules of each house may prescribe additional procedures for a call of a committee.

#### **Redistricting Bills**

62.5. This rule applies only to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(a) Except as specifically provided in this rule, Rules 28, 28.1, 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of subdivision (a), and paragraph (15) of subdivision (b), of Rule 61), and 62 do not apply to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(b) If the Senate (in the case of a Senate bill) or the Assembly (in the case of an Assembly bill) refuses to concur in amendments to a bill made by the other house, a committee on conference shall be appointed. The Speaker of the Assembly and the Senate Committee on Rules shall each appoint a committee on conference of three members, consisting of two members of the majority party and one member not of the majority party. The Secretary of the Senate and the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

(c) When a bill affecting the boundaries of legislative, congressional, or State Board of Equalization districts has been referred to a committee on conference, the chairman or chairwoman of the committee on conference shall immediately request the Senate Committee on Elections and Reapportionment and the Assembly Committee on Elections, Reapportionment, and Constitutional Amendments to hold a public hearing on the bill. The committee on conference shall also hold a public hearing on the bill. The hearings of the policy committees and the committee on conference may be noticed and held concurrently.

(d) If either or both of the policy committees hold a public hearing on a bill pursuant to the request of the chairman or chairwoman of the committee on conference, the policy committees may consider amendments to the bill, and may make recommendations on amendments to the committee on conference. A policy committee recommendation for an amendment may be adopted only by a roll call vote of the members of the policy committee.

(e) All proposed reports of a committee on conference, all proposed amendments to a proposed report of a committee on conference, and all proposed amendments presented to a policy committee shall be accompanied by appropriate maps. A committee vote may not be taken on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the proposed report or proposed amendment, with accompanying maps, has been available to the public for at least 24 hours. Notwithstanding subdivision (h), district boundaries contained in any proposed report or any proposed amendment may not be required to be prepared or

approved as to form by Legislative Counsel if the accompanying maps adequately reflect the district boundaries.

(f) All hearings of the policy committees and the committee on conference shall be open and readily accessible to the public, and shall be noticed in the Daily File for not less than two calendar days.

(g) The provisions of subdivision (e) prohibiting a committee vote on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the amendment, accompanied by appropriate maps, has been available to the public for at least 24 hours do not apply in any of the following situations:

(1) The amendment proposed to a policy committee or the committee on conference does not change any district boundaries.

(2) The amendment proposed to a policy committee or the committee on conference is required to correct a technical error in the bill, and the proposed amendment would shift no more than 1 percent of the population of any district to any other district or districts.

(3) The amendment is a policy committee or committee on conference amendment that is proposed in response to amendments that have been proposed to the committee.

(h) Except as provided in subdivision (i), a vote may not be taken in either house on any bill or any report of the committee on conference on that bill unless the bill or the report has been in print in Legislative Counsel form and available to the public, accompanied by appropriate maps, for at least 24 hours.

(i) If either house refuses to adopt the report of the committee on conference, the bill may be returned to the committee on conference for further consideration. If the bill is returned to the committee on conference for an amendment described in paragraph (1) or (2) of subdivision (g), the notice requirements of subdivisions (e) and (h) do not apply.

(j) Notwithstanding any other rule, this rule may be suspended upon a majority vote of the membership of each house.

#### **Uniform Rules**

63. A standing committee of either house may not adopt or apply any rule or procedure governing the voting upon bills that is not equally applicable to the bills of both houses.

#### **Votes on Bills**

64. Every meeting of each house and standing committee or subcommittee thereof where a vote is to be taken on a bill, or amendments to a bill, shall be public.

#### **Conflicting Rules**

65. The provisions of Rule 50 and following of these rules prevail over any conflicting joint rule with a lesser number.





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CONSTITUTION OF THE STATE OF CALIFORNIA  
ARTICLE IV  
LEGISLATURE

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**CONSTITUTION  
OF THE  
STATE OF CALIFORNIA  
ARTICLE IV  
LEGISLATIVE**

[ *Heading as amended November 8, 1966.* ]

[ *Legislative Power* ]

SECTION 1. The legislative power of this State is vested in the California Legislature which consists of the Senate and Assembly, but the people reserve to themselves the powers of initiative and referendum.

[ *New section adopted November 8, 1966.* ]

[ *Legislators—Limitation on Incumbency—  
Restriction of Retirement Benefits—  
Limitation of Staff and Support Services—  
Number of Terms* ]

SEC. 1.5. The people find and declare that the Founding Fathers established a system of representative government based upon free, fair, and competitive elections. The increased concentration of political power in the hands of incumbent representatives has made our electoral system less free, less competitive, and less representative.

The ability of legislators to serve unlimited number of terms, to establish their own retirement system, and to pay for staff and support services at state expense contribute heavily to the extremely high number of incumbents who are reelected. These unfair incumbent advantages discourage qualified candidates from seeking public office and create a class of career politicians, instead of the citizen representatives envisioned by the Founding Fathers. These career politicians become representatives of the bureaucracy, rather than of the people whom they are elected to represent.

To restore a free and democratic system of fair elections, and to encourage qualified candidates to seek public office, the people find and declare that the powers of incumbency must be limited. Retirement benefits must be restricted, state-financed incumbent staff and support services limited, and limitations placed upon the number of terms which may be served.

[ *New section adopted November 6, 1990. Initiative measure.* ]

[ *Senate and Assembly—Membership—  
Elections—Number of Terms—  
Qualifications—Vacancies* ]

SEC. 2. (a) The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. No Senator may serve more than 2 terms.

The Assembly has a membership of 80 members elected for 2-year

terms. No Member of the Assembly may serve more than 3 terms.

Their terms shall commence on the first Monday in December next following their election.

(b) Election of Members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as Members of the Assembly.

(c) A person is ineligible to be a Member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election.

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

[ *As amended November 6, 1990. Initiative measure.* ]

[ *Legislative Sessions—Regular and Special Sessions* ]

SEC. 3. (a) The Legislature shall convene in regular session at noon on the first Monday in December of each even-numbered year and each house shall immediately organize. Each session of the Legislature shall adjourn sine die by operation of the Constitution at midnight on November 30 of the following even-numbered year.

(b) On extraordinary occasions the Governor by proclamation may cause the Legislature to assemble in special session. When so assembled it has power to legislate only on subjects specified in the proclamation but may provide for expenses and other matters incidental to the session.

[ *As amended June 8, 1976.* ]

[ *Legislators—Conflict of Interest—Prohibited Compensation—Earned Income* ]

SEC. 4. (a) To eliminate any appearance of a conflict with the proper discharge of his or her duties and responsibilities, no Member of the Legislature may knowingly receive any salary, wages, commissions, or other similar earned income from a lobbyist or lobbying firm, as defined by the Political Reform Act of 1974, or from a person who, during the previous 12 months, has been under a contract with the Legislature. The Legislature shall enact laws that define earned income. However, earned income does not include any community property interest in the income of a spouse. Any Member who knowingly receives any salary, wages, commissions, or other similar earned income from a lobbyist employer, as defined by the Political Reform Act of 1974, may not, for a period of one year following its receipt, vote upon or make, participate in making, or in any way attempt to use his or her official position to influence an action or decision before the Legislature, other than an action or decision involving a bill described in subdivision (c) of Section 12 of this article, which he or she knows, or has reason to know, would have a direct and significant financial impact on the lobbyist employer and would not impact the public generally or a significant segment of the public in a similar manner. As used in this subdivision, “public generally” includes an industry, trade, or profession.

[ *Legislators—Travel and Living Expenses* ]

(b) Travel and living expenses for Members of the Legislature in connection with their official duties shall be prescribed by statute passed by rollcall vote entered in the journal, two-thirds of the membership of each house concurring. A Member may not receive travel and living expenses during the times that the Legislature is in recess for more than three calendar days, unless the Member is traveling to or from, or is in attendance at, any meeting of a committee of which he or she is a member, or a meeting, conference, or other legislative function or responsibility as authorized by the rules of the house of which he or she is a member, which is held at a location at least 20 miles from his or her place of residence.

[ *Legislators—Retirement* ]

(c) The Legislature may not provide retirement benefits based on any portion of a monthly salary in excess of five hundred dollars (\$500) paid to any Member of the Legislature unless the Member receives the greater amount while serving as a Member in the Legislature. The Legislature may, prior to their retirement, limit the retirement benefits payable to Members of the Legislature who serve during or after the term commencing in 1967.

When computing the retirement allowance of a Member who serves in the Legislature during the term commencing in 1967 or later, allowance may be made for increases in cost of living if so provided by statute, but only with respect to increases in the cost of living occurring after retirement of the Member. However, the Legislature may provide that no Member shall be deprived of a cost of living adjustment based on a monthly salary of five hundred dollars (\$500) which has accrued prior to the commencement of the 1967 Regular Session of the Legislature.

[ *As amended June 5, 1990.* ]

[ *Legislators—Retirement* ]

SEC. 4.5. Notwithstanding any other provision of this Constitution or existing law, a person elected to or serving in the Legislature on or after November 1, 1990, shall participate in the Federal Social Security (Retirement, Disability, Health Insurance) Program and the State shall pay only the employer's share of the contribution necessary to such participation. No other pension or retirement benefit shall accrue as a result of service in the Legislature, such service not being intended as a career occupation. This Section shall not be construed to abrogate or diminish any vested pension or retirement benefit which may have accrued under an existing law to a person holding or having held office in the Legislature, but upon adoption of this Act no further entitlement to nor vesting in any existing program shall accrue to any such person, other than Social Security to the extent herein provided.

[ *New section adopted November 6, 1990. Initiative measure.* ]

[ *Legislators—Qualifications—Expulsion* ]

SEC. 5. (a) Each house shall judge the qualifications and elections of its Members and, by roll call vote entered in the journal, two-thirds of the membership concurring, may expel a Member.

[ *Legislators—Honoraria* ]

(b) No Member of the Legislature may accept any honorarium. The Legislature shall enact laws that implement this subdivision.

[ *Legislators—Gifts—Conflict of Interest* ]

(c) The Legislature shall enact laws that ban or strictly limit the acceptance of a gift by a Member of the Legislature from any source if the acceptance of the gift might create a conflict of interest.

[ *Legislators—Prohibited Compensation or Activity* ]

(d) No Member of the Legislature may knowingly accept any compensation for appearing, agreeing to appear, or taking any other action on behalf of another person before any state government board or agency. If a Member knowingly accepts any compensation for appearing, agreeing to appear, or taking any other action on behalf of another person before any local government board or agency, the Member may not, for a period of one year following the acceptance of the compensation, vote upon or make, participate in making, or in any way attempt to use his or her official position to influence an action or decision before the Legislature, other than an action or decision involving a bill described in subdivision (c) of Section 12 of this article, which he or she knows, or has reason to know, would have a direct and significant financial impact on that person and would not impact the public generally or a significant segment of the public in a similar manner. As used in this subdivision, “public generally” includes an industry, trade, or profession. However, a Member may engage in activities involving a board or agency which are strictly on his or her own behalf, appear in the capacity of an attorney before any court or the Workers’ Compensation Appeals Board, or act as an advocate without compensation or make an inquiry for information on behalf of a person before a board or agency. This subdivision does not prohibit any action of a partnership or firm of which the Member is a member if the Member does not share directly or indirectly in the fee, less any expenses attributable to that fee, resulting from that action.

[ *Legislators—Lobbying* ]

(e) The Legislature shall enact laws that prohibit a Member of the Legislature whose term of office commences on or after December 3, 1990, from lobbying, for compensation, as governed by the Political Reform Act of 1974, before the Legislature for 12 months after leaving office.

[ *Legislators—Conflict of Interest* ]

(f) The Legislature shall enact new laws, and strengthen the enforcement of existing laws, prohibiting Members of the Legislature

from engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities. However, the people reserve to themselves the power to implement this requirement pursuant to Article II.

[ *As amended June 5, 1990. Subdivision (b) operative December 3, 1990.* ]

[ *Senatorial and Assembly Districts* ]

SEC. 6. For the purpose of choosing members of the Legislature, the State shall be divided into 40 Senatorial and 80 Assembly districts to be called Senatorial and Assembly Districts. Each Senatorial district shall choose one Senator and each Assembly district shall choose one Member of the Assembly.

[ *New section adopted June 3, 1980.* ]

[ *House Rules—Officers—Quorum* ]

SEC. 7. (a) Each house shall choose its officers and adopt rules for its proceedings. A majority of the membership constitutes a quorum, but a smaller number may recess from day to day and compel the attendance of absent members.

[ *Journals* ]

(b) Each house shall keep and publish a journal of its proceedings. The rollcall vote of the members on a question shall be taken and entered in the journal at the request of 3 members present.

[ *Public Proceedings—Closed Sessions* ]

(c) (1) The proceedings of each house and the committees thereof shall be open and public. However, closed sessions may be held solely for any of the following purposes:

(A) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Legislature.

(B) To consider matters affecting the safety and security of Members of the Legislature or its employees or the safety and security of any buildings and grounds used by the Legislature.

(C) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated, or whether to initiate, litigation when discussion in open session would not protect the interests of the house or committee regarding the litigation.

(2) A caucus of the Members of the Senate, the Members of the Assembly, or the Members of both houses, which is composed of the members of the same political party, may meet in closed session.

(3) The Legislature shall implement this subdivision by concurrent resolution adopted by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, or by statute, and shall prescribe that, when a closed session is held pursuant to paragraph (1), reasonable notice of the closed session and the purpose of the closed

session shall be provided to the public. If there is a conflict between a concurrent resolution and statute, the last adopted or enacted shall prevail.

[ *Recess* ]

(d) Neither house without the consent of the other may recess for more than 10 days or to any other place.

[*As amended June 5, 1990. Subdivision (c) operative December 3, 1990.*]

[ *Legislature—Total Aggregate Expenditures* ]

SEC. 7.5. In the fiscal year immediately following the adoption of this Act, the total aggregate expenditures of the Legislature for the compensation of members and employees of, and the operating expenses and equipment for, the Legislature may not exceed an amount equal to nine hundred fifty thousand dollars (\$950,000) per member for that fiscal year or 80 percent of the amount of money expended for those purposes in the preceding fiscal year, whichever is less. For each fiscal year thereafter, the total aggregate expenditures may not exceed an amount equal to that expended for those purposes in the preceding fiscal year, adjusted and compounded by an amount equal to the percentage increase in the appropriations limit for the State established pursuant to Article XIII B.

[ *New section adopted November 6, 1990. Initiative measure.* ]

[ *Bills and Statutes—30-day Waiting Period* ]

SEC. 8. (a) At regular sessions no bill other than the budget bill may be heard or acted on by committee or either house until the 31st day after the bill is introduced unless the house dispenses with this requirement by rollcall vote entered in the journal, three-fourths of the membership concurring.

[ *Bills and Statutes—3 Readings* ]

(b) The Legislature may make no law except by statute and may enact no statute except by bill. No bill may be passed unless it is read by title on 3 days in each house except that the house may dispense with this requirement by rollcall vote entered in the journal, two thirds of the membership concurring. No bill may be passed until the bill with amendments has been printed and distributed to the members. No bill may be passed unless, by rollcall vote entered in the journal, a majority of the membership of each house concurs.

[ *Bills and Statutes—Effective Date* ]

(c) (1) Except as provided in paragraphs (2) and (3) of this subdivision, a statute enacted at a regular session shall go into effect on January 1 next following a 90-day period from the date of enactment of the statute and a statute enacted at a special session shall go into effect on the 91st day after adjournment of the special session at which the bill was passed.

(2) A statute, other than a statute establishing or changing boundaries of any legislative, congressional, or other election district, enacted by a



bill passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, shall go into effect on January 1 next following the enactment date of the statute unless, before January 1, a copy of a referendum petition affecting the statute is submitted to the Attorney General pursuant to subdivision (d) of Section 10 of Article II, in which event the statute shall go into effect on the 91st day after the enactment date unless the petition has been presented to the Secretary of State pursuant to subdivision (b) of Section 9 of Article II.

(3) Statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the State, and urgency statutes shall go into effect immediately upon their enactment.

[ *Bills and Statutes—Urgency Statutes* ]

(d) Urgency statutes are those necessary for immediate preservation of the public peace, health, or safety. A statement of facts constituting the necessity shall be set forth in one section of the bill. In each house the section and the bill shall be passed separately, each by rollcall vote entered in the journal, two thirds of the membership concurring. An urgency statute may not create or abolish any office or change the salary, term, or duties of any office, or grant any franchise or special privilege, or create any vested right or interest.

[*As amended June 5, 1990.*]

[ *Ballot Measures—Application* ]

SEC. 8.5. An act amending an initiative statute, an act providing for the issuance of bonds, or a constitutional amendment proposed by the Legislature and submitted to the voters for approval may not do either of the following:

(a) Include or exclude any political subdivision of the State from the application or effect of its provisions based upon approval or disapproval of the measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of that political subdivision.

(b) Contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.

[ *New section adopted June 2, 1998.* ]

[ *Statutes—Title—Section* ]

SEC. 9. A statute shall embrace but one subject, which shall be expressed in its title. If a statute embraces a subject not expressed in its title, only the part not expressed is void. A statute may not be amended by reference to its title. A section of a statute may not be amended unless the section is re-enacted as amended.

[*New section adopted November 8, 1966.*]

[ *Governor's Veto—Bill Introduction in Biennial Session—Fiscal Emergencies* ]

SEC. 10. (a) Each bill passed by the Legislature shall be presented to the Governor. It becomes a statute if it is signed by the Governor. The

Governor may veto it by returning it with any objections to the house of origin, which shall enter the objections in the journal and proceed to reconsider it. If each house then passes the bill by roll call vote entered in the journal, two-thirds of the membership concurring, it becomes a statute.

(b) (1) Any bill, other than a bill which would establish or change boundaries of any legislative, congressional, or other election district, passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, that is not returned within 30 days after that date becomes a statute.

(2) Any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned on or before September 30 of that year becomes a statute.

(3) Any other bill presented to the Governor that is not returned within 12 days becomes a statute.

(4) If the Legislature by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes a statute unless the Governor vetoes the bill within 12 days after it is presented by depositing it and the veto message in the office of the Secretary of State.

(5) If the 12th day of the period within which the Governor is required to perform an act pursuant to paragraph (3) or (4) of this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(c) Any bill introduced during the first year of the biennium of the legislative session that has not been passed by the house of origin by January 31 of the second calendar year of the biennium may no longer be acted on by the house. No bill may be passed by either house on or after September 1 of an even-numbered year except statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the State, and urgency statutes, and bills passed after being vetoed by the Governor.

(d) The Legislature may not present any bill to the Governor after November 15 of the second calendar year of the biennium of the legislative session.

(e) The Governor may reduce or eliminate one or more items of appropriation while approving other portions of a bill. The Governor shall append to the bill a statement of the items reduced or eliminated with the reasons for the action. The Governor shall transmit to the house originating the bill a copy of the statement and reasons. Items reduced or eliminated shall be separately reconsidered and may be passed over the Governor's veto in the same manner as bills.

(f) (1) If, following the enactment of the budget bill for the 2004–05 fiscal year or any subsequent fiscal year, the Governor determines that, for that fiscal year, General Fund revenues will decline substantially below the estimate of General Fund revenues upon which the budget bill for that fiscal year, as enacted, was based, or General Fund expenditures will increase substantially above that estimate of General Fund revenues, or both, the Governor may issue a proclamation declaring a fiscal emergency and shall thereupon cause the Legislature to assemble

in special session for this purpose. The proclamation shall identify the nature of the fiscal emergency and shall be submitted by the Governor to the Legislature, accompanied by proposed legislation to address the fiscal emergency.

(2) If the Legislature fails to pass and send to the Governor a bill or bills to address the fiscal emergency by the 45th day following the issuance of the proclamation, the Legislature may not act on any other bill, nor may the Legislature adjourn for a joint recess, until that bill or those bills have been passed and sent to the Governor.

(3) A bill addressing the fiscal emergency declared pursuant to this section shall contain a statement to that effect.

[ *As amended March 2, 2004.* ]

[ *Committees* ]

SEC. 11. The Legislature or either house may by resolution provide for the selection of committees necessary for the conduct of its business, including committees to ascertain facts and make recommendations to the Legislature on a subject within the scope of legislative control.

[ *As amended November 7, 1972.* ]

[ *Governor's Budget—Budget Bill—Other Appropriations* ]

SEC. 12. (a) Within the first 10 days of each calendar year, the Governor shall submit to the Legislature, with an explanatory message, a budget for the ensuing fiscal year containing itemized statements for recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, the Governor shall recommend the sources from which the additional revenues should be provided.

(b) The Governor and the Governor-elect may require a state agency, officer or employee to furnish whatever information is deemed necessary to prepare the budget.

(c) (1) The budget shall be accompanied by a budget bill itemizing recommended expenditures.

(2) The budget bill shall be introduced immediately in each house by the persons chairing the committees that consider the budget.

(3) The Legislature shall pass the budget bill by midnight on June 15 of each year.

(4) Until the budget bill has been enacted, the Legislature shall not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the budget bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.

(d) No bill except the budget bill may contain more than one item of appropriation, and that for one certain, expressed purpose. Appropriations from the General Fund of the State, except appropriations for the public schools, are void unless passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring.

(e) The Legislature may control the submission, approval, and enforcement of budgets and the filing of claims for all state agencies.

(f) For the 2004–05 fiscal year, or any subsequent fiscal year, the

Legislature may not send to the Governor for consideration, nor may the Governor sign into law, a budget bill that would appropriate from the General Fund, for that fiscal year, a total amount that, when combined with all appropriations from the General Fund for that fiscal year made as of the date of the budget bill's passage, and the amount of any General Fund moneys transferred to the Budget Stabilization Account for that fiscal year pursuant to Section 20 of Article XVI, exceeds General Fund revenues for that fiscal year estimated as of the date of the budget bill's passage. That estimate of General Fund revenues shall be set forth in the budget bill passed by the Legislature.

[ *As amended March 2, 2004.* ]

[ *Legislators—Ineligible for Certain Offices* ]

SEC. 13. A member of the Legislature may not, during the term for which the member is elected, hold any office or employment under the State other than an elective office.

[ *As amended November 5, 1974.* ]

[ *Members—Not Subject to Civil Process* ]

SEC. 14. A member of the Legislature is not subject to civil process during a session of the Legislature or for 5 days before and after a session.

[ *New section adopted November 8, 1966.* ]

[ *Influencing Action or Vote of a Member—Felony* ]

SEC. 15. A person who seeks to influence the vote or action of a member of the Legislature in the member's legislative capacity by bribery, promise of reward, intimidation, or other dishonest means, or a member of the Legislature so influenced, is guilty of a felony.

[ *As amended November 5, 1974.* ]

[ *Uniform Operation of General Laws—Special Statute—Invalid* ]

SEC. 16. (a) All laws of a general nature have uniform operation.

(b) A local or special statute is invalid in any case if a general statute can be made applicable.

[ *As amended November 5, 1974.* ]

[ *Grant of Extra Compensation or Allowance Prohibited* ]

SEC. 17. The Legislature has no power to grant, or to authorize a city, county, or other public body to grant, extra compensation or extra allowance to a public officer, public employee, or contractor after service has been rendered or a contract has been entered into and performed in whole or in part, or to authorize the payment of a claim against the State or a city, county, or other public body under an agreement made without authority of law.

[ *New section adopted November 8, 1966.* ]

[ *Impeachment* ]

SEC. 18. (a) The Assembly has the sole power of impeachment. Impeachments shall be tried by the Senate. A person may not be

convicted unless, by rollcall vote entered in the journal, two-thirds of the membership of the Senate concurs.

(b) State officers elected on a statewide basis, members of the State Board of Equalization, and judges of state courts are subject to impeachment for misconduct in office. Judgment may extend only to removal from office and disqualification to hold any office under the State, but the person convicted or acquitted remains subject to criminal punishment according to law.

[ *New section adopted November 8, 1966.* ]

[ *Lotteries—Horse Races Regulated—  
Bingo Games and Raffles for Charitable Purposes—  
Gaming on Tribal Lands* ]

SEC. 19. (a) The Legislature has no power to authorize lotteries and shall prohibit the sale of lottery tickets in the State.

(b) The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results.

(c) Notwithstanding subdivision (a), the Legislature by statute may authorize cities and counties to provide for bingo games, but only for charitable purposes.

(d) Notwithstanding subdivision (a), there is authorized the establishment of a California State Lottery.

(e) The Legislature has no power to authorize, and shall prohibit casinos of the type currently operating in Nevada and New Jersey.

(f)<sup>1</sup> Notwithstanding subdivisions (a) and (e), and any other provision of state law, the Governor is authorized to negotiate and conclude compacts, subject to ratification by the Legislature, for the operation of slot machines and for the conduct of lottery games and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. Accordingly, slot machines, lottery games, and banking and percentage card games are hereby permitted to be conducted and operated on tribal lands subject to those compacts.

(f)<sup>2</sup> Notwithstanding subdivision (a), the Legislature may authorize private, nonprofit, eligible organizations, as defined by the Legislature, to conduct raffles as a funding mechanism to provide support for their own or another private, nonprofit, eligible organization's beneficial and charitable works, provided that (1) at least 90 percent of the gross receipts from the raffle go directly to beneficial or charitable purposes in California, and (2) any person who receives compensation in connection with the operation of a raffle is an employee of the private nonprofit organization that is conducting the raffle. The Legislature, two-thirds of the membership of each house concurring, may amend the percentage of gross receipts required by this subdivision to be dedicated to beneficial or charitable purposes by means of a statute that is signed by the Governor.

[ *As amended March 7, 2000.* ]

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<sup>1</sup> Ballot Proposition 1A (SCA 11) March 7, 2000.

<sup>2</sup> Ballot Proposition 17 (SCA 4) March 7, 2000.

[ *Fish and Game—Districts and Commission* ]

SEC. 20. (a) The Legislature may provide for division of the State into fish and game districts and may protect fish and game in districts or parts of districts.

(b) There is a Fish and Game Commission of 5 members appointed by the Governor and approved by the Senate, a majority of the membership concurring, for 6-year terms and until their successors are appointed and qualified. Appointment to fill a vacancy is for the unexpired portion of the term. The Legislature may delegate to the commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. A member of the commission may be removed by concurrent resolution adopted by each house, a majority of the membership concurring.

[ *New section adopted November 8, 1966.* ]

[ *War- or Enemy-Caused Disaster* ]

SEC. 21. To meet the needs resulting from war-caused or enemy-caused disaster in California, the Legislature may provide for:

(a) Filling the offices of members of the Legislature should at least one-fifth of the membership of either house be killed, missing, or disabled, until they are able to perform their duties or successors are elected.

(b) Filling the office of Governor should the Governor be killed, missing, or disabled, until the Governor or the successor designated in this Constitution is able to perform the duties of the office of Governor or a successor is elected.

(c) Convening the Legislature.

(d) Holding elections to fill offices that are elective under this Constitution and that are either vacant or occupied by persons not elected thereto.

(e) Selecting a temporary seat of state or county government.

[ *As amended November 5, 1974.* ]

[ *Accountability—Session Goals and Objectives* ]

SEC. 22. It is the right of the people to hold their legislators accountable. To assist the people in exercising this right, at the convening of each regular session of the Legislature, the President pro Tempore of the Senate, the Speaker of the Assembly, and the minority leader of each house shall report to their house the goals and objectives of that house during that session and, at the close of each regular session, the progress made toward meeting those goals and objectives.

[ *New section adopted June 5, 1990.* ]

[ *State Capitol Maintenance—Appropriations* ]

SEC. 28. (a) Notwithstanding any other provision of this Constitution, no bill shall take effect as an urgency statute if it authorizes or contains an appropriation for either (1) the alteration or modification of the color, detail, design, structure or fixtures of the historically restored areas of the first, second, and third floors and the exterior of the west wing of the State Capitol from that existing upon the

completion of the project of restoration or rehabilitation of the building conducted pursuant to Section 9124 of the Government Code as such section read upon the effective date of this section, or (2) the purchase of furniture of different design to replace that restored, replicated, or designed to conform to the historic period of the historically restored areas specified above, including the legislators' chairs and desks in the Senate and Assembly Chambers.

(b) No expenditures shall be made in payment for any of the purposes described in subdivision (a) of this section unless funds are appropriated expressly for such purposes.

(c) This section shall not apply to appropriations or expenditures for ordinary repair and maintenance of the State Capitol building, fixtures and furniture.

[ *New section adopted June 3, 1980.* ]





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# California State Assembly



Proceedings  
in  
Joint Convention

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## STATE OF THE JUDICIARY

Address by

The Honorable Ronald M. George  
Chief Justice of California

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Assembly Chamber  
February 26, 2007

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## STATE OF THE JUDICIARY ADDRESS

DELIVERED TO A JOINT SESSION OF THE LEGISLATURE

SACRAMENTO, CALIFORNIA

FEBRUARY 26, 2007

## CHIEF JUSTICE RONALD M. GEORGE

Good afternoon. It is a great pleasure to be here to deliver my twelfth annual State of the Judiciary Address to this joint session of the California Legislature. I want to thank your leadership, Senate President Pro tem Don Perata and Speaker of the Assembly Fabian Núñez, as well as Republican leaders Senator Dick Ackerman and Assembly Member Mike Villines, for the invitation to address you today. There are many new faces in the Legislature this year, and I join in welcoming you and look forward to working with you and your colleagues over the coming year.

With me here today are my six colleagues on the California Supreme Court, Associate Justices Joyce Kennard, Marvin Baxter, Kathryn Mickle Werdegar, Ming Chin, Carlos Moreno, and Carol Corrigan. Also in attendance are members of the Judicial Council, which I chair and which is the constitutionally created body charged with statewide administration of the judicial branch; the Administrative Director of the Courts Bill Vickrey, his Chief Deputy Ron Overholt, and several members of their staff; and members of the Bench-Bar Coalition. The members of the Coalition are important partners in our legislative efforts, and tomorrow you will have an opportunity to meet with them to hear more about the concerns, needs, and achievements of the judicial branch on both the statewide and local level.

Over the past decade, the judicial branch of our state has become stronger and more effective—not only because of our own efforts to improve our service to the public, but also because of the great assistance provided by the other two branches of government.

Those of you who have served in prior sessions of the Legislature, and other members who have preceded you, have recognized that an impartial court system, capable of providing fair and accessible justice and adherence to the rule of law, is a cornerstone of our democracy. Each of the three branches—although co-equal and independent—is interdependent and must rely upon the other two in order to fulfill its role in the balanced system of government that our Founders, national and state, so wisely established for us.

We in the judicial branch—and, most importantly, the public we all serve—have benefited greatly from the reforms we have jointly instituted. First and foremost is the shift in funding responsibility for the courts from the counties to the state, enabling us to institute a host of other reforms and services greatly improving the lives of all Californians. Among them are jury reform, self-help centers for unrepresented litigants, and complex litigation courts.

When I stood before you last year, I described three major problems affecting the ability of our branch of state government to do its job. You and the Governor acted affirmatively on all three, and we are most appreciative. You created 50 desperately needed new judicial positions; you increased the compensation for judges—enhancing the state's ability to attract and retain well qualified and diverse individuals to a career on the bench; and you enacted legislation facilitating the transfer of court facilities from county to state ownership. This year, we are asking for your continued assistance in a few key areas.

First, additional judicial positions. Since the late 1980's, the number of new judgeships created in California has lagged far behind the growth in population across our state—especially in the fast growing Central Valley and Inland Empire areas. Changes in the structure of the judicial branch, including our unification of 220 trial courts into one level—58 superior courts, one in each county—have allowed our system to better utilize the positions we have. But the gap between expanding caseloads and the number of judges available to handle them has continued to grow, adversely affecting the administration of justice.

Courts have been forced to shut down civil courtrooms—in some cases countywide—because criminal cases facing dismissal have priority under the law and there was an insufficient number of judges to handle all the cases. In Riverside, one of the most affected counties because of an enormous growth in population, for two years in a row all civil courtrooms were closed for several weeks. Civil litigants saw the resolution of their family law matters, contract disputes, housing, probate, and personal injury claims deferred and delayed. One older gentleman wrote to tell us that for two years in a row, the Riverside court has had to take his civil case off calendar, and that he worried he would not live long enough to see his dispute resolved.

Last session, we proposed to you and the Governor a plan to create 150 new judgeships to alleviate the most acute needs in the state. The plan was based on a systematic and thorough evaluation of caseload and population growth, and a study by the National Center for State Courts confirming that at least 350 new judicial positions were justified. To meet the greatest needs, we asked you to create the 150 most needed new judgeships—50 in each of three successive years. Thank you for making the first 50 positions a reality.

Each of the 50 judicial positions we are requesting this year is essential if the courts in the affected parts of the state are to meet the fundamental needs of the public.

The reason is basic. Our shared focus on providing meaningful access to justice—and on employing various means to enable the court system to better meet the needs of our diverse population—all are aimed at the same goal: ensuring that individual litigants can have their matters fairly adjudicated. We can devise all sorts of innovative procedures to improve the way courts handle the disputes that litigants bring to the courts, but these measures will be meaningless if there is no judge to decide the cases.

We also are seeking legislation to convert some existing subordinate judicial officer positions into regular judicial positions. Many of these

court commissioner positions were created locally to help take up the slack when no new judgeships were being created. Many of those who serve as subordinate judicial officers perform excellent work. But the process for selecting them does not include any vetting by the Governor or the State Bar's Judicial Nominees Evaluation Commission, and unlike judges they are not subject to a vote by the people. Because of the insufficient number of judges, many of these subordinate judicial officers are presiding over major cases—even death penalty trials and multi-million dollar litigation. At a relatively small cost, we can convert some of these positions into regular judicial positions when they become vacant and where they are needed, and appoint judges in the regular manner to fill them.

We, along with you and the Governor, are committed to ensuring the diversity of our bench to better reflect the rich diversity of the people of our state. As required in the legislation creating the first 50 new judicial positions, we have gathered data about the gender, racial, and ethnic background of all sitting judges, and will shortly release our report. The Governor is assisting in gathering similar data relating to persons applying for appointment to the bench and those referred to the State Bar by him for evaluation. We must make sure that individuals with every kind of background and experience can seek a judicial position without sacrificing his or her financial security.

This leads me to the second of the three areas I want to revisit—judicial compensation. Recently, the Chief Justice of the United States, John Roberts, made headlines when, in his annual report on the state of the federal judiciary, he stressed the corrosive impact of stagnant judicial salaries on the ability of the federal courts to attract and retain the most qualified judges from a broad range of law practices and backgrounds.

In California, however, thanks to you, we have seen definite progress in this area. Last year you provided an 8.5% increase in judicial salaries. But the other side of the coin of judicial compensation is the judicial retirement system.

One of the major problems affecting the ability to attract the most qualified and diverse pool of applicants for appointment to the bench is the retirement program (JRS II) available to judges appointed after 1994. This is one of the most restrictive programs in the public sector. It generally requires judges to serve for 20 years and reach age 65 in order to receive a defined benefit. With less service than that, the individual essentially receives back only his or her contributions, and part of the state's contribution, in a lump sum. Our modest proposal still would require 10 years of service and reaching the age of 63 to be eligible for a defined benefit.

We want to attract and retain individuals from the public and private sectors at the height of their legal careers and take advantage of their skills for a sustained period. None of us expect to become wealthy entering public service, but we are losing too many excellent judicial

candidates. And we also are seeing many judges leave the bench early to provide for their families. It does not make sense for the state to pay retirement benefits to a judge and concurrently have to pay the salary of a replacement judge. The state may end up paying more for less experience. This is an urgent matter affecting the public interest.

Legislators have told me that many qualified individuals in their districts—lawyers practicing in the private sector as well as those employed in government law offices—have cited the inadequacies of the retirement system as a reason for not seeking appointment to a judicial position. At a recent liaison meeting I held with the California District Attorneys Association, several elected DA's stated that highly qualified prosecutors and defense attorneys in their counties were interested in judicial positions but had told them they could not afford to apply because of the adverse effect on their public retirement benefits.

Additionally, both salaries and retirement systems have a clear impact on our ability to attract a racially and ethnically diverse group of candidates. There are too many other more lucrative options in the private and even the public sector awaiting the best candidates—options many feel compelled to take because of their other obligations.

The third area in which I would like to follow up on last year's efforts is the transfer of ownership and maintenance responsibility for California's courthouse facilities from the counties to the state. Five years ago the Legislature adopted a plan for the transfer of courthouses to state control. Last year you enacted a measure, Senate Bill 10, that will facilitate and expedite this process.

With funding of the court system now a state responsibility, and with the many competing demands upon county government, the lack of local interest and ability to allocate scarce resources to courthouses is understandable. But many decades of neglect have left the infrastructure of the court system in a very precarious condition.

In courthouse after courthouse, security is inadequate. Pursuant to your mandate, we have adopted minimum security standards. We are working closely and cooperatively with the sheriffs to create a proposal to bring each court up to those standards.

Many of California's courts occupy buildings that are seismically vulnerable or are plagued with dangerous fire or mold conditions. Many facilities are incapable of meeting the requirements of the Americans with Disabilities Act. In 40% of our court facilities, shackled prisoners are brought to criminal courtrooms through crowded public hallways.

The deficiencies in our court facilities threaten the thousands of Californians who each day enter our courthouses to pay a traffic ticket, obtain an official document, seek dissolution of a marriage, determine child custody, adjudicate other legal claims, testify as a witness, or serve as a juror. They also threaten the persons who work in the courts—judges, staff, and lawyers.

The facilities legislation you adopted last year already has produced significant advances in court transfers to the state. We are actively negotiating with all 58 counties, and hope to complete the transfer to the state of up to 100 of California's 451 courthouse facilities by this summer with the goal of transferring an additional 200 facilities by July 2008. We also have begun to explore with your leadership a variety

of approaches, such as lease-backs and multiple-use facilities, involving the participation of the private sector. We request your continued assistance in making progress toward our goal of providing safe and secure court facilities for all Californians.

Governor Schwarzenegger has proposed a \$2 billion bond issue for the construction and renovation of courthouses as part of this year's Strategic Growth Plan. Last year, courthouses were not included in the bond proposal that went to the voters. We hope this year will be different. We continue to push for this investment in justice because the alternative of life-endangering court facilities is unacceptable.

These measures will help provide better physical access to safe courts. And having a high quality bench helps ensure fair and objective treatment for all. But meaningful access for all Californians requires much more. You and the Governor have provided additional funding to improve equal access. I thank you—those funds already are at work, offering assistance to litigants unable to afford counsel on their own. The Judicial Council has shown its commitment by allocating an additional \$3.7 million to support self-help services. These programs are expanding, and our goal is to install them in every court.

These and other measures are critical. The number of self-represented litigants continues to increase, and their needs will, in my opinion, pose the single most challenging issue for the courts in the coming decade. In some counties, litigants appear without an attorney in 85 to 90% of family law and landlord/tenant matters. The costs to the judicial system and to the public are high—impairing the ability of self-represented litigants to effectively vindicate their rights, undermining the ability of courts to efficiently process heavy caseloads, and eroding the public's confidence in our judicial system.

Self-help services provided at courthouses and other locations and on the judicial branch's website, augmented by legal aid and pro bono contributions by lawyers, are making a difference. But these activities are far from sufficient to meet the urgent needs of unrepresented litigants.

According to an article that appeared last month in the Los Angeles Times, thousands of self-represented Californians are awaiting a "nasty surprise"—"Many of them are not quite as divorced as they think they are" and some "are even accidental bigamists."

Moreover, some cases simply are too complex for self-representation, or for particular litigants who are unable to navigate the legal process because of language or educational difficulties.

At our request, the Governor has proposed \$5 million in this year's budget for a pilot program to make legal representation available in a limited number of civil cases when the judge determines critical rights and issues are at stake. These include child custody matters, domestic violence, probate, housing, and other matters with outcomes that affect basic rights. Three counties—one large, one medium, and one small—will be selected for the initial study. I can tell you that counties from every part of the state are vying to take part in this program. I strongly urge you to take the first steps to answer these pressing needs.

Last year, because of funding concerns, resources were withheld from a bill to provide interpreter services in critical civil proceedings. There can be no access to justice for one who cannot understand the

proceedings. Information and forms increasingly are available in Spanish and other languages in courthouses and on the Judicial Council's award-winning self-help website, but the need for interpreter services in the courtroom remains acute.

Meeting these needs will not be easy. There are numerous challenges, including the inadequate supply of qualified and certified court interpreters that we are working to supplement. But we must cope with the reality that every year more than 100 languages are spoken in California's courts, sometimes interpreted by the young children of non-English-speaking parties. We are developing methods that will allow us to make incremental progress in answering this urgent need. We look forward to working with you to start implementing programs that will make a difference for so many persons in understanding and being understood when they come to court.

No one approach to ensuring justice for all will answer every need. We also are expanding the JusticeCorps. This program trains college students to work as assistants in court-based self-help legal access centers.

These students provide a unique source of assistance. Last year, the second class of JusticeCorps members in Los Angeles spoke 24 languages and helped make it possible for self-help centers there to serve more than 122,000 persons. The response from the persons they help and from the courts in which JusticeCorps is providing assistance has been uniformly enthusiastic.

We continue to press forward with a number of other initiatives to better serve the public. I appointed a Blue Ribbon Commission on Foster Care, led by my colleague Supreme Court Justice Carlos Moreno, with members drawn from all three branches of government. They are working on recommendations to be submitted to the Judicial Council on methods by which the courts and others with responsibility for children in foster care can improve the lives of these vulnerable members of society. The commission's efforts are being coordinated with the requirements imposed by your passage of the Child Welfare Leadership and Performance Act of 2006.

The Governor's budget also contains \$17.4 million to implement significant new court mandates under the Omnibus Conservatorship and Guardian Reform Act of 2006 to improve services in this area of the law in order to better protect these individuals from improper restrictions on their personal and property rights.

The California Supreme Court continues its outreach efforts to educate the public, and especially students, about the court system through oral argument sessions held in non-traditional locations. My colleagues and I have held these special sessions in recent years in Fresno, Redding, San Diego, San Jose, Santa Ana, and Santa Barbara, receiving uniformly enthusiastic responses. Some of our Courts of Appeal and trial courts are engaging in similar efforts.

Of immediate interest to you, the California Supreme Court recently granted review or ordered supplemental briefing in 7 cases that will allow us to provide guidance to the lower courts following the United States Supreme Court's recent opinion finding that California's sentencing scheme does not meet certain constitutional criteria.



Appellate decisions will be forthcoming, affecting sentences already imposed, and we look forward to your providing guidance for future sentencing decisions by the courts through the enactment of legislation.

Preparing to address you is difficult, because it requires that I select among the many exciting developments occurring in the judicial branch. Each time I attend the Conference of Chief Justices, which I headed a couple years ago, the accomplishments and cordial relationships existing among the three branches of government in California are the focus of interest—and even envy—from my peers in other states.

The challenges that lie ahead include not only sufficient resources, but also ensuring that our judicial branch remains strong and impartial. Last fall, I was asked by former Justice Sandra Day O'Connor and Justice Stephen Breyer to participate in a conference on the independence of the judiciary that they convened in Washington, D.C. Several other justices of the United States Supreme Court and of state Supreme Courts were in attendance as we discussed the increasing threats to this fundamental principle, arising from a variety of sources nationwide.

In this context, I want to stress the function served by an independent and impartial judiciary. That phrase does not describe judges who are unaccountable or free to decide cases based upon their personal preferences or political or social philosophy. To the contrary, it signifies judges who are bound to render decisions founded upon the law and the facts before them, independent of improper pressures and influences—judges whose allegiance is to the law, and not to partisan or special interests. We should expect nothing less of those who serve on the bench.

Yet, increasingly, voices have been heard arguing that judges should follow the preferences of the majority, deciding cases based on popular opinion and not upon the constitutions and laws that govern our state and our nation.

In South Dakota last fall, an initiative measure placed on the ballot would have abolished the immunity of judges from lawsuits, making them personally subject to monetary damages and even criminally liable based upon their judicial decisions—even those upheld in the appeals process. It failed overwhelmingly, but only after every legislator and other elected official and every major newspaper urged a “no” vote and explained the consequences of a subservient bench. Unfortunately, the proponents of this measure are Californians who want to try it out in a few small states before bringing it to their home state.

Courts and judges are not, and should not be, immune from criticism. But the role they play is very different from the one with which you as legislators are entrusted. You are elected in large part based upon the positions you hold on particular issues. In contrast, judges should be selected based upon their ability to set aside their personal beliefs and upon their commitment to the rule of law. We do not want them to read the latest opinion polls before making their decisions. They are expected to consult only the constitution, the law, and precedent.

Recent studies of the public's view of California's courts have been very positive. A survey of public trust and confidence in our judicial system conducted in 2005 revealed that 67% of the California public has an overall favorable opinion of the courts, compared to less than 50% in 1992. The reforms and improvements that we have been undertaking, many with your express support, are making a difference.

The state of the judiciary is certainly much improved over what it was when I delivered my first address to the Legislature in 1996. That progress is due in large part to the joint efforts of all three branches of government. Our state government at every level has shown that it values a strong, fair, and accessible judicial branch, accountable for the funds you appropriate, responsive to the needs of our diverse population, and eager to ensure the fair and accessible administration of justice for all Californians.

I and many others in our branch look forward to meeting with you over the coming year to discuss the court system, and to working with you to make it even better. It is a continuing privilege for me to lead the enormously talented and dedicated judges and staff who are the judicial branch. Thank you again for inviting me to speak with you today. And please join us now at a reception in the Capitol Rotunda.

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# California State Assembly



Proceedings  
in  
Joint Convention

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ADDRESS

BY

HIS EXCELLENCY FELIPE CALDERÓN HINOJOSA  
PRESIDENT OF THE UNITED STATES OF MEXICO

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Assembly Chamber  
February 13, 2008

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## IN JOINT CONVENTION

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At 10:30 a.m., the Senate and Assembly met in Joint Convention.  
Hon. Fabian Núñez, Speaker of the Assembly, presiding.

### **APPOINTMENT OF SELECT COMMITTEE ON ESCORT**

Speaker Núñez appointed Assembly Members Bass, De León, Torrico, Ma, Feuer, Portantino, Hernandez, Coto, Garcia, and Fuller and Senators Maldonado, Padilla, Correa, Cedillo, Lowenthal, Calderon, Ackerman, and Negrete McLeod as a Select Committee on Escort to escort His Excellency Felipe Calderón Hinojosa, President of the United States of Mexico to the Rostrum.

### **INTRODUCTION OF DISTINGUISHED GUESTS**

Speaker Núñez introduced Mrs. Margarita Zavala, wife of His Excellency Felipe Calderón Hinojosa; Ms. Maria Shriver, wife of Governor Arnold Schwarzenegger; Mrs. Linda Ackerman, wife of Senate Republican Leader Dick Ackerman; and Ms. Maria Robles, wife of Speaker Núñez.

Speaker Núñez also welcomed all members of His Excellency's delegation.

### **INTRODUCTION OF SENATE MAJORITY FLOOR LEADER**

Speaker Núñez introduced the Honorable Gloria Romero, Majority Floor Leader of the Senate whereupon she addressed the assemblage, and made the following statement.

Thank you, Mr. Speaker.

Let me begin by expressing the welcome and gratitude of Don Perata, President pro Tempore of the California State Senate.

He asked me to represent him and the Senate today because of illness.

*Es mi honor—como una mujer de descendencia mexicana y la legisladora de mas alto rango en California—dar un bienvenidos a usted y su esposa, la primera dama, Margarita Zavala, a California.*

The ties between Mexico and California are deep and meaningful.

We share more than a border.

We share a history, we share a culture, we share a commerce, we share a people.

Today, our relationship remains strong and vibrant.

Most recently, California exported nearly 20 billion dollars in goods to Mexico, making Mexico our #1 trading partner.

When the Governor led his trade delegation from California to Mexico, I was honored to be a member of that delegation.

But it's more than our histories and economies that are intertwined—it's our future as well.

In the new global marketplace, regional partnerships are vital to economic success.

Many challenges confront us and we look forward to working with you to achieve comprehensive and humane immigration reform; economic development; fair trade; and, combating growing drug cartels that often steal the lives of too many youth in your country as well as ours.

I am grateful you have come to California to strengthen our relationship, help resolve our differences, and embark on an unwavering path of tolerance and understanding between our states.

We are neighbors—*somos vecinos*.

In California, we yearn to reach the American Dream.

I know there are American dreams on both sides of the border.

*Yo se que hay sueños en los dos lados de la frontera.*

*Trabajando juntos, lo imposible . . . es posible.*

Working together, what may seem impossible is possible.

Thank you.

#### REMARKS BY THE SPEAKER

Speaker Núñez returned to the rostrum, whereupon he addressed the assemblage, and made the following statement.

On behalf of my fellow legislators and our state's constitutional officers, I am honored to welcome today His Excellency, President Felipe Calderón Hinojosa and Mrs. Margarita Zavala to California's Capitol.

We are proud that you so graciously accepted our invitation to make this one of the stops on your first visit to the United States since becoming President.

It is one more sign of the great respect and friendship between California and Mexico.

The connection between California and Mexico is as old as time and as dynamic as tomorrow. Some of that connection is reflected in murals and museum pieces here in the State Capitol.

Some of that connection is also reflected in men and women who serve in this Capitol . . . including the man standing before you at the podium, who is still in awe of the system that allowed him to rise from the streets of Tijuana and Barrio Logan to become Speaker of the Assembly and be in a position to introduce the President of Mexico.

As we prepare to elect our own new president here in the United States, I know we all wish for a strengthening of bilateral relations to meet challenges we share, for increased economic opportunity on both sides of the border, and for greater respect and understanding between our peoples and our governments.

President Calderón you have recently announced a plan for multi-billion dollar investment in infrastructure. Here in California we have also taken that wise path.

President Calderón in your first year you have brought together vastly opposing sides to enact significant legislation. Sometimes here in California we have taken that wise path.

President Calderón you are committed to overcoming limitations of the past and to driving toward the future. Here in California, we will join you on that path.

Members of the Assembly, Members of the Senate, honored guests: I am proud to present to you, His Excellency, Felipe Calderón Hinojosa, President of the United Mexican States.

**ADDRESS**

**DELIVERED BY**

**HIS EXCELLENCY FELIPE CALDERÓN  
PRESIDENT OF THE UNITED STATES OF MEXICO**

**TO A JOINT SESSION OF THE CALIFORNIA LEGISLATURE**

**Sacramento, California**

**February 13, 2008**

*Honorable members of the California State Assembly and Senate,  
Amigas y amigos:*

It is truly an honor to be with you in this historic chamber.

I want to especially thank Fabian Núñez, the Speaker of this Assembly, and Gloria Romero, the Senate Majority Leader.

We want to build an alliance with the government and the people of this State for the prosperity, security and environmental sustainability of both Mexico and California.

I believe that some of the issues that tend to divide us should really unite us.

First, Mexico has been working hard to improve security, particularly on our border. But in order to move faster on this matter, we need the cooperation of California and the United States. If we collaborate, we will succeed in making our border a safer place.

Second, I am personally committed to promoting sustainable development. I feel particularly attached to California, due to the commitment this great State has shown in the preservation and sustainable use of natural resources.

Third, while my government is committed to protecting the rights of all Mexicans, including those living beyond our borders, we are taking great efforts to ensure that in future no Mexican needs to leave our country to find job opportunities elsewhere.

Collaboration and shared responsibility should be the basis of our relationship, because the prosperity of California and the prosperity of Mexico can only be fully realized if we work together.

Mexico and California are bound together by a common history and a shared destiny. We have deep common roots. Today, one out of every four Californians are of Mexican heritage. Our present brings us together because we are neighbors who share dreams, challenges and opportunities.

Our interdependence is also evident in our economic ties:

- The relationship between Mexico and California generates for this State almost 160 billion dollars a year, providing jobs for over 200 thousand Californians.
- Mexico is the main destination of California's exports, buying about 20 billion dollars of its products each year.
- More than 2 million Mexicans visit California annually, spending around 1.5 billion dollars.

These numbers clearly show that our proximity is mutually beneficial.

In Mexico, we are proud of the enormous contribution that generations of people of Mexican origin have made to California's progress.

Today I want to evoke the invaluable and exemplary cooperation between Mexico and the United States during World War II. As the workforce of this great country headed to the battlefield to fight for freedom, Mexico stood by the United States.

Back then, our countries set up the Bracero Program, through which more than 120 thousand Mexican workers came to this country, during the war, to harvest the crops, to prevent factories from closing, and to keep the American economy strong and able to sustain the war effort.

The program was extended until the sixties and more than 4 and a half million Mexicans joined the American labor force to consolidate the prosperity of this nation.

This lesson from our past shows us the way to forge a better future as partners in favor of freedom and progress.

Today, migrant workers are known for their passion, drive, talent and hard work.

A study conducted by the Council of Economic Advisers of the White House found that:

- Americans benefit from immigration, as immigrants complement and do not substitute local workers.
- Immigrant workers contribute to productivity growth and many of them are entrepreneurs.
- Immigrants contribute more in taxes than they receive in public services.
- Immigrants have a strong work ethic and their children assimilate easily into the American society.

I know that immigration is a controversial issue today in this great nation. But I strongly believe that Mexican and Mexican-American workers are a large reason for the dynamic economy of California.

The harvester in Delano, the dishwasher in Los Angeles, the construction worker in San Francisco, but also the executive in Silicon Valley, and the university professor in San Diego, all of them work hard every day for the prosperity of this state.

That is why it is important that we build bridges of understanding, dialogue and collaboration if we are to achieve greater well-being for our peoples.

Our nations will never find prosperity by closing their doors.

Few of the world's economies are as complementary as those of Mexico and California. While your economy is capital-intensive, Mexico's is labor intensive. Investment and labor complement each other.

To grow, Mexico needs investment from California and the rest of the Union, and the United States needs the strength, talent and capacity of Mexican workers to continue prospering.

Immigration is a natural phenomenon between two complementary economies, even more so if they are neighbors.

We must take a comprehensive approach to the phenomenon of immigration, considering its economic, political, social and cultural aspects. We need to make migration legal, safe and organized.

Today I invite you to work together with us in finding long-lasting solutions to immigration issues.

We are at a historical turning point. Future generations will judge us by the decisions we take today. Did we work together to provide organized and humane migration or did we continue to allow hundreds to die each year?

I want to assure you that Mexico does not encourage its citizens to migrate. I am a President who is not glad to see Mexicans migrating to the United States.

Our country loses a great deal with every woman, with every man, who crosses the border in search of better job opportunities.

Each year, migration separates thousands of Mexican families and communities, leaving children without parents and wives without husbands.

Migration carries off the best among us: our bravest, our youngest and our strongest people.

My administration is working hard to create the conditions that will enable each Mexican to find, in our own land, well paid opportunities for employment.

Legal, safe and organized migration is not only in the interest of American society. It is crucial for our migrants and their families and for that reason for the people of Mexico.

We are working to change Mexico and modernize our economy and society. We have made significant advances on several fronts:

First, one of our priorities has been to ensure law enforcement and stop criminal organizations. From my first day in office we launched a strong offensive against drug traffickers and organized crime to protect our people from violence.

We hit them, and we hit them hard. We got two unique world records:

- We seized the largest amount of cocaine in one single operation in the world: more than 24 tons.
- We seized the largest amount of cash coming from drugs in one single operation: more than 205 million dollars in cash.

As a consequence of our action, the price of drugs in American market grew by almost 50% last year.

I know that the war against crime will be long and costly. But I can assure you, we will not hesitate in this mission.

That is why bilateral cooperation with the United States Federal and local authorities is crucial to building a safer border.

Second, after ten years without significant legislative reforms, and despite an opposition-controlled Congress, we managed to pass vital reforms to the tax and pension systems. These actions represent decisive progress in strengthening our public finances. In addition, the Congress is approving a reform in the judicial system in order to establish oral trials and unanimously approved a new electoral reform.

Third, we are committed to maintaining sound economic and fiscal policies. Mexico is determined to become one of the most attractive destinations for investment in the world:

- Last year, foreign direct investment reached a record 23 billion dollars. In addition, around 800 thousand new jobs were created.
- We also achieved one of the lowest inflation rates not only in our history, but also the second lowest in the Western Hemisphere, and even lower than the American inflation for the first time in history.
- We have an ambitious 250 billion dollar, five-year infrastructure plan to build up and improve Mexico's harbors, airports, and highways as well as to modernize our energy sector. This means investing 50 billion dollars each year.

Fourth, we are also determined to improve income distribution and to close the gap between rich and poor. To this end, we are channeling resources exceeding 100 billion dollars a year to social programs.

We are investing in our people like no other Mexican government before.

Fifth, we have also taken steps to protect our natural resources and contribute to the international campaign against global warming.

My government is implementing innovative programs that make the provision of environmental services a new source of income for indigenous people.



In 2007, we reforested more than one and a half million acres, contributing with more than 250 million trees to the United Nations' "Billion Tree Campaign".

My administration also introduced a National Climate Change Strategy, aimed at reducing greenhouse gas emissions and fostering the use of alternative energy.

California is a world leader in clean energy production and I am sure that we can exchange useful experiences and knowledge on this critical issue.

As part of our commitment, today both Governor Schwarzenegger and I will bear witness to the signing of an Environmental Cooperation Agreement.

This instrument will be an important step to a closer, more intense cooperation to address the environmental challenges faced by California and Mexico.

In sum, we have defined a clear route for Mexico, and we share a vision of what we want to achieve in the future: a modern, fair and safe country that no longer has to see its children leaving to foreign lands in order to find an opportunity to prosper.

*Honorable members of the California Legislative Assembly;  
Ladies and gentlemen:*

The historic roots shared by Mexicans and Californians run deep. This is evident in the 17 members of the Assembly and 9 Senators of Mexican heritage who serve in the great California Legislature. *Nos sentimos muy orgullosos de ustedes.*

I strongly believe that ensuring a better future for California and Mexico demands cooperation between us.

Ensuring a better future for California and Mexico requires making immigration an orderly, humane and safe process, respectful of human rights.

The choice is not between migration and security or between migration and prosperity. The choice is between a future of integration and success or a future of distrust and resentment.

The choice is ours. The time is now.

Let us work together to take advantage of the ways our economies complement each other to build roads to prosperity.

Let us move North America to the place it deserves as the leading, most competitive economic region in the world.

Let us together lead California and Mexico to a future of peace, security and justice. *¡Viva California! ¡Viva México!*

Thank you very much.

#### **ADJOURNMENT OF JOINT CONVENTION**

At 11:03 a.m., Speaker Núñez declared the Joint Convention adjourned *sine die*.



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# California State Assembly



Proceedings  
in  
Joint Convention

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## STATE OF THE JUDICIARY

Address by

The Honorable Ronald M. George  
Chief Justice of California

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Assembly Chamber  
March 25, 2008

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STATE OF THE JUDICIARY ADDRESS  
DELIVERED TO A JOINT SESSION OF THE LEGISLATURE

MARCH 25, 2008

CHIEF JUSTICE RONALD M. GEORGE

Good afternoon. I want to begin by thanking the President pro Tem of the Senate, Don Perata, and Assembly Speaker Fabian Núñez for their invitation to speak with you today. This annual event—my 13th State of the Judiciary Address—combined with visits to many legislators by members of the Bench Bar Coalition, provides the courts with a unique opportunity to share with our sister branches of government information about how we are using the resources you afford us and how, together, we can best serve the administration of justice and the people of our state. I am pleased to be joined not only by members of the Bench Bar Coalition, but also by my colleagues on the California Supreme Court—with the exception of Justice Kennard, who regrets that a medical problem prevents her attendance—as well as members of the Judicial Council and its advisory committees and task forces, state and local judicial and bar leaders, and the executive leadership of the Administrative Office of the Courts.

We in the judicial branch are keenly aware that this is a difficult year for you and the Governor. The fiscal challenges facing California are set against a backdrop of troubling financial developments on the national level. These often seem magnified in our large, complex, and diverse state—and complicate your task of achieving a budget that reasonably meets the public's needs.

I am not here to request funding for sweeping new initiatives. I am here today to tell you that the judicial system understands its obligation to contribute to the solution. Accordingly, we have carefully examined the judiciary's budget to determine how we can assume our share of the burden in an equitable manner and will be discussing that information with you in budget hearings in the coming weeks. In speaking with you today, I will be stressing those needs that are essential to the very integrity of the justice system and the vital interests of Californians, and explaining the impact on the state's people and institutions of any failure to provide the courts with the resources essential to allow them to function effectively.

California's judicial system is said to have the largest law-trained judiciary in the world, far surpassing the federal system. That is not surprising when one considers that 95% of the legal proceedings in the United States are filed in state courts, and California is the leader in filings by virtue of its size and the diversity of its institutions that have made us one of the largest economies in the world.

Statistics from the National Center for State Courts, however, indicate that California is at the bottom of the lists of comparable states in the number of judges it provides in proportion to the state's population. We also for that reason are near or at the bottom of the list when it comes to the time it takes to bring every type of case,

including criminal, to final judgment. I will return to the impact of these circumstances in a few moments, but I mention them now to place the situation of California's judicial system in a national perspective.

There is another comparison of California's judiciary I want to mention—with some pride. In a recent article in the *New York Times*, legal reporter Adam Liptak reported on a study showing that over the past several decades, the decisions rendered by California's Supreme Court have been followed by other state high courts in the nation far more than the decisions of any other state high court. This finding reflects the leadership role of our court—and our state's entire judiciary—in the development of the law of our nation. Credit goes not only to my colleagues on the California Supreme Court, past and present, but also to the highly qualified jurists who serve at every level of our court system and fully develop cases and issues that come to us for review. California's judicial branch, I suggest, provides excellent value for the approximately 2.5 percent of the state budget it is allocated.

Beyond its careful attention to the substance of the law, the judicial branch for more than a decade has engaged in self-examination intended to make us more responsive to the needs of the California public we serve, and more effective and accountable in using the resources made available to us. With your help, we have transformed our court system into an increasingly fair and effective branch of government better able to serve the public. And because of the structural reforms we have undertaken at our own initiative, our branch is in a better position to cope with the present fiscal crisis than it otherwise would be. Nevertheless, given the proposed reductions, it will remain difficult to perform our core function of providing accessible justice to all Californians.

The last major piece of the structural transformation of our judicial branch, following the transition from county to state funding and the unification of the state's 220 trial courts into a single level of 58 courts, one in each county, is the transfer of court facilities from the counties to state ownership under judicial branch management. The Trial Court Facilities Act of 2002 began the transfer process, but it immediately encountered delay because so many courthouses were in worse shape than anticipated and could not be transferred without the expenditure of substantial sums by the counties.

In 2006, an agreement was reached among the counties, the courts, and the state. Enabling legislation provided that counties could transfer facilities, and the state would accept them, with the understanding that the counties would retain liability for any damages caused by the condition of the buildings—for 35 years or until the buildings were replaced, refurbished, or no longer used for court purposes.

This new measure jump-started the process, and of the 451 courthouse facilities, approximately 120 were transferred by the end of the last fiscal year. The authorizing statute, however, had a sunset date. During the closing hours of last year's legislative session, a bipartisan proposal to extend this deadline was unexpectedly sidetracked. As we were promised by legislative leadership, the necessary urgency bill, AB 1491 authored by Dave Jones, Chair of the Assembly Judiciary Committee—building on the efforts of Senator Ellen Corbett last year—is before you. The judicial branch and the counties are poised to move on the transfers once this measure is adopted.

The focus then shifts to how to rehabilitate and replace those court facilities that, because of earthquake, fire safety, and security deficiencies, pose substantial dangers not only to those who work in them, but also to persons who appear as witnesses, parties, or jurors, or enter these structures to pay traffic tickets or obtain documents or various services. Senator Perata is carrying legislation, SB 1407, authorizing a revenue bond that would help us meet many of the most urgent needs. We are exploring using performance based infrastructure processes—involving public/private partnerships—to the greatest extent possible for new construction, which should allow us to maximize the state's contribution.

Many courthouses also have major security problems. The lack of adequate resources is a contributing cause to the dangerous incidents that occur all too frequently in courthouses across the state.

For example, last year in Los Angeles, two separate attempted escapes resulted in one deputy sheriff being pepper-sprayed by a prisoner, and another deputy being repeatedly struck in the face and cut by a jail-made razor shank. An attack by a prisoner who had to be escorted in a public elevator in the Monterey courthouse put both a deputy and the public in danger. These and similar incidents might have been avoided if resources had allowed for a second deputy to accompany the prisoner.

A partial list of the items collected from individuals entering the courthouse on one day last fall in one of our smaller courts, the Superior Court of Kings County—gives a sense of the daily danger: thirteen knives, two sets of handcuffs, three handcuff keys, a stun gun, and two cans of mace.

Disputes that lead to court proceedings can be volatile. Criminal cases sometimes involve gang rivalries and angry victims and families, bent on retaliation. But family law matters in civil courts often are the most dangerous. When I arrived at the main Los Angeles courthouse a few years ago to meet with court leaders, I observed personnel mopping up blood in a hallway after a physician involved in a marital dissolution proceeding had fatally shot his wife. Years earlier, when I was a trial judge, an elderly juror serving in a case over which I was presiding was stabbed to death during a brief recess while using the public restroom across the hall from the courtroom.

Security costs have been the fastest growing and the most expensive component of the trial court budget, comprising almost \$500 million of our budget. We have worked closely with the Sheriffs of our state to set proper and consistent security standards statewide to bring some predictability to the cost of these services. Expected funding from the Legislature to accomplish these goals also failed to materialize at the end of last year's session, and we remain without the allocation of funds needed to implement this program.

Innocent bystanders are at risk if we cannot secure our courthouses—as are the employees who work there and the understaffed law enforcement officers who serve in unsafe conditions. I strongly urge you to support the security standards and funding needed to reduce those risks.

Meanwhile, those who come to the courts increasingly arrive without legal representation. Access to justice has been a primary goal of the Judicial Council. The Council, which as Chief Justice I chair, is the constitutionally created entity charged with overseeing and setting

policy for the statewide administration of justice. The Administrative Office of the Courts, ably headed by our Administrative Director of the Courts, Bill Vickrey, and his Chief Deputy, Ron Overholt, serves as the Council's staff arm.

Seeking ways to improve access to the courts, the Judicial Council has created a Task Force on Self-Represented Litigants, and has worked with local courts, the State Bar's broadly constituted Commission on Access to Justice, and with Bar, legal services, and local community organizations to offer a broad range of services to assist self-represented litigants.

Along with many others, I repeatedly have encouraged lawyers across the state to provide pro bono services, and we have been heartened by the response. This year when, for the first time, lawyers were provided with the opportunity to contribute to legal aid services at the same time they pay their bar membership dues, almost one million dollars was collected.

People must have *meaningful* access to the courts, or the phrase "justice for all" becomes no more than an empty promise. That requires making necessary tools available, including court information in several languages, user-friendly forms, guidance on how to file and respond to pleadings, and at least limited assistance from legal counsel and interpreters when needed. The judicial branch has expanded its efforts to improve the availability of interpreters without additional funding from the Legislature, and will continue to attempt to augment those services even under the constraints of the present budget situation.

The courts also have actively participated in improving services to families and children in the foster care system. These children are among the most vulnerable members of our society. Timing here is critical. During the brief period of a child's development and learning, delay in providing services or a proper placement too often amounts to a denial of those vital needs to the developing child.

In 2005, the Pew Commission on Children in Foster Care issued a national report recommending that courts become more involved in tracking and analyzing foster care caseloads, and urging more funding for child welfare services. Our Administrative Director of the Courts served on that commission. Two years ago, I appointed a Blue Ribbon Commission on Children in Foster Care, chaired by my colleague Justice Carlos Moreno, and including Senator Darrell Steinberg and Assembly Members Karen Bass and Bill Maze as members.

Ten days ago, our commission issued draft recommendations and solicited public comment before preparing its final report to the Judicial Council, which is expected in June of this year. Those recommendations are expected to respond to the urgent needs of California's nearly 80,000 children in foster care, who include a disproportionate number who may drop out of school, end up homeless or unemployed, or become involved with the mental health or criminal justice systems. I anticipate that the Judicial Council will be bringing recommendations to you later this year, and we look forward to working with you to improve the treatment of foster children in California. Similar progress is taking place in providing more protection in domestic violence cases and more safeguards for those individuals in conservatorships.

The steps we have taken to improve access, procedures, and services for the public we serve will, however, be meaningless if we lack the judges needed to implement them. Three years ago, the Judicial Council



came to you with a request to meet the urgent need for more judicial positions. A study by the National Center for State Courts recommended the addition of more than 350 judges to meet current needs after years of no increase in judgeships. We focused on the 150 highest priority positions, and asked that they be created in groups of 50 over the next three years. You responded, creating 100 new judgeships in the last two legislative sessions.

It is vital that the last complement of 50 judgeships be authorized this year. Senator Ellen Corbett is carrying this bill, SB 1150, and I urge you to support it. Although funding for many of the newly created judgeships was delayed by one year during the special budget session earlier this year, I hope you will carefully consider providing, as soon as it is feasible, the funding needed for an adequate number of judgeships.

Many of the new judicial positions are designated for areas of the state that have seen an enormous growth in population over the last few decades without a corresponding increase in the bench. This is especially true for the Inland Empire and the Central Valley.

For example, the case backlog is so acute that recently, for two years in a row, Riverside's court was forced to close down all of its civil courtrooms for months at a time to handle criminal cases, which have priority under the Constitution. At the request of court leadership and the Bar, I created a special task force of experienced judges from all over the state to go to Riverside County to help reduce its staggering backlog. Progress has been made, and discussions of possible changes in practices by both the courts and their justice system partners are producing important results. Nevertheless, a substantial backlog of cases remains. By the way, we sent this task force to Riverside using our existing budget resources with the flexibility you have allowed us, without seeking any additional allocation from the Legislature.

Court delays have real, human consequences. In one Riverside criminal case, an individual who had spent five years in jail was found not guilty when his case, which had resulted in a hung jury at an earlier trial, finally was retried. In a civil case in that county, the surviving husband and very young children of a mother who stayed at home to care for the children and who was killed in an automobile accident, ended up in homeless shelters during the years they spent waiting for a trial date to be scheduled. No judge was available to hear their case. Once a trial date was set, the case was settled within two weeks.

Cases involving young children or the elderly have statutory priority in our court system. Yet such priorities are thwarted by criminal case backlogs. Elderly people have written to the courts after their cases repeatedly have been put over, stating that they fear they will die before their cases are resolved. I mentioned earlier in my remarks how poorly California's case clearance rates measure against those of other states. This circumstance reflects a fundamental tenet of court administration: that the setting of a trial date often is the key to reaching settlement and resolution—and that nothing happens until then. And a case cannot be set for trial without there being a judge available to try the case.

The failure to provide sufficient resources and personnel for the court system risks depriving California of an effective public civil justice system. The absence of an operational civil justice system will affect every aspect of California life: business and financial institutions, dissolutions of marriage, probate distributions, child custody and

support, civil rights, governmental functions—all will have no place to go. The legislation you enact into law may not be subject to judicial enforcement if that occurs. I believe we all agree that a functioning court system is not a luxury—it is an essential component of state government.

There are severe limits to how much we can reduce the services that we are required to provide. For example, providing legal counsel to criminal defendants is not simply a program that can be eliminated as part of budget reductions—it is a constitutional responsibility, and one that would be enforced by federal courts at state expense if we ignore it. Cutting back on the processing of vehicle offenses would make no sense—such matters are a source of revenue to state and local government. Reducing services in dependency matters is not an option—such action would jeopardize federal funding.

These circumstances also illustrate the need not to limit the use of the resources that are provided to the judicial branch, but instead to authorize the judicial branch to apply them in the most effective manner. We, in turn, will continue to remain accountable for how we have used the funds you allocate to our branch.

Flexibility is especially important in developing much needed technology. My colleague, Justice Ming Chin, chairs the Judicial Council's Technology Committee. At a recent meeting of the Council with the leaders of the Departments of Corrections, Social Services, Child Support, Department of Justice, and the California Highway Patrol, we discussed the urgent common need for a system that allows us to share updated information. Without that, domestic violence restraining orders, warrants, and dispositions among other important records, too often are not circulated promptly to law enforcement. We are working to create a consistent case management system that makes information more transparent to the public, more accessible to other parts of government, and more effectively shared among the courts.

Having spoken about the need for flexibility in managing our resources, I want to turn for a moment to a proposal that is intended to help the California Supreme Court do just that. Each year, our seven-justice court reviews more than 9,000 petitions for review and original relief and typically issues opinions in 110 to 115 cases. The nine-justice United States Supreme Court has issued about 70 opinions each of the past few terms. Only appeals from judgments of death come directly to the California Supreme Court. Twenty to twenty-five of the opinions issued by our court each year are in these very lengthy and time-consuming capital cases. We also dispose of another 30 or so related habeas corpus petitions in death penalty cases each year, involving the preparation of lengthy internal memoranda addressing the multiple issues presented.

The court has improved and expanded the selection of counsel and shortened the time for filing briefs in our court. Our efforts have met with some success—at present, we have approximately 80 fully briefed appeals from judgments of death pending in our court, and another 100 fully briefed capital habeas corpus matters. The records in these cases are routinely 10,000 pages long, and sometimes several times that length, and involve numerous issues. Considerable staff and judicial time must be expended on each case.

Earlier this year, the Supreme Court proposed a constitutional amendment, endorsed by all the justices of the court and backed by the

administrative presiding justices of the Courts of Appeal, that would allow the Supreme Court to transfer certain fully-briefed cases to the intermediate appellate court for argument and preparation of an opinion. After the Court of Appeal's decision, the Supreme Court would carefully review all cases, and proceed with oral argument and a written opinion if there is an important question of law or a conflict between Courts of Appeal on a matter of law, or if the Supreme Court finds that the lower court may have committed an error in reaching its decision. This proposal does not concern the merits of the death penalty; it is strictly about process.

The proposal arose out of a grave concern that the death penalty caseload in the California Supreme Court is consuming too large a portion of the resources needed by the court to perform its basic constitutional role of deciding significant issues of law in civil and noncapital criminal cases in order to provide guidance to the lower courts, government, business, and individuals.

To effectively handle these difficult matters, adequate resources must be allocated to every part of the justice system—prosecution, defense, and the Courts of Appeal. In view of the budget situation, I have asked that our proposal not be advanced at this time. I shall, however, at a more propitious time, seek your consideration of this constitutional amendment, and in the meantime we are interested in hearing the Legislature's ideas about how to best address the difficult issues of delay and workload presented by the Supreme Court's backlog of death penalty cases.

Before I close, I want to mention one additional subject. As many of you know, it has become increasingly difficult to attract well qualified candidates from diverse backgrounds to the bench from both private and public practice, because the judicial retirement system in effect for judges appointed since 1994 is grossly inadequate. This urgent situation should be corrected if we are to ensure the continued excellence of our judicial system, and I ask that you deal with this problem in the near future.

California's court system has a nationwide reputation for excellence and innovation in providing service to the public, for the high quality of its bench, and for the creativity and innovation of judges and court administrators and court staff who are dedicated to enhancing the administration of justice. In my view, an impartial judiciary—and its corollary, adherence to the rule of law—are the cornerstones of our democracy. Support for our judicial branch is essential to our democratic form of government in good times and in bad.

We in the judiciary look forward to working with our coequal branches of government to further enhance the administration of justice in our state. Thank you again for the opportunity to address you. And now I invite you to join me, my colleagues from the courts, the Judicial Council, the Administrative Office of the Courts, and the Bar, at a reception to be held in the Capitol Rotunda. I hope to see you there, and to have further opportunities to speak with you in the months and years ahead.



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# California State Assembly



Proceedings  
in  
Recess

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ADDRESS

BY

HER EXCELLENCY MICHELLE BACHELET JERIA  
PRESIDENT OF THE REPUBLIC OF CHILE

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Assembly Chamber

June 12, 2008

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**IN RECESS**

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**ADDRESS****BY****HER EXCELLENCY MICHELLE BACHELET JERIA****PRESIDENT OF THE REPUBLIC OF CHILE****at the California State Legislature****Sacramento, June 12, 2008**

*The Honorable Speaker Emeritus Fabian Núñez  
Distinguished Members of the California State Legislature*

Ladies and Gentlemen:

I would like to thank you for the invitation to address the Legislature. It is a source of great pride for me as President and it is especially so for the Chileans I represent.

California is a very dear land to us in Chile because our links can be found deep in our respective histories. Many *clippers* filled with wheat, meat and the products that supplied San Francisco, the Sierra Nevada of Ansel Adams, and the valleys of John Steinbeck, sailed from Chilean ports.

Thousands of Chileans also tried their fortune in this land, so much so that early in the history of San Francisco there was a neighborhood called *Chilecito*, or Little Chile.

In fact, there were so many, that it led to the myth of Joaquin Murieta, brilliantly narrated by our Nobel Prize winner, Pablo Neruda in his "*Splendor and Death of Joaquin Murieta*", and in *Daughter of Fortune*, the novel by Isabel Allende, who—the same as her protagonist—also found love in California and lived here for several years, close to the Golden Gate in San Francisco.

Over the last few decades, our ties have been renovated and enriched.

One of the most important moments occurred in the 60's, when President John F. Kennedy promoted the Alliance for Progress, and began several initiatives with the Government of Chile, led by President Eduardo Frei Monalva at the time.

One of these bilateral initiatives was our first Plan Chile-California, which included an agreement between Chilean and Californian Universities.

It had a deep impact. Hundreds of talented young Chileans traveled here in the 60's to study master's degrees and doctorates in Los Angeles, Berkeley and Davis and returned to our country, then a traditional and agrarian society, inspired by dreams and ideas.

They talked of agrarian reform, they talked of modernization theory, they wanted to change the world. And they changed the face of Chile because they learned how to; here in California.

Things have changed considerably since then. We have also learned a lot. Today, Chile is a consolidated democracy that strides quickly toward development.

Between the return to democracy in 1990 and last year, our economy grew at an annual average rate of 5.5%, increasing our gross domestic product from 30 billion dollars to 170 billion dollars. We reduced poverty from 40% to 13.7%. We increased per capita income measured by purchasing power parity to 14,000 dollars in 2008 and according to the IMF by the year 2013 Chile's per capita purchasing power parity will be 19,000 dollars.

Because we have made such great progress, today Chile's objective is more ambitious. We aim to take a giant step and become a developed nation in the span of one generation.

In order to do this we cannot continue to do more of the same. We must move on from being an economy based on the export of commodities to an economy that exports specialized, high tech products and services at even higher levels of competitiveness.

To reach this objective, Chile must also take a giant step in its competitiveness. Productivity, human capital, equal access to quality high level education then become the keys for the jump to development in Chile. To face this challenge we must forge the necessary partnerships with developed economies.

Chile's relationship with the United States has also transformed positively throughout this period and is currently experiencing the best moment in our bilateral history, gradually approaching a mature partnership.

We are democracies that share the principles of freedom, respect for human rights and free trade. Although there will always be space for differences, our similarities and common objectives are stronger.

A fundamental event on this bilateral path was the signing of our Free Trade Agreement, which celebrates its fifth anniversary this month. Our assessment is very positive. Our trade has increased from 6.2 billion dollars in 2003 to 16 billion dollars in 2007. A large part of our trade is done through the ports and airports of California.

However, we want to go beyond our current bilateral relationship.

That is why we have come to California: To start a new stage in the bilateral relationship with the United States, and to launch a new partnership between Chile and California.

We have not come to ask for aid, we have come to form a partnership for development. We are launching an ambitious cooperation program that we signed today with Governor Schwarzenegger at the University of California in Davis, which we have called *Chile-California: A partnership for the 21st Century*.



It is a broad program that covers many aspects. However, its central theme is education and the quality of our human resources. We hope to do this through a massive program of post-graduate studies for Chilean students, in training and education, in conjunction with the principal universities in Chile and in California.

My government takes the challenge of education very seriously because it will be our short cut to development.

This year, Chile has budgeted 900 million dollars more for education than in 2007. Currently an historic reform is being debated in the National Congress. However, simultaneously this year we have created a six billion dollar sovereign fund, whose interests will fund this ambitious scholarship program for my country's most talented students, a large number of whom will go to the best universities in California and the United States.

Our program is a clear signal of my government's commitment to equal opportunity and of our determination to take the leap to development.

The new Plan Chile-California will not be limited to education and human capital formation.

We will also commence several public-private projects in research and development in environment and water; energy; agriculture; and information technology and communications. These will have a high impact in Chile because we share similar climates and geographies, a reason why we coincide on many areas of production.

The economies of Chile and California ceased to be rivals a long time ago, for example in the field of agriculture, and have moved on to become complementary systems. What we need to do now is develop these projects and forge new public-private alliances.

What we hope to achieve is to give Chilean entrepreneurs and their strategic partners the support required to maximize the opportunities that Chile has opened during these 18 years of democracy, while building one of the most extensive Free Trade Agreement networks in the world.

Chile has signed trade agreements with 53 countries in North America, Europe, the Asia Pacific, and Latin America that grant us access to a market of 3.9 billion consumers. If we consider that Chile is an economy of 16 million people, it shows that Chile still has much, very much room to grow in the coming decades.

Friends of the California Legislature:

We still have a lot of space to strengthen the relations between Chile and the United States even further. However, the most important fact is that today we have entered a new era.

Last year the governments of Chile and the United States took several important steps in the same direction that we are heading today with California. We started a massive program of scholarships especially oriented at students with limited resources, called the *Equal Opportunities Program*.

This is the direction in which we wish to work and we believe that this is the direction in which many countries from Latin America would like to take their relations with the United States.

Our region has progressed. Today democracy is the rule, not the exception.

The regional economy has grown 23% over the last 6 years and the number of people living in poverty has decreased. For this reason we should take advantage of that prosperity to construct more equitable societies, which are able to grow, but also able to assure that growth will reach all the people of Latin America.

Latin America has a tremendous social deficit that has weakened the democracies that emerged in 90's, and that deficit will only be surpassed by a stronger State with policies that focus on social protection, on innovation and competitiveness, as well as on integration into the regional and global economies.

Latin America has solid foundations, but we must learn from the experiences of other emergent economies that are advancing towards development, such as the Southeast Asian nations. Therefore, Chile is proposing that the two sides of the Pacific come closer together, a proposal that has received great interest, as much in my region, as in the Asia Pacific.

The United States can play an even more important role supporting Latin America's objectives of development. The next Summit of the Americas that will be held in 2009 in Trinidad and Tobago, will be a great opportunity to re-launch hemispherical cooperation by means of a program that supports equity, innovation and hemispheric integration.

Nevertheless, agreements such as the one we signed today between Chile and California show us that there is still much that we can do for the benefit of our people.

That is why I wanted to come before you today. In order to show you that Chile is progressing. In order to state that the United States has partners in Latin America, and to renew our ties with the people of California.

Thank you very much.

Volume 6

# Journal of the Assembly

Legislature of the State of California  
2007–08 First Extraordinary Session  
September 11, 2007 to September 19, 2008



HON. KAREN BASS  
Speaker

HON. SALLY J. LEIBER  
Speaker pro Tempore

HON. LORI SALDANA  
Assistant Speaker pro Tempore

HON. ALBERTO TORRICO  
Majority Floor Leader

HON. MICHAEL VILLINES  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

SUE PARKER  
Minute Clerk

CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, September 11, 2007**  
**FIRST SESSION DAY**  
**FIRST CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, September 11, 2007

At 6:50 p.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Arnold Schwarzenegger, Governor of the State of California, dated September 11, 2007, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2007–08 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk, Sue Parker, Minute Clerk, and Ronald E. Pane, Chief Sergeant-at-Arms.

Hon. Fabian Núñez, Speaker of the Assembly for the 2007–08 Regular Session, presiding.

Assistant Clerk Elizabeth Potter, reading.

#### ROLL CALL

The roll was called and the following answered to their names—78:

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

**PRAYER**

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

*Lord, In the six years since the terrorist attacks of September 11th, the debates in this country regarding the proper response to those attacks are all very poignant and valid in a democracy, even though many times in history we've learned that loose lips sink ships. Yet, on 9/11, we were drawn into a conflict with a region of the world that is besieged by ethnic and sectarian hatreds. As our political leaders search for a way to deal with the problems following September 11th, we turn our attention this morning to those who lost their lives on this day six years ago, and to the military casualties since then. We ask You, Lord, to grant rest to their souls in a place of peace where there is no pain or strife. Bring comfort to the families who have lost loved ones since then and help us all to show that love and faith in You is always the proper response to hatred.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness: Assembly Member Strickland.*

**PROCLAMATION OF THE GOVERNOR**

Speaker Núñez directed the Clerk to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

**A PROCLAMATION****BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now therefore,

I, **ARNOLD SCHWARZENEGGER**, Governor of the State of California, by virtue of the power and authority vested in me by Section 3(b) Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California on the 11th day of September 2007, at a time to be determined, for the following purpose and to legislate upon the following subjects:

1. To consider and act upon legislation to comprehensively reform California's health care system that relies on shared financing and contributions from individuals, employers, health providers, federal, state and local government, and others.
2. To consider and act upon legislation that will provide for health care coverage for all Californians and access to health insurance without regard to medical history.
3. To consider and act upon legislation to make health care more affordable by: (a) reducing the cost to employers and insured individuals associated with uncompensated health care services delivered to the uninsured and low Medi-Cal reimbursement rates, (b) preventing chronic diseases, and (c) promoting more cost effective health care delivery.
4. To consider and act upon legislation to modify or extend existing programs to provide for a transition to comprehensive health care reform.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 11th day of September, 2007.

**ARNOLD SCHWARZENEGGER**  
Governor of California

ATTEST:

**DEBRA BOWEN**  
Secretary of State



**ELECTION OF SPEAKER**

Assembly Member Bass was granted unanimous consent that the election of Speaker Fabian Núñez on December 4, 2006, to the Office of Speaker of the Assembly for the 2007–08 Regular Session, and the Oath of Office administered (Assembly Journal, page 8), be substituted in the First Extraordinary Session.

**Oath of Office of Speaker of the Assembly**

The following oath of office was administered to Speaker-elect Fabian Núñez, on Monday, December 4, 2006 by Associate Justice Carlos R. Moreno, Supreme Court of California:

**OATH***for the Office of Speaker of the Assembly*

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the state of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**ADOPTION OF STANDING RULES**

Assembly Member Bass was granted unanimous consent that the Permanent Standing Rules of the Assembly for the 2007–08 Regular Session and the organization of Standing Committees be adopted in the First Extraordinary Session.

(NOTE: For the text of the Assembly Standing Rules, see Assembly Daily Journal for December 4, 2006 for the Regular Session, page 11.)

**MOTION RELATIVE TO ORGANIZATION OF THE ASSEMBLY**

Assembly Member Bass was granted unanimous consent that the provisions of House Resolution No. 3 in the 2007–08 Regular Session relative to the payment of Members and distribution of Weekly Histories be substituted in the 2007–08 First Extraordinary Session.

(NOTE: For the text of House Resolution No. 3, see Assembly Daily Journal for December 4, 2006 for the 2007–08 Regular Session, page 57.)

**ELECTION OF OFFICERS OF THE ASSEMBLY**

Assembly Member Bass was granted unanimous consent that the Non-Member Officers in the 2007–08 Regular Session be deemed the Non-Member Officers in the Extraordinary Session (Chief Clerk, Chief Sergeant-at-Arms, Chaplain, and Alternate Chaplain) and that their respective oaths in the Regular Session be substituted in the First Extraordinary Session.

(NOTE: For the oaths of office for the non-member officers for the 2007–08 Regular Session, see Assembly Daily Journal for December 4, 2006, page 56.)



**COMMUNICATIONS**

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

September 11, 2007

*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 the following Democratic Leadership for the 2007–08 1st Extraordinary Session:

Speaker pro Tempore	Hon. Sally Lieber
Majority Floor Leader	Hon. Karen Bass
Assistant Majority Floor Leader	Hon. Kevin De León
Majority Whip	Hon. Fiona Ma
Assistant Majority Whip	Hon. Mary Hayashi
Democratic Caucus Chair	Hon. Noreen Evans

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

September 11, 2007

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

Dear Dotson: This is to advise you that I have established and appointed the chairs and vice chairs to the following committees for the 2007–08 1st Extraordinary Session:

*Rules*

Assemblymember Hector De La Torre, Chair  
 Assemblymember Sam Blakeslee, Vice Chair

*Appropriations*

Assemblymember Mark Leno, Chair  
 Assemblymember Mimi Walters, Vice Chair

*Health*

Assemblymember Mervyn Dymally, Chair  
 Assemblymember Alan Nakanishi, Vice Chair

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

September 11, 2007

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

Dear Dotson: Pursuant to the Assembly and Joint Rules, please keep the Assembly Desk open during the Interim Study Recess in the First Extraordinary Session for the purpose of processing bill introductions. Unless I indicate otherwise, the Desk shall remain open each business day from 9:00 a.m. to 3:00 p.m.

Thank you for your attention to this matter.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**MOTION TO ADJOURN**

At 6:54 p.m., Assembly Member Bass moved that the Assembly do now adjourn.

Assembly Member De León seconded the motion.

Motion carried.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1**—Nuñez (Principal coauthor: Senator Perata). An act relating to health care.

**ASSEMBLY BILL NO. 2**—Nuñez (Principal coauthor: Senator Perata). An act relating to health care.

**MESSAGES FROM THE SENATE**

Senate Chamber, September 11, 2007

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

Senate Concurrent Resolution No. 1

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

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the Joint Rules for the 2007–08 First Extraordinary Session.

**ADJOURNMENT**

At 6:45 p.m., the Assembly adjourned for the Interim Study Recess, to reconvene upon Call of the Speaker, pursuant to Joint Rules 51 and 61, and consent for the Senate to do the same.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk



CALIFORNIA LEGISLATURE  
2007–08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Thursday, September 13, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 First Extraordinary Session was printed while the Assembly was in Interim Study Recess.

**INTRODUCTION OF ASSEMBLY BILLS**

The following bill was introduced:

**ASSEMBLY BILL NO. 3—Dymally.** An act relating to health care coverage.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE

2007–08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Tuesday, September 18, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 First Extraordinary Session was printed while the Assembly was in Interim Study Recess.

**INTRODUCTION OF ASSEMBLY BILLS**

The following bills were introduced:

**ASSEMBLY BILL NO. 4—Nakanishi.** An act to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 of, and to add Sections 17138.5, 17138.6, and 17216 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 5—Nakanishi.** An act to add and repeal Sections 17053.77 and 23677 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 6—Nakanishi.** An act to amend Section 3523 of the Business and Professions Code, and to add Article 6 (commencing with Section 128559) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to physician assistants.

**ASSEMBLY BILL NO. 7—Nakanishi.** An act to amend Section 12725 of the Insurance Code, relating to health care coverage.

---

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE

2007–08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 3

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Tuesday, November 6, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 First Extraordinary Session was printed while the Assembly was in Interim Study Recess.

**COMMUNICATIONS**

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

November 6, 2007

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

Dear Dotson: Please keep the Assembly Desk open Thursday, November 8 and Friday, November 9, 2007 for the purpose of processing any paperwork relative to the First Extraordinary Session. Thank you for your attention to this matter.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

Receipt of Letter

I acknowledge receipt this 6th day of November at 11 a.m., of letter regarding processing of paper work in the 2007–08 First Extraordinary Session from Nancy Miller, Special Assistant to the Speaker.

SUE PARKER  
Minute Clerk



November 6, 2007

*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 the following members to the Assembly Rules Committee for the 2007–08 First Extraordinary Session:

Assemblymember Hector De La Torre, Chair  
 Assemblymember Sam Blakeslee, Vice Chair  
 Assemblymember Anthony Adams  
 Assemblymember Greg Aghazarian  
 Assemblymember John Benoit  
 Assemblymember Wilmer Amina Carter  
 Assemblymember Mike Davis  
 Assemblymember Mark DeSaulnier  
 Assemblymember Felipe Fuentes  
 Assemblymember Paul Krekorian  
 Assemblymember Tony Mendoza  
 Assemblymember Loni Hancock, Democratic Alternate  
 Assemblymember Todd Spitzer, Republican Alternate

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

November 6, 2007

*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 the following members to the Assembly Health Committee for the 2007–08 First Extraordinary Session:

Assemblymember Mervyn Dymally, Chair  
 Assemblymember Alan Nakanishi, Vice Chair  
 Assemblymember Karen Bass  
 Assemblymember Patty Berg  
 Assemblymember Hector De La Torre  
 Assemblymember Kevin de León  
 Assemblymember Mark DeSaulnier  
 Assemblymember Bill Emmerson  
 Assemblymember Mike Eng  
 Assemblymember Ted Gaines

Assemblymember Mary Hayashi  
Assemblymember Ed Hernandez  
Assemblymember Bob Huff  
Assemblymember Dave Jones  
Assemblymember Sally Lieber  
Assemblymember Fiona Ma  
Assemblymember Mary Salas  
Assemblymember Audra Strickland

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

November 6, 2007

*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 Assemblymembers Kevin de León and Mark Leno to replace Assemblymembers Paul Krekorian and Mike Davis for the Thursday, November 8 hearing of the Assembly Rules Committee for the 2007–08 First Extraordinary Session.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

#### **INTRODUCTION OF ASSEMBLY BILLS**

The following bill was introduced:

**ASSEMBLY BILL NO. 8—Villines (Coauthors: Benoit, Blakeslee, Emerson, Gaines, Garrick, Keene, Nakanishi, Niello, Smyth, and Strickland).** Relative to Health care.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, November 8, 2007**  
**SECOND SESSION DAY**  
**FIFTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, November 8, 2007

The Assembly met at 6 a.m.

Hon. John J. Benoit, Assembly Member, 64th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—45:

Aghazarian	Dymally	Jones	Saldaña
Arambula	Fuentes	Karnette	Silva
Beall	Gaines	Keene	Solorio
Benoit	Galgiani	La Malfa	Spitzer
Blakeslee	Garrick	Leno	Swanson
Carter	Hancock	Levine	Torrico
Coto	Hayashi	Ma	Villines
De La Torre	Hernandez	Mullin	Wolk
De León	Horton	Nakanishi	Mr. Speaker
DeSaulnier	Houston	Niello	
DeVore	Huff	Runner	
Duvall	Jeffries	Ruskin	

Quorum present.

**At 3:02 p.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass, Brownley, Nava, and Walters.*

*On personal business, and waiving per diem: Assembly Members Adams, Anderson, Berg, Berryhill, Caballero, Calderon, Cook, Davis, Emmerson, Evans, Feuer, Fuller, Garcia, Huffman, Krekorian, Laird, Lieber, Lieu, Maze, Mendoza, Parra, Plescia, Portantino, Price, Salas, Smyth, Strickland, and Tran.*

*To attend a funeral: Assembly Member Eng.*

*Because of illness: Assembly Member Soto.*

**EXPLANATIONS OF ABSENCE**

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

November 7, 2007

*The Honorable Fabian Núñez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Núñez: I, respectfully, request to be excused from Check in Session on Thursday, November 8, 2007. I will be in Washington D.C. on legislative business.

Thank you for your consideration of this matter. Should you have any questions or concerns regarding this request, please contact my Chief of Staff, Nolice Edwards at 319-2047.

Sincerely,

KAREN BASS, Assembly Member  
Forty-seventh District

October 31, 2007

*The Honorable Fabian Núñez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker,

Please excuse me from check in session on Thursday, November 8, 2007 on Legislative business. I will be in my district hosting an education forum.

Thank you.

Sincerely,

JULIA BROWNLEY, Assembly Member  
Forty-first District

November 8, 2007

*The Honorable Fabian Núñez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Núñez: Please excuse me from Check-in Session on Thursday, November 8, 2007 due to legislative business. I will be attending the California Transportation Commission meeting.

Sincerely,

PEDRO NAVA, Assembly Member  
Thirty-fifth District

November 8, 2007

*The Honorable Fabian Núñez, Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Núñez: I respectfully request to be excused from Check in Session on Thursday, November 8, 2007 due to Legislative business in my district.

Thank you for your consideration of this request. If you need any additional information, please contact me at (916) 319-2073.

Sincerely,

MIMI WALTERS, Assembly Member  
Seventy-third District

#### COMMUNICATIONS

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

November 5, 2007

*The Honorable Fabian Núñez  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting that my per diem be waived for November 8, 2007.

Thank you for your prompt attention to this request.

Sincerely,

MARTIN GARRICK, Assembly Member  
Seventy-fourth District

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

November 8, 2007

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

Dear Mr. Wilson: This is to advise you that I've appointed the following members to the Republican Leadership Team for the 2007/2008 First Extraordinary Session:

Assemblyman Michael N. Villines	Assembly Republican Leader
Assemblyman Bob Huff	2 <sup>nd</sup> Ranking Republican Leader/ Caucus Chair
Assemblyman Roger Niello	Assembly Budget Committee Vice Chair and Assistant Republican Leader
Assemblywoman Mimi Walters	Assembly Appropriations Committee Vice Chair and Assistant Republican Leader
Assemblyman Bill Emmerson	Assistant Republican Leader
Assemblyman Rick Keene	Assistant Republican Leader
Assemblyman Van Tran	Assistant Republican Leader

Assemblyman John J. Benoit  
 Assemblyman Doug La Malfa  
 Assemblyman Todd Spitzer  
 Assemblyman Chuck DeVore  
 Assemblyman Anthony Adams  
 Assemblywoman Jean Fuller  
 Assemblyman Ted Gaines

Chief Republican Whip  
 Chief Republican Whip  
 Chief Republican Whip  
 Republican Whip  
 Republican Whip  
 Republican Whip  
 Republican Whip

If you have any questions regarding this letter, please contact Ivan Altamura at 319-2029.

It is an honor working with you in the California State Assembly.  
 Sincerely,

MICHAEL N. VILLINES  
 Assembly Republican Leader

**FIRST READING OF ASSEMBLY BILLS**

The following bills were read the first time:

**ASSEMBLY BILL NO. 3**—An act relating to health care coverage.

**ASSEMBLY BILL NO. 4**—An act to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 of, and to add Sections 17138.5, 17138.6, and 17216 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 5**—An act to add and repeal Sections 17053.77 and 23677 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 6**—An act to amend Section 3523 of the Business and Professions Code, and to add Article 6 (commencing with Section 128559) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to physician assistants.

**ASSEMBLY BILL NO. 7**—An act to amend Section 12725 of the Insurance Code, relating to health care coverage.

**ASSEMBLY BILL NO. 8**—An act to add Sections 22869.5 and 22917 to the Government Code, to amend Section 1399.72 of, and to add Sections 1349.3 and 1367.08 to, the Health and Safety Code, to add Sections 699.6 and 10119.3 to, and to add Part 6.6 (commencing with Section 12739.10) to Division 2 of, the Insurance Code, to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 of, to add Sections 17053.102, 17138.5, 17138.6, 17204, and 17216 to, and to add and repeal Sections 17053.77 and 23677 of, the Revenue and Taxation Code, and to add Section 14078.5 to, and to add Article 2.93 (commencing with Section 14091.50) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care, and making an appropriation therefor.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly Bill No.</i>	<i>Committee</i>
<b>1</b> -----	Health
<b>2</b> -----	Health
<b>3</b> -----	Health
<b>8</b> -----	Health



**AUTHOR'S AMENDMENTS**  
**Committee on Health**

November 8, 2007

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1  
Assembly Bill No. 2

Assembly Bill No. 3  
Assembly Bill No. 8

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

DYMALLY, Chair

**ASSEMBLY BILL NO. 1**—An act relating to health care.

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

**ASSEMBLY BILL NO. 2**—An act relating to health care.

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

**ASSEMBLY BILL NO. 3**—An act relating to health care coverage.

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

**ASSEMBLY BILL NO. 8**—An act to add Sections 22869.5 and 22917 to the Government Code, to amend Section 1399.72 of, and to add Sections 1349.3 and 1367.08 to, the Health and Safety Code, to add Sections 699.6 and 10119.3 to, and to add Part 6.6 (commencing with Section 12739.10) to Division 2 of, the Insurance Code, to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 of, to add Sections 17053.102, 17138.5, 17138.6, 17204, and 17216 to, and to add and repeal Sections 17053.77 and 23677 of, the Revenue and Taxation Code, and to add Section 14078.5 to, and to add Article 2.93 (commencing with Section 14091.50) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care, an appropriation therefor.

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

**ADJOURNMENT**

At 8:42 p.m., the Assembly adjourned until 1 p.m., Monday, November 26, 2007.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON NOVEMBER 8, 2007

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

<b>AB</b>	<b>RN</b>	
1	0730654	
2	0730655	
3	0730591	
8	0730638	
<b>Daily Total:</b>		<b>4</b>
<b>Cumulative Total:</b>		<b>4</b>



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, December 13, 2007**

**THIRD SESSION DAY**

**NINETY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, December 13, 2007

The Assembly met at 6 a.m.  
Hon. Michael D. Duvall, Assembly Member, 72nd District,  
presiding.  
Assistant Chief Clerk Lawrence A. Murman at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—51:

Aghazarian	De La Torre	Garrick	Mendoza
Anderson	De León	Hancock	Mullin
Arambula	DeSaulnier	Hayashi	Nava
Bass	Duvall	Hernandez	Niello
Beall	Dymally	Huffman	Portantino
Benoit	Eng	Jeffries	Ruskin
Berg	Evans	Jones	Salas
Berryhill	Feuer	Karnette	Saldaña
Caballero	Fuentes	Krekorian	Strickland
Calderon	Fuller	Laird	Swanson
Carter	Gaines	Lieber	Torrico
Cook	Galgiani	Lieu	Mr. Speaker
Davis	Garcia	Ma	

Quorum present.

**At 12:45 p.m., Hon. Audra Strickland, 37th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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, Blakeslee, DeVore, Emmerson, Horton, Houston, Huff, Keene, La Malfa, Leno, Levine, Maze, Price, Silva, Smyth, Solorio, Spitzer, Tran, and Walters.*

*On personal business, and waiving per diem: Assembly Members Brownley, Coto, Nakanishi, Parra, Plescia, Villines, and Wolk.*

*Because of illness: Assembly Members Runner and Soto.*

(NOTE: For explanations of absences of Assembly Members Adams, Blakeslee, DeVore, Emmerson, Horton, Houston, Huff, Keene, La Malfa, Leno, Levine, Maze, Price, Silva, Smyth, Solorio, Spitzer, Tran, and Walters on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, November 8, 2007

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

Assembly Bill No. 1  
Assembly Bill No. 2

Assembly Bill No. 3  
Assembly Bill No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**REPORTS OF STANDING COMMITTEES**

**Committee on Health**

Date of Hearing: November 14, 2007

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1

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

DYMALLY, Chair

Above bill re-referred to the Committee on Appropriations.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

December 13, 2007

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 1

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

LENO, Chair

**ASSEMBLY BILL NO. 1**—An act to amend Sections 2069, 2836.1, and 3516 of, and to add Sections 2838, 4040.1, 4071.2, 4071.3, and 4071.4 to, the Business and Professions Code, to add Section 49452.9 to the Education Code, to add Sections 12803.1, 12803.2, 22830.5, and 22830.6 to, and to add Chapter 15 (commencing with Section 8899.50) to Division 1 of Title of, the Government Code, to amend Sections 1363 and 1378 of, to add Sections 1262.9, 1342.9, 1347, 1367.205, 1367.38, 1368.025, 1395.2, 104376, 128745.1, and 130545 to, to add Article 3.11 (commencing with Section 1357.20) and Article 4.1 (commencing with Section 1366.10) to Chapter 2.2 of Division 2 of, to add Article 1 (commencing with Section 104250) to Chapter 4 of Part 1 of Division 103 of, to add Article 3 (commencing with Section 104705) to Chapter 2 of Part 3 of Division 103 of, and to add Chapter 4 (commencing with Section 128850) to Part 5 of Division 107 of, the Health and Safety Code, to amend Sections 10607, 12693.43, 12693.70, 12693.73, and 12693.76 of, to add Sections 10113.11, 10123.56, 10293.5, 12693.56, 12693.57, 12693.58, 12693.59, 12886, and 12887 to, to add Chapter 1.6 (commencing with Section 10199.10) and Chapter 8.1 (commencing with Section 10760) to Part 2 of Division 2 of, and to add Part 6.45 (commencing with Section 12699.201) to Division 2 of, the Insurance Code, to add Sections 96.8 and 96.81 to the Labor Code, and to amend Sections 14005.30, 14005.31, 14005.32, and 14008.85 of, to amend and repeal Section 14011.16 of, to add Sections 14005.301, 14005.305, 14005.306, 14005.307, 14005.310, 14005.311, 14005.331, 14005.333, 14005.334, 14011.16.1, 14132.105, and 14137.10 to, and to add Article 5.22 (commencing with Section 14167.22) and Article 7 (commencing with Section 14199.10) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage, and making an appropriation therefor.

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

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned until 1 p.m., Monday, December 17, 2007.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON DECEMBER 13, 2007**

The following measure was amended in the Assembly on this day:

**AB RN**

1 0731820

**Daily Total: 1**

**Cumulative Total: 5**





CALIFORNIA LEGISLATURE  
2007–08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

**RECESS JOURNAL NO. 4**

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**INTERIM STUDY RECESS**

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Assembly Chamber, Sacramento  
Friday, December 14, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 First Extraordinary Session was printed while the Assembly was in Interim Study Recess.

**COMMUNICATIONS**

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

December 14, 2007

*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 the following membership to the Appropriations Committee for the 2007–08 First Extraordinary Session:

Assemblymember Mark Leno, Chair  
Assemblymember Mimi Walters, Vice Chair  
Assemblymember Anna Caballero  
Assemblymember Mike Davis  
Assemblymember Kevin de León  
Assemblymember Mark DeSaulnier  
Assemblymember Bill Emmerson  
Assemblymember Jared Huffman  
Assemblymember Betty Karnette  
Assemblymember Paul Krekorian  
Assemblymember Doug La Malfa  
Assemblymember Ted Lieu  
Assemblymember Fiona Ma

Assemblymember Alan Nakanishi  
Assemblymember Pedro Nava  
Assemblymember Sharon Runner  
Assemblymember Jose Solorio  
Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, December 17, 2007**  
**FOURTH SESSION DAY**  
**NINETY-EIGHTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Monday, December 17, 2007

The Assembly met at 1:09 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member DeSaulnier moved a quorum call of the Assembly.

Motion carried.

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

#### CAUCUS ANNOUNCEMENTS

At 1:18 p.m., Assembly Member Bass was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

#### RECESS

By unanimous consent, at 1:19 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

#### RECONVENED

At 2:24 p.m., the Assembly reconvened.

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

**Quorum Present**

At 2:24 p.m., Speaker pro Tempore Lieber declared a quorum of the Assembly present.

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

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

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Michael D. Duvall, Assembly Member, District 72, from his desk:

*Father:* During these difficult times, give us the ability and the will to act with rightful purpose. Let us remember that it is our duty to serve not only our State's residents but to also serve our God in a manner that does Him and us honor individually and as a body.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Duvall 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 Bass, seconded by Assembly Member Blakeslee.

**LEAVES OF ABSENCE FOR THE DAY**

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

*Because of illness: Assembly Members Horton and Soto.*

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Swanson was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, December 17, 2007

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bass requested unanimous consent to adopt the Appropriations Committee report with amendments to Assembly Bill No. 1 and order the bill to third reading.

Assembly Member Blakeslee withheld unanimous consent.

**MOTION**

Assembly Member Bass moved to adopt the Appropriations Committee report with amendments to Assembly Bill No. 1 and order the bill to third reading.

Assembly Member De León seconded the motion.

Motion carried by the following vote:

**AYES—45**

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

**NOES—30**

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

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Date of Hearing: December 17, 2007

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1

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

LENO, Chair

Above bill ordered to second reading.

**SECOND READING OF ASSEMBLY BILL NO. 1**

**ASSEMBLY BILL NO. 1**— An act to amend Section 2069 of, to add Sections 4040.1, 4071.2, 4071.3, and 4071.4 to, and to add and repeal Section 2838 of, the Business and Professions Code, to add Section 49452.9 to the Education Code, to add Sections 12803.2, 12803.25, 22830.5, and 22830.6 to, and to add Chapter 15 (commencing with Section 8899.50) to Division 1 of Title 2 of, the Government Code, to amend Sections 1357.54, 1363, 1365, 128745, and 128748 of, to add Sections 1262.9, 1342.9, 1347, 1356.2, 1367.16, 1367.205, 1367.38, 1368.025, 1378.1, 1395.2, 104376, and 130545 to, to add Chapter 1.6 (commencing with Section 155) to Part 1 of Division 1 of, to add Article 3.11 (commencing with Section 1357.20) and Article 11.6 (commencing with Section 1399.820) to Chapter 2.2 of Division 2 of, to add Article 1 (commencing with Section 104250) to Chapter 4 of Part 1 of Division 103 of, to add Article 3 (commencing with Section 104705) to Chapter 2 of Part 3 of Division 103 of, and to add Chapter 4 (commencing with Section 128850) to Part 5 of Division 107 of, the Health and Safety Code, to amend Sections 10607, 12693.43, 12693.70, 12693.73, and 12693.76 of, to add Sections 10113.10, 10113.11, 10123.56, 10176.15, 10273.6, 12693.56, 12693.57, 12693.58, 12693.59, 12693.766, 12694.5, 12886, and 12887 to, to add Chapter 8.1 (commencing with Section 10760) and Chapter 9.6 (commencing with Section 10919) to Part 2 of Division 2 of, and to add Part 6.45 (commencing with Section 12699.201) and Part 6.7 (commencing with Section 12739.50) to Division 2 of, the Insurance Code, to add Section 96.8 to the Labor Code, to add Section 1120 to, and to add Division 1.2 (commencing with Section 4800) to, the Unemployment Insurance Code, and to amend Sections 14005.30 and 14011.16 of, to add Sections 14005.01, 14005.301, 14005.305, 14005.306, 14005.310, 14005.311, 14005.331, 14005.333, 14011.16.1, 14074.5, 14081.6, 14092.5, 14132.105, 14137.10 to, and to add Article 5.215 (commencing with Section 14167.22) to, and to add and repeal Article 5.21 (commencing with Section 14167.1) of, Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage, and making an appropriation therefor.

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, December 17, 2007

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES**

Assembly Member Bass requested unanimous consent to suspend the Rules to permit Assembly Member Núñez to take up Assembly Bill No. 1 without reference to file for purpose of consideration.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved to suspend the Rules to permit Assembly Member Núñez to take up Assembly Bill No. 1 without reference to file for purpose of consideration.

Assembly Member De León seconded the motion.



Motion for suspension of the Rules carried by the following vote:

**AYES—46**

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

**NOES—30**

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

**CONSIDERATION OF ASSEMBLY BILL NO. 1**

Pursuant to a roll call vote, Assembly Member Núñez was granted consent to take up Assembly Bill No. 1 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 1 (Nunez)**—An act to amend Section 2069 of, to add Sections 4040.1, 4071.2, 4071.3, and 4071.4 to, and to add and repeal Section 2838 of, the Business and Professions Code, to add Section 49452.9 to the Education Code, to add Sections 12803.2, 12803.25, 22830.5, and 22830.6 to, and to add Chapter 15 (commencing with Section 8899.50) to Division 1 of Title 2 of, the Government Code, to amend Sections 1357.54, 1365, 124900, 124905, 124910, 124920, 128745, and 128748 of, to amend, repeal, and add Sections 1399.56 of, to add Sections 1262.9, 1342.9, 1347, 1356.2, 1367.16, 1367.205, 1367.38, 1368.025, 1378.1, 1395.2, 1399.58, 104376, 124905.1, 124946, and 130545 to, to add Chapter 1.6 (commencing with Section 155) to Part 1 Division 1 of, to add Article 11.6 (commencing with Section 1399.820) to Chapter 2.2 of Division 2 of, to add Article 1 (commencing with Section 104250) to Chapter 4 of Part 1 of Division 103 of, to add Article 3 (commencing with Section 104705) to Chapter 2 of Part 3 of Division 103 of, and to add Chapter 4 (commencing with Section 128850) to Part 5 of Division 107 of, the Health and Safety Code, to amend Sections 12693.43, 12693.70, 12693.73, and 12693.76 of, to amend, repeal, and add Section 796.02 of, to add Sections 796.05, 10113.10, 10113.11, 10123.56, 10176.15, 10273.6, 12693.56, 12693.57, 12693.58, 12693.59, 12693.766, 12886, and 12887 to, to add Chapter 9.6 (commencing with Section 10919) to Part 2 of Division 2 of, and to add Part 6.45 (commencing with Section 12699.201) and Part 6.7 (commencing with Section 12739.50) to Division 2 of, the Insurance Code, to add Section 96.8 to the Labor Code, to amend Sections 19167 and 19611 of, to add Sections 17052.31, 17052.32, 19528.5, and 19553.5 to, and to add and repeal Section 17052.30 of, the Revenue and Taxation Code, to add Sections 301.1 and 1120 to, and to add Division 1.2 (commencing with Section 4800) to, the Unemployment Insurance Code,

and to amend Sections 12306.1, 14005.30, and 14011.16 of, to add Sections 14005.301, 14005.305, 14005.306, 14005.310, 14005.311, 14005.331, 14005.333, 14011.16.1, 14074.5, 14081.6, 14092.5, 14132.105, and 14137.10 to, and to add Article 5.215 (commencing with Section 14167.22) to, and to add and repeal Article 5.21 (commencing with Section 14167.1) of, Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage.

Bill read third time, and passed by the following vote:

**AYES—46**

Arambula	DeSaulnier	Karnette	Portantino
Bass	Dymally	Krekorian	Price
Beall	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Brownley	Feuer	Levine	Saldaña
Caballero	Fuentes	Lieber	Solorio
Calderon	Galgiani	Lieu	Swanson
Carter	Hancock	Ma	Torrico
Coto	Hayashi	Mendoza	Wolk
Davis	Hernandez	Mullin	Mr. Speaker
De La Torre	Huffman	Nava	
De León	Jones	Parra	

**NOES—31**

Adams	Duvall	Jeffries	Silva
Aghazarian	Emmerson	Keene	Smyth
Anderson	Fuller	La Malfa	Spitzer
Benoit	Gaines	Maze	Strickland
Berryhill	Garcia	Nakanishi	Tran
Blakeslee	Garrick	Niello	Villines
Cook	Houston	Plescia	Walters
DeVore	Huff	Runner	

Bill ordered transmitted to the Senate immediately.

**ADJOURN IN MEMORY**

Speaker Núñez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Augustus Hawkins, former legislator as Member of the California State Assembly and as Member of Congress; and Lena Seeman, of Temucula.

Assembly Member Brownley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jonathan D. Moore, of Santa Monica.

Assembly Member Carter was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Knabenbauer, of Fontana and Susan Mayo, of Rialto.

Assembly Member Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Tagle Delgado, of Palm Springs.

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Allen Bow, of Sacramento.

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Irving Sorkin, of Los Angeles and Roderick T. Ryan, of Woodland Hills.

Assembly Members Lieber and Gaines were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Stanton, of Cameron Park.

Assembly Members Lieber and Coto were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ruben Alvarado, of San Jose.

Assembly Members Lieber and Ruskin were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Meyer Scher, of Palo Alto.

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 Ed Fabian, of South San Francisco; Ralph Lane, of Burlingame; and Catherine Claire Pacelli, of Daly City.

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 John F. "Jack" Murphy, of Lancaster.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Bass Motion:** Benoit and Strickland—No.

**Bass Motion to Suspend the Rules:** Benoit and Strickland—No.

**Assembly Bill No. 1:** Hayashi—Aye.

**MOTION TO ADJOURN**

At 3:47 p.m., Assembly Member Bass moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 3:48 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 3:48 p.m., pursuant to the motion by Assembly Member Bass, the Assembly adjourned upon Call of the Speaker, out of respect to the memory of Hon. Augustus Hawkins and Lena Seeman, on motion of Speaker Núñez; out of respect to the memory of Jonathan D. Moore, on motion of Assembly Member Brownley; out of respect to the memory of John Knabenbauer and Susan Mayo, on motion of Assembly Member Carter; out of respect to the memory of Mary Tagle Delgado, on motion of Assembly Member Garcia; out of respect to the memory of Allen Bow, on motion of Assembly Member Jones; out of respect to the memory of Irving Sorkin and Roderick T. Ryan, on motion of Assembly Member Karnette; out of respect to the memory of Frank Stanton, on motion of Assembly Members Lieber and Gaines; out of respect to the memory of Ruben Alvarado, on motion of Assembly Members Lieber and Coto; out of respect to the memory of Meyer Scher, on motion of Assembly Members Lieber and Ruskin; out of respect to the memory of Ed Fabian, Ralph Lane, and Catherine Claire Pacelli, on motion of Assembly Member Mullin; and out of respect to the memory of John F. “Jack” Murphy, on motion of Assembly Member Runner.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON DECEMBER 17, 2007**

The following measure was amended in the Assembly on this day:

**AB RN**

1 0732000

**Daily Total: 1**

**Cumulative Total: 6**

CALIFORNIA LEGISLATURE

2007–08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 5

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Wednesday, December 19, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 First Extraordinary Session was printed while the Assembly was in Interim Study Recess.

**COMMUNICATIONS**

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

December 17, 2007

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: The purpose of this letter is to respectfully decline per diem for the following dates, Friday, December 14, Saturday, December 15, and Sunday, December 16, 2007.

Thank you for your attention to this request. If you have any questions or require additional information, please do not hesitate to contact my Chief of Staff, Juan Carlos Torres, at (916) 319-2050.

Sincerely,

HECTOR DE LA TORRE, Assembly Member  
Fiftieth District

December 18, 2007

*The Honorable Fabian Núñez  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Núñez: I am writing to request that my per diem be waived for December 13, 14, 15 and 16, 2007.

I appreciate your consideration of this request. Please contact Stacey Neese in my Capitol office at 319-2033 with any questions. Thank you.

Sincerely,

SAM BLAKESLEE, Assembly Member  
Thirty-third District

December 19, 2007

*Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dotson,

I am writing to decline my per diem for this past Friday through Sunday, December 14, 2007 through December 16, 2007. I will only accept it for Thursday, December 13, 2007 and Monday, December 17, 2007, when I was actually in Sacramento.

Thank you for your attention to this matter. If you have any questions, please contact Addie Meyers in my Capitol office at 319-2053.

Sincerely,

TED W. LIEU, Assembly Member  
Fifty-third District

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 7, 2008**

**FIFTH SESSION DAY**

**ONE HUNDRED NINETEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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, January 7, 2008

The Assembly met at 2:17 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Jeffries	Price
Aghazarian	Duvall	Jones	Runner
Anderson	Dymally	Karnette	Ruskin
Arambula	Emmerson	Keene	Salas
Bass	Eng	Krekorian	Saldaña
Beall	Evans	La Malfa	Silva
Benoit	Feuer	Laird	Smyth
Berg	Fuentes	Leno	Solorio
Berryhill	Fuller	Levine	Spitzer
Blakeslee	Gaines	Lieber	Strickland
Brownley	Galgiani	Lieu	Swanson
Caballero	Garcia	Ma	Torrico
Calderon	Garrick	Maze	Tran
Carter	Hancock	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nakanishi	Wolk
Davis	Horton	Nava	Mr. Speaker
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*To attend a funeral in the District: Assembly Member Portantino.*  
*Because of illness: Assembly Member Soto.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

December 20, 2007

*The Honorable Hector De La Torre  
Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, California*

Dear Assemblymember De La Torre: This letter is to request waiver of my per-diem during the Assembly check-in Session on December 13, 2007.

Should you have any questions or need additional information please contact my Chief of Staff, Derek Chernow, at 319-2030.

Sincerely,

NICOLE M. PARRA, Assembly Member  
Thirtieth District

January 7, 2008

*Speaker Fabian Núñez  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I wish to waive per diem for the following days:

Friday, December 14, 2007

Saturday, December 15, 2007

Sunday, December 16, 2007

Thank you for your assistance in this matter.

Sincerely,

IRA RUSKIN, Assembly Member  
Twenty-first District

**ADJOURNMENT**

At 3:34 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 17, 2008**

**SIXTH SESSION DAY**

**ONE HUNDRED TWENTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 17, 2008

The Assembly met at 9:51 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	DeVore	Jeffries	Price
Aghazarian	Duvall	Jones	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Caballero	Garcia	Maze	Swanson
Calderon	Garrick	Mendoza	Torrico
Carter	Hancock	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Parra	Mr. Speaker
De León	Huff	Plescia	
DeSaulnier	Huffman	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Dymally and Karnette.*

*To attend a funeral: Assembly Member Lieber.*

*Because of illness: Assembly Members Anderson and Soto.*

(NOTE: For explanations of absences of Assembly Members Dymally and Karnette 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 communications were presented by the Speaker, and ordered printed in the Journal:

December 19, 2007

*The Honorable Fabian Núñez  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: This letter is to advise you that I will be declining per-diem for Friday, December 14, Saturday, December 15, and Sunday, December 16. If you have any questions, please do not hesitate to call me.

Sincerely,

ANTHONY J. PORTANTINO, Assembly Member  
Forty-fourth District

December 20, 2007

*The Honorable Fabian Núñez  
Speaker, California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to waive my Per Diem for Friday, December 14, 2007, Saturday, December 15, 2007 and Sunday, December 16, 2007.

Thank you for your attention to this request. If you have any questions, please contact Elaine Knight in my Capitol Office.

Sincerely,

JOHN LAIRD, Assembly Member  
Twenty-seventh District

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 24, 2008**

**SEVENTH SESSION DAY**

**ONE HUNDRED THIRTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 24, 2008

The Assembly met at 9:31 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huffman	Parra
Aghazarian	DeVore	Jeffries	Plescia
Anderson	Duvall	Jones	Portantino
Arambula	Dymally	Karnette	Runner
Bass	Emmerson	Keene	Ruskin
Beall	Eng	Krekorian	Salas
Benoit	Evans	La Malfa	Saldaña
Berg	Feuer	Laird	Silva
Berryhill	Fuentes	Leno	Smyth
Blakeslee	Fuller	Levine	Solorio
Brownley	Gaines	Lieber	Spitzer
Caballero	Galgiani	Lieu	Strickland
Calderon	Garcia	Ma	Swanson
Carter	Garrick	Maze	Torrico
Cook	Hancock	Mendoza	Tran
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nakanishi	Walters
De La Torre	Houston	Nava	Wolk
De León	Huff	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Hayashi.*

*Because of illness: Assembly Members Price and Soto.*

(NOTE: For explanation of absence of Assembly Member Hayashi on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 31, 2008**

**EIGHTH SESSION DAY**

**ONE HUNDRED FORTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 31, 2008

The Assembly met at 7 a.m.

Hon. Jim Silva, Assembly Member, 67th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—64:

Adams	De La Torre	Hernandez	Mullin
Aghazarian	De León	Horton	Nakanishi
Anderson	DeVore	Houston	Nava
Arambula	Duvall	Huff	Niello
Beall	Emmerson	Huffman	Parra
Benoit	Eng	Jeffries	Plescia
Berg	Evans	Jones	Runner
Berryhill	Feuer	Karnette	Ruskin
Blakeslee	Fuentes	Keene	Salas
Brownley	Fuller	Krekorian	Silva
Caballero	Gaines	La Malfa	Smyth
Calderon	Galgiani	Laird	Swanson
Carter	Garcia	Lieber	Torrico
Cook	Garrick	Ma	Tran
Coto	Hancock	Maze	Walters
Davis	Hayashi	Mendoza	Mr. Speaker

Quorum present.

**At 1:10 p.m., Hon. Fiona Ma, 12th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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 Bass, DeSaulnier, Dymally, Leno, Levine, Lieu, Portantino, Price, Solorio, Strickland, and Villines.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 64): Assembly Member Wolk.*

*On personal business, and waiving per diem: Assembly Member Saldaña.*

*Because of illness: Assembly Member Soto.*

*Because of illness in his family: Assembly Member Spitzer.*

(NOTE: For explanations of absences of Assembly Members Bass, DeSaulnier, Dymally, Leno, Portantino, Price, Solorio, Strickland, and Villines, on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Wolk on this day, on legislative business, per diem waived, see the Assembly Daily Journal for the Regular Session for this day; for explanations of absences of Assembly Members Levine and Lieu on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session on January 30, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 7, 2008**

**NINTH SESSION DAY**

**ONE HUNDRED FIFTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 7, 2008

The Assembly met at 9:45 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huff	Niello
Aghazarian	DeVore	Huffman	Parra
Anderson	Duvall	Jeffries	Plescia
Arambula	Dymally	Jones	Portantino
Bass	Emmerson	Karnette	Price
Beall	Eng	Keene	Ruskin
Benoit	Evans	Krekorian	Salas
Berg	Feuer	La Malfa	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani*	Levine	Solorio
Caballero	Gaines	Lieber	Strickland
Calderon	Galgiani	Lieu	Swanson
Carter	Garcia	Ma	Torrico
Cook	Garrick	Maze	Tran
Coto	Hancock	Mendoza	Villines
Davis	Hayashi	Mullin	Walters
De La Torre	Hernandez	Nakanishi	Wolk
De León	Horton	Nava	Mr. Speaker

\*(NOTE: For Certificate of Election of and Oath of Office by Assembly Member Warren Furutani see the Assembly Daily Journal for the Regular Session for this day.)

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Houston and Spitzer.*

*Because of illness: Assembly Members Runner and Soto.*

(NOTE: For explanations of absences of Assembly Members Houston and Spitzer on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 15, 2008**

**TENTH SESSION DAY**

**ONE HUNDRED FIFTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, February 15, 2008

The Assembly met at 9:31 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huff	Parra
Aghazarian	DeVore	Huffman	Plescia
Anderson	Duvall	Jeffries	Portantino
Arambula	Emmerson	Jones	Runner
Bass	Eng	Karnette	Ruskin
Beall	Evans	Keene	Salas
Benoit	Feuer	Krekorian	Saldaña
Berg	Fuentes	La Malfa	Silva
Berryhill	Fuller	Laird	Smyth
Blakeslee	Furutani	Leno	Solorio
Brownley	Gaines	Levine	Spitzer
Caballero	Galgiani	Lieber	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	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Lieu and Price.*

*Because of illness: Assembly Members Dymally and Soto.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 21, 2008**

**ELEVENTH SESSION DAY**

**ONE HUNDRED SIXTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 21, 2008

The Assembly met at 7 a.m.

Hon. Ted Lieu, Assembly Member, 53rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—71:

Adams	DeSaulnier	Huff	Plescia
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
Beall	Eng	Karnette	Ruskin
Benoit	Evans	Keene	Salas
Berg	Feuer	Krekorian	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani	Levine	Solorio
Caballero	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Villines
De La Torre	Horton	Nava	Walters
De León	Houston	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass, DeVore, La Malfa, and Mendoza.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, pages 63 and 64): Assembly Member Niello.*

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Members Soto and Wolk.*

*Because of a death in her family: Assembly Member Garcia.*

(NOTE: For explanations of absences of Assembly Members Bass, DeVore, La Malfa, Mendoza, and Niello on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 28, 2008**

**TWELFTH SESSION DAY**

**ONE HUNDRED SEVENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 28, 2008

The Assembly met at 9:52 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garcia	Maze	Torrico
Carter	Garrick	Mendoza	Villines
Cook	Hancock	Mullin	Walters
Coto	Hayashi	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Horton	Niello	
De León	Houston	Parra	
DeSaulnier	Huff	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Tran.*

*On personal business, and waiving per diem: Assembly Member Levine.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanation of absence of Assembly Member Tran on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 6, 2008**

**THIRTEENTH SESSION DAY**

**ONE HUNDRED SEVENTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, March 6, 2008

The Assembly met at 9:50 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Jeffries	Plescia
Aghazarian	Duvall	Jones	Portantino
Anderson	Dymally	Karnette	Price
Arambula	Eng	Keene	Runner
Bass	Evans	Krekorian	Ruskin
Beall	Feuer	La Malfa	Salas
Benoit	Fuentes	Laird	Saldaña
Berg	Fuller	Leno	Silva
Berryhill	Furutani	Levine	Smyth
Blakeslee	Gaines	Lieber	Solorio
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	Mr. Speaker
De León	Huff	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Emerson and Huffman.*

*On personal business, and waiving per diem: Assembly Member DeSaulnier.*

*Because of illness: Assembly Member Soto.*

*Because of a death in his family: Assembly Member Spitzer.*

(NOTE: For explanations of absences of Assembly Members Emerson and Huffman on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 13, 2008**

**FOURTEENTH SESSION DAY**

**ONE HUNDRED EIGHTY-FIFTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, March 13, 2008

The Assembly met at 6 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—69:

Adams	DeVore	Jones	Portantino
Aghazarian	Duvall	Karnette	Ruskin
Anderson	Dymally	Keene	Salas
Arambula	Emmerson	Krekorian	Saldaña
Bass	Eng	La Malfa	Silva
Beall	Evans	Laird	Smyth
Berg	Feuer	Leno	Spitzer
Berryhill	Fuentes	Levine	Strickland
Blakeslee	Fuller	Lieber	Swanson
Brownley	Furutani	Lieu	Torrico
Caballero	Gaines	Maze	Tran
Carter	Galgiani	Mendoza	Villines
Cook	Garcia	Mullin	Walters
Coto	Garrick	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Jeffries	Plescia	

Quorum present.

**At 11:39 a.m., Hon. Chuck DeVore, 70th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Calderon, Hancock, Hayashi, Huffman, Price, and Solorio.*

*On legislative business, and waiving per diem: Assembly Member Benoit.*

*On personal business, and waiving per diem: Assembly Member Runner.*

*Because of illness: Assembly Members Horton, Ma, and Soto.*

(NOTE: For explanations of absences of Assembly Members Calderon, Hancock, Hayashi, Huffman, Price, and Solorio on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Benoit on this day, on legislative business waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE

2007–08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 6

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**SPRING RECESS**

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Assembly Chamber, Sacramento  
Friday, March 14, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 First Extraordinary Session was printed while the Assembly was in Spring Recess.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 14, 2008

*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 Ted Lieu to replace Assemblymember Hector De La Torre as Chair and as a member of the Assembly Rules Committee for the 2007–08 First Extraordinary Session.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

---

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, March 28, 2008**  
**FIFTEENTH SESSION DAY**  
**TWO HUNDREDTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, March 28, 2008

The Assembly met at 6 a.m.

Hon. Jim Beall, Jr., Assembly Member, 24th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—53:

Aghazarian	Dymally	Huffman	Plescia
Anderson	Eng	Jeffries	Portantino
Arambula	Feuer	Kamette	Price
Beall	Fuentes	Keene	Runner
Berg	Fuller	La Malfa	Ruskin
Berryhill	Furutani	Laird	Salas
Brownley	Gaines	Leno	Silva
Caballero	Galgiani	Levine	Spitzer
Calderon	Garcia	Mendoza	Swanson
Cook	Garrick	Mullin	Torrico
Coto	Hayashi	Nakanishi	Tran
Davis	Hernandez	Nava	
DeVore	Horton	Niello	
Duvall	Huff	Parra	

Quorum present.

**At 11:27 a.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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, Bass, Benoit, Blakeslee, Carter, De La Torre, De León, Emmerson, Evans, Hancock, Houston, Krekorian, Lieber, Lieu, Núñez, Saldaña, Smyth, Solorio, Strickland, Villines, and Walters.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 63): Assembly Member Jones.*

*On personal business, and waiving per diem: Assembly Members DeSaulnier, Ma, and Wolk.*

*Because of illness: Assembly Members Maze and Soto.*

(NOTE: For explanations of absences of Assembly Members Adams, Bass, Benoit, Blakeslee, Carter, De La Torre, De León, Emmerson, Evans, Hancock, Houston, Krekorian, Lieber, Lieu, Núñez, Saldaña, Smyth, Solorio, Strickland, Villines, and Walters on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Jones on this day, on legislative business, and waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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MARY HAYASHI, Assistant Majority Whip

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 3, 2008**

**SIXTEENTH SESSION DAY**

**TWO HUNDRED SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 3, 2008

The Assembly met at 9:06 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Plescia
Anderson	Duvall	Huffman	Portantino
Arambula	Dymally	Jeffries	Price
Bass	Emmerson	Jones	Ruskin
Beall	Eng	Karnette	Salas
Benoit	Evans	Keene	Saldaña
Berg	Feuer	Krekorian	Silva
Berryhill	Fuentes	La Malfa	Smyth
Blakeslee	Fuller	Laird	Solorio
Brownley	Furutani	Leno	Spitzer
Caballero	Gaines	Lieber	Strickland
Calderon	Galgiani	Lieu	Swanson
Carter	Garcia	Ma	Torrico
Cook	Garrick	Mendoza	Tran
Coto	Hancock	Mullin	Villines
Davis	Hayashi	Nakanishi	Walters
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Levine and Runner.*

*Because of illness: Assembly Member Soto.*

*Because of illness in his family: Assembly Member Maze.*

(NOTE: For explanations of absences of Assembly Members Levine and Runner on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 10, 2008**

**SEVENTEENTH SESSION DAY**

**TWO HUNDRED THIRTEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 10, 2008

The Assembly met at 6 a.m.

Hon. Joel Anderson, Assembly Member, 77th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Villines reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Huff	Plescia
Aghazarian	Duvall	Jeffries	Portantino
Anderson	Dymally	Jones	Price
Arambula	Emmerson	Karnette	Runner
Bass	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	Mendoza	Torrico
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De León	Horton	Niello	Wolk
DeSaulnier	Houston	Parra	

Quorum present.

**At 11:37 a.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 De La Torre, Huffman, and Núñez.*

*Because of illness: Assembly Member Soto.*

*Because of a death in his family: Assembly Member Maze.*

(NOTE: For explanations of absences of Assembly Members De La Torre, Huffman, and Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 17, 2008**  
**EIGHTEENTH SESSION DAY**  
**TWO HUNDRED TWENTIETH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 17, 2008

The Assembly met at 6 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Kamette	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Furutani	Levine	Solorio
Blakeslee	Gaines	Lieber	Spitzer
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

Quorum present.

**At 11:33 a.m., Hon. Michael D. Duvall, 72nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Núñez.*

*Because of illness: Assembly Members Fuller and Soto.*

(NOTE: For explanation of absence of Assembly Member Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for April 16, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 24, 2008**

**NINETEENTH SESSION DAY**

**TWO HUNDRED TWENTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 24, 2008

The Assembly met at 9:24 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—73:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Portantino
Anderson	Duvall	Jeffries	Runner
Arambula	Dymally	Jones	Ruskin
Bass	Emmerson	Keene	Salas
Beall	Eng	Krekorian	Saldaña
Benoit	Evans	La Malfa	Silva
Berg	Feuer	Laird	Smyth
Berryhill	Fuentes	Leno	Solorio
Blakeslee	Fuller	Levine	Spitzer
Brownley	Furutani	Lieber	Strickland
Caballero	Gaines	Lieu	Swanson
Calderon	Galgiani	Ma	Torrico
Carter	Garcia	Maze	Villines
Cook	Garrick	Mendoza	Walters
Coto	Hancock	Mullin	Wolk
Davis	Hayashi	Nakanishi	
De La Torre	Hernandez	Nava	
De León	Horton	Niello	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Huffman, Karnette, Plescia, Price, and Tran.*

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanations of absences of Assembly Members Huffman, Karnette, Plescia, Price, and Tran on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 1, 2008**

**TWENTIETH SESSION DAY**

**TWO HUNDRED THIRTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 1, 2008

The Assembly met at 9:09 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Plescia
Anderson	Duvall	Huffman	Portantino
Arambula	Dymally	Jeffries	Price
Bass	Emmerson	Jones	Ruskin
Beall	Eng	Karnette	Salas
Benoit	Evans	Keene	Saldaña
Berg	Feuer	La Malfa	Silva
Berryhill	Fuentes	Laird	Smyth
Blakeslee	Fuller	Leno	Solorio
Brownley	Furutani	Lieber	Spitzer
Caballero	Gaines	Lieu	Strickland
Calderon	Galgiani	Ma	Swanson
Carter	Garcia	Maze	Torrico
Cook	Garrick	Mendoza	Tran
Coto	Hancock	Mullin	Villines
Davis	Hayashi	Nakanishi	Walters
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business was dispensed with for this legislative day.

#### 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 Member Runner.*

*On personal business, and waiving per diem: Assembly Member Levine.*

*Because of illness: Assembly Member Soto.*

*On paternity leave: Assembly Member Krekorian.*

(NOTE: For explanation of absence of Assembly Member Runner on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, May 6, 2008**

**TWENTY-FIRST SESSION DAY**

**TWO HUNDRED THIRTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Tuesday, May 6, 2008

The Assembly met at 7 a.m.

Hon. Joel Anderson, Assembly Member, 77th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Ma	Strickland
Caballero	Galgiani	Maze	Swanson
Calderon	Garcia	Mendoza	Torrico
Carter	Garrick	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Parra	Mr. Speaker
De León	Huff	Plescia	

Quorum present.

**At 1:30 p.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member DeSaulnier.*

*On personal business, and waiving per diem: Assembly Members Hancock and Lieu.*

*Because of illness: Assembly Member Soto.*

*On paternity leave: Assembly Member Krekorian.*

(NOTE: For explanation of absence of Assembly Member DeSaulnier 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:

May 6, 2008

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have removed Assemblymember Mark DeSaulnier from the Assembly Rules Committee for the 2007–08 First Extraordinary Session, creating a Democratic vacancy.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 15, 2008**

**TWENTY-SECOND SESSION DAY**

**TWO HUNDRED FORTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 15, 2008

The Assembly met at 9:53 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeVore	Jeffries	Plescica
Aghazarian	Duvall	Jones	Portantino
Anderson	Emmerson	Keene	Price
Arambula	Eng	Krekorian	Runner
Beall	Evans	La Malfa	Ruskin
Benoit	Feuer	Laird	Salas
Berg	Fuentes	Leno	Saldaña
Berryhill	Fuller	Levine	Silva
Blakeslee	Furutani	Lieber	Smyth
Brownley	Gaines	Lieu	Solorio
Caballero	Galgiani	Ma	Spitzer
Calderon	Garcia	Maze	Strickland
Carter	Hancock	Mendoza	Swanson
Cook	Hayashi	Mullin	Torrico
Coto	Hernandez	Nakanishi	Tran
Davis	Horton	Nava	Villines
De La Torre	Houston	Niello	Walters
De León	Huff	Núñez	Wolk
DeSaulnier	Huffman	Parra	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Dymally.*

*On personal business, and waiving per diem: Assembly Member Garrick.*

*Because of illness: Assembly Members Karnette and Soto.*

(NOTE: For explanation of absence of Assembly Member Dymally on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ELECTION OF SPEAKER**

Assembly Member Torrico was granted unanimous consent that the unanimous consent vote on February 28, 2008 (Assembly Journal, page 4138), electing Assembly Member Karen Bass to the Office of Speaker of the Assembly for the 2007–08 Regular Session, and the Oath of Office administered on May 13, 2008 (Assembly Journal, page 5103) by Hon. Fabian Núñez, Speaker of the Assembly, be substituted in the 2007–08 First Extraordinary Session.

**OATH**

*for the Office of Speaker of the Assembly*

I, Karen Bass, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**RECESS**

By unanimous consent, at 9:54 a.m., Speaker pro Tempore Lieber declared the Assembly recessed upon Call of the Speaker.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 15, 2008

*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 Alberto Torrico as the Majority Floor Leader for the 2007–08 First Extraordinary Session.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, May 19, 2008**

**TWENTY-THIRD SESSION DAY**

**TWO HUNDRED FIFTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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, May 19, 2008

The Assembly met at 11:21 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jones	Price
Aghazarian	Dymally	Karnette	Runner
Anderson	Emmerson	Keene	Ruskin
Arambula	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Maze	Swanson
Calderon	Garcia	Mendoza	Torricon
Carter	Hancock	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Núñez	Mme. Speaker
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	
DeVore	Jeffries	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Garrick and Ma.*

*Because of illness: Assembly Member Soto.*

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 16, 2008

*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 Lori Saldaña as the Assistant Speaker pro Tempore for the 2007–08 First Extraordinary Session.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 29, 2008**

**TWENTY-FOURTH SESSION DAY**

**TWO HUNDRED SIXTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 29, 2008

The Assembly met at 9:57 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Emmerson	Karnette	Price
Aghazarian	Eng	Keene	Runner
Anderson	Evans	Krekorian	Ruskin
Arambula	Feuer	La Malfa	Salas
Beall	Fuentes	Laird	Saldaña
Benoit	Fuller	Leno	Silva
Berg	Furutani	Levine	Smyth
Berryhill	Gaines	Lieber	Solorio
Blakeslee	Galgiani	Lieu	Spitzer
Brownley	Garcia	Ma	Strickland
Carter	Garrick	Maze	Swanson
Cook	Hancock	Mendoza	Torrico
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Villines
De La Torre	Horton	Nava	Walters
De León	Houston	Niello	Wolk
DeSaulnier	Huff	Núñez	Mme. Speaker
DeVore	Huffman	Parra	
Duvall	Jeffries	Plescia	
Dymally	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Calderon.*

*Because of illness: Assembly Members Caballero and Soto.*

**ADJOURNMENT**

At 6:32 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 5, 2008**

**TWENTY-FIFTH SESSION DAY**

**TWO HUNDRED SIXTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 5, 2008

The Assembly met at 9:53 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Karnette	Price
Anderson	Emmerson	Keene	Runner
Arambula	Eng	Krekorian	Ruskin
Benoit	Evans	La Malfa	Salas
Berg	Feuer	Laird	Saldaña
Berryhill	Fuentes	Leno	Silva
Blakeslee	Fuller	Levine	Smyth
Brownley	Furutani	Lieber	Solorio
Caballero	Gaines	Lieu	Spitzer
Calderon	Galgiani	Ma	Swanson
Carter	Garcia	Mendoza	Torrco
Cook	Garrick	Mullin	Tran
Coto	Hancock	Nakanishi	Villines
Davis	Hayashi	Nava	Walters
De La Torre	Hernandez	Niello	Wolk
De León	Houston	Núñez	Mme. Speaker
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Maze.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 63): Assembly Member Jones.*

*On personal business, and waiving per diem: Assembly Member Horton.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Members Beall and Strickland.*

(NOTE: For explanation of absence of Assembly Member Maze on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Jones on this day, on legislative business, per diem waived, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 12, 2008**

**TWENTY-SIXTH SESSION DAY**

**TWO HUNDRED SEVENTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 12, 2008

The Assembly met at 9:16 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	Duvall	Huffman	Parra
Aghazarian	Dymally	Jeffries	Portantino
Anderson	Emmerson	Jones	Price
Arambula	Eng	Karnette	Runner
Beall	Evans	Keene	Ruskin
Benoit	Feuer	Krekorian	Salas
Berg	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Strickland
Cook	Garrick	Maze	Swanson
Coto	Hancock	Mendoza	Torrico
Davis	Hayashi	Mullin	Tran
De La Torre	Hernandez	Nakanishi	Villines
De León	Horton	Nava	Walters
DeSaulnier	Houston	Niello	Wolk
DeVore	Huff	Núñez	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass and Plescia.*

*On personal business, and waiving per diem: Assembly Member Ma.*

*Because of illness: Assembly Members Berryhill and Soto.*

(NOTE: For explanation of absence of Assembly Member Plescia on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Bass on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for June 11, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY J. LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 19, 2008**

**TWENTY-SEVENTH SESSION DAY**

**TWO HUNDRED EIGHTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 19, 2008

The Assembly met at 9:50 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
Arambula	Eng	Keene	Runner
Beall	Feuer	Krekorian	Ruskin
Benoit	Fuentes	La Malfa	Salas
Berg	Fuller	Laird	Saldaña
Berryhill	Furutani	Leno	Silva
Blakeslee	Gaines	Levine	Smyth
Brownley	Galgiani	Lieber	Solorio
Calderon	Garcia	Lieu	Spitzer
Carter	Garrick	Ma	Strickland
Cook	Hancock	Maze	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Tran
De La Torre	Horton	Nakanishi	Villines
De León	Houston	Nava	Walters
DeSaulnier	Huff	Niello	Wolk
DeVore	Huffman	Parra	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Caballero and Núñez.*

*Because of illness: Assembly Members Evans and Soto.*

(NOTE: For explanations of absences of Assembly Members Caballero and Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 26, 2008**

**TWENTY-EIGHTH SESSION DAY**

**TWO HUNDRED NINETIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 26, 2008

The Assembly met at 9:53 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jeffries	Price
Aghazarian	Dymally	Jones	Runner
Anderson	Emmerson	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Portantino.*

*Because of illness: Assembly Members Núñez and Soto.*

(NOTE: For explanation of absence of Assembly Member Portantino on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 3, 2008**

**TWENTY-NINTH SESSION DAY**

**TWO HUNDRED NINETY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, July 3, 2008

The Assembly met at 9:25 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeVore	Huff	Niello
Aghazarian	Duvall	Huffman	Parra
Anderson	Dymally	Jeffries	Plescia
Arambula	Emmerson	Jones	Portantino
Beall	Eng	Karnette	Price
Benoit	Evans	Keene	Ruskin
Berg	Feuer	Krekorian	Salas
Berryhill	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Swanson
Cook	Garrick	Ma	Torrico
Coto	Hancock	Maze	Tran
Davis	Hayashi	Mendoza	Villines
De La Torre	Hernandez	Mullin	Walters
De León	Horton	Nakanishi	Wolk
DeSaulnier	Houston	Nava	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Núñez.*

*Because of illness: Assembly Members Runner, Soto, and Strickland.*

(NOTE: For explanation of absence of Assembly Member Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 15, 2008**

**THIRTIETH SESSION DAY**

**THREE HUNDRED NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, July 15, 2008

The Assembly met at 9:58 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Dymally	Karnette	Price
Aghazarian	Emmerson	Keene	Runner
Anderson	Eng	Krekorian	Ruskin
Arambula	Evans	La Malfa	Salas
Beall	Feuer	Laird	Saldaña
Benoit	Fuentes	Leno	Silva
Berg	Fuller	Levine	Smyth
Berryhill	Furutani	Lieber	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Caballero	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrco
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De La Torre	Horton	Niello	Wolk
De León	Huff	Núñez	Mme. Speaker
DeSaulnier	Huffman	Parra	
DeVore	Jeffries	Plescia	
Duvall	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Houston.*

*Because of illness: Assembly Members Calderon and Soto.*

(NOTE: For explanation of absence of Assembly Member Houston on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 7, 2008**

**THIRTY-FIRST SESSION DAY**

**THREE HUNDRED THIRTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, August 7, 2008

The Assembly met at 9:29 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 15, 2008**  
**THIRTY-SECOND SESSION DAY**  
**THREE HUNDRED FORTIETH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, August 15, 2008

The Assembly met at 9:41 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—72:

Adams	Duvall	Huffman	Niello
Aghazarian	Emmerson	Jeffries	Núñez
Anderson	Eng	Jones	Parra
Arambula	Evans	Karnette	Portantino
Beall	Feuer	Keene	Ruskin
Benoit	Fuentes	Krekorian	Salas
Berg	Fuller	La Malfa	Saldaña
Blakeslee	Furutani	Laird	Silva
Brownley	Gaines	Leno	Smyth
Caballero	Galgiani	Levine	Solorio
Carter	Garcia	Lieber	Spitzer
Cook	Garrick	Lieu	Strickland
Coto	Hancock	Ma	Swanson
Davis	Hayashi	Maze	Tran
De La Torre	Hernandez	Mendoza	Villines
De León	Horton	Mullin	Walters
DeSaulnier	Houston	Nakanishi	Wolk
DeVore	Huff	Nava	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Price and Torrico.*

*Because of illness: Assembly Members Berryhill, Dymally, Runner, and Soto.*

*Because of illness in his family: Assembly Member Plescia.*

*The following Assembly Member was excused for the day, and his per diem was waived: Assembly Member Calderon.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 21, 2008**

**THIRTY-THIRD SESSION DAY**

**THREE HUNDRED FORTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, August 21, 2008

The Assembly met at 10:35 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Kamette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

**ADJOURNMENT**

At 4:25 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Sunday, August 31, 2008**

**THIRTY-FOURTH SESSION DAY**

**THREE HUNDRED FIFTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Sunday, August 31, 2008

The Assembly met at 10:36 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

*Because of illness in his family: Assembly Member Tran.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, September 19, 2008**

**THIRTY-FIFTH SESSION DAY**

**THREE HUNDRED SEVENTY-FIFTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, September 19, 2008

The Assembly met at 5:22 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, and the following answered to their names—76:

Adams	DeVore	Huff	Parra
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
Beall	Eng	Karnette	Ruskin
Benoit	Evans	Keene	Salas
Berg	Feuer	Krekorian	Saldaña
Berryhill	Fuentes	La Malfa	Silva
Blakeslee	Fuller	Laird	Smyth
Brownley	Furutani	Leno	Solorio
Caballero	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garcia	Maze	Swanson
Cook	Garrick	Mendoza	Torrico
Coto	Hancock	Mullin	Tran
Davis	Hayashi	Nakanishi	Villines
De La Torre	Hernandez	Nava	Walters
De León	Horton	Niello	Wolk
DeSaulnier	Houston	Núñez	Mme. Speaker

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Mike Feuer, Assembly Member, District 42:

*Creator, We live in a world of great confusion, despair, and problems. We need, therefore, the strength to recognize our weaknesses and the vision to identify what needs to be done. Give us the wisdom to do that which is right, the will and the determination to stand for truth even though it may be at times unpopular. But above all, help us serve with dignity and honor the good people of this great state.*

Ba'ruch atah adonoi, eloheynu melech ha'olom sh'hecheyanu, v'keyemanu, v'hegeyanu, la'z'man hazeh.

Blessed are you Creator of the Universe, who has given us life, sustained us and brought us to this time and place.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Garcia then led the Assembly in the pledge of allegiance to the Flag.

**READING OF THE JOURNAL DISPENSED WITH**

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

**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 Members Levine and Plescia.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Member Ma.*

**MESSAGE FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal.

**A PROCLAMATION****BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS, on September 11, 2007, I issued a proclamation to cause the Legislature to convene in extraordinary session to consider and act upon legislation relating to health care reform; and

WHEREAS, an extraordinary occasion has arisen and now exists requiring that this proclamation be amended to include an additional subject in the extraordinary session.

NOW THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me by Section 3(b) Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California on the 11th day of September 2007, at a time to be determined, and thereafter, for the following purposes and to legislate upon the following subjects:

1. To consider and act upon legislation to comprehensively reform California's health care system that relies on shared financing and contributions from individuals, employers, health providers, federal, state and local government, and others.
2. To consider and act upon legislation that will provide for health care coverage for all Californians and access to health insurance without regard to medical history.
3. To consider and act upon legislation to make health care more affordable by: (a) reducing the cost to employers and insured individuals associated with uncompensated health care services delivered to the uninsured and low Medi-Cal reimbursement rates, (b) preventing chronic diseases, and (c) promoting more cost effective health care delivery.
4. To consider and act upon legislation to modify or extend existing programs to provide for a transition to comprehensive health care reform.
5. To consider and act upon legislation to address fiscal and budget-related matters.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 19th day of September, 2008.

ARNOLD SCHWARZENEGGER  
Governor of California

ATTEST:

DEBRA BOWEN  
Secretary of State



### Receipt

I acknowledge receipt this 19th day of September 2008 at 12:10 p.m., of a proclamation by the Governor, regarding the First Extraordinary Session regarding health care, delivered to me personally by Jacque Roberts.

E. DOTSON WILSON  
Chief Clerk of the Assembly

### MESSAGES FROM THE SENATE

Senate Chamber, September 19, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 28

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. 28**—An act to amend Section 19025 of, to add Sections 19136.1, 19136.3, and 19138 to, to repeal Section 19137 of, and to repeal Chapter 9.2 (commencing with Section 19740) of Part 10.2 of Division 2 of, the Revenue and Taxation Code, and to amend Section 35.20 as added to the Budget Act of 2008 by Assembly Bill 88 of the 2007–2008 Regular Session, relating to taxation.

### MESSAGES FROM THE SENATE

Senate Chamber, September 19, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 2

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

### FIRST READING OF SENATE BILLS

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 2**—Final adjournment: 2007–08 First Extraordinary Session.

### RESOLUTIONS

The following resolution was offered:

#### **Resolution to Dispense With Constitutional Provision**

By Assembly Member Torrico.

*Resolved*, That Senate Bill No. 28 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.

Resolution read, and adopted by the following vote:

**AYES—64**

Adams	De León	Horton	Núñez
Aghazarian	DeSaulnier	Huffman	Parra
Anderson	Duvall	Jeffries	Portantino
Arambula	Dymally	Jones	Price
Beall	Emmerson	Karnette	Runner
Benoit	Eng	Krekorian	Ruskin
Berg	Evans	La Malfa	Salas
Berryhill	Feuer	Laird	Saldaña
Blakeslee	Fuentes	Leno	Silva
Brownley	Fuller	Lieber	Smyth
Caballero	Furutani	Lieu	Solorio
Carter	Gaines	Mendoza	Torrico
Cook	Galgiani	Mullin	Tran
Coto	Garcia	Nakanishi	Villines
Davis	Hayashi	Nava	Wolk
De La Torre	Hernandez	Niello	Mme. Speaker

**NOES—3**

DeVore	Maze	Spitzer
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Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Senate Bill No. 28**

**SENATE BILL NO. 28**—An act to amend Section 19025 of, to add Sections 19136.1, 19136.3, and 19138 to, to repeal Section 19137 of, and to repeal Chapter 9.2 (commencing with Section 19740) of Part 10.2 of Division 2 of, the Revenue and Taxation Code, and to amend Section 35.20 as added to the Budget Act of 2008 by Assembly Bill 88 of the 2007–2008 Regular Session, relating to taxation.

Bill read second time.

**CONSIDERATION OF SENATE BILL NO. 28  
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 28 without reference to committee or file, for purpose of consideration.

**SENATE BILL NO. 28 (Committee on Budget and Fiscal Review)**—An act to amend Section 19025 of, to add Sections 19136.1, 19136.3, and 19138 to, to repeal Section 19137 of, and to repeal Chapter 9.2 (commencing with Section 19740) of Part 10.2 of Division 2 of, the Revenue and Taxation Code, and to amend Section 35.20 as added to the Budget Act of 2008 by Assembly Bill 88 of the 2007–2008 Regular Session, relating to taxation.

Bill read third time, and presented by Assembly Member Laird.

Bill passed by the following vote:

**AYES—43**

Arambula	Dymally	Karnette	Portantino
Beall	Eng	Krekorian	Price
Berg	Evans	Laird	Ruskin
Brownley	Feuer	Leno	Salas
Caballero	Fuentes	Lieber	Saldaña
Carter	Furutani	Lieu	Solorio
Coto	Hancock	Mendoza	Swanson
Davis	Hayashi	Mullin	Torrico
De La Torre	Hernandez	Nava	Wolk
De León	Huffman	Núñez	Mme. Speaker
DeSaulnier	Jones	Parra	

**NOES—30**

Adams	Duvall	Jeffries	Smyth
Anderson	Emmerson	Keene	Spitzer
Benoit	Fuller	La Malfa	Strickland
Berryhill	Gaines	Maze	Tran
Blakeslee	Garrick	Nakanishi	Villines
Calderon	Horton	Niello	Walters
Cook	Houston	Runner	
DeVore	Huff	Silva	

Bill ordered transmitted to the Senate.



**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2  
BY UNANIMOUS CONSENT**

Assembly Member Torrico was granted unanimous consent to take up Senate Concurrent Resolution No. 2 without reference to committee or file, for purpose of consideration.

**SENATE CONCURRENT RESOLUTION NO. 2 (Perata)**—Final adjournment: 2007–08 First Extraordinary Session.

Resolution read, presented by Assembly Member Torrico, and adopted by the following vote:

**AYES—73**

Adams	DeVore	Jeffries	Price
Aghazarian	Duvall	Jones	Runner
Anderson	Dymally	Karnette	Ruskin
Arambula	Emmerson	Keene	Salas
Beall	Eng	Krekorian	Saldaña
Benoit	Evans	La Malfa	Silva
Berg	Feuer	Laird	Smyth
Berryhill	Fuentes	Leno	Solorio
Blakeslee	Fuller	Lieber	Spitzer
Brownley	Furutani	Lieu	Strickland
Caballero	Gaines	Maze	Torrico
Calderon	Galgiani	Mendoza	Tran
Carter	Garrick	Mullin	Villines
Cook	Hayashi	Nakanishi	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mme. Speaker
De La Torre	Houston	Núñez	
De León	Huff	Parra	
DeSaulnier	Huffman	Portantino	

**NOES—1**

Garcia

Resolution 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):

**Invoke Constitution:** Coto—Aye; DeVore—No.

**Senate Bill No. 28:** Coto and Nava—Aye.

**Senate Concurrent Resolution No. 2:** Coto, Gaines, Horton, and Maze—Aye.

**ADJOURNMENT**

At 5:28 p.m., pursuant to the provisions of Senate Concurrent Resolution No. 2, the 2007–08 First Extraordinary Session of the Legislature adjourned *sine die*.

---

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4. For above proclamation as amended by the Governor see Assembly Journal, Friday, September 19, 2008, page 170.)



CALIFORNIA LEGISLATURE

2007–08 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

APPENDIX TO THE ASSEMBLY JOURNAL  
FOR THE 2007–08 FIRST EXTRAORDINARY SESSION

Assembly Chamber, Sacramento  
Sunday, November 30, 2008

The following is an appendix to the Assembly Journal for the 2007–08 First Extraordinary Session containing information received subsequent to the adjournment *sine die* of the session.

REPORTS OF STANDING COMMITTEES  
Committee on Health

October 6, 2008

Mme. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 8

DYMALLY, Chair

Above bill ordered filed with the Chief Clerk.

November 30, 2008

Mme. Speaker: Your Committee on Health reports:

Assembly Bill No. 2

Assembly Bill No. 3

Without action.

DYMALLY, Chair

Above bills ordered filed with the Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber, September 22, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 1

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

**MEASURES WHICH DIED AT DESK**

Assembly Bills Nos. 4, 5, 6, and 7.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

Volume 6

# Journal of the Assembly

Legislature of the State of California  
2007–08 Second Extraordinary Session  
September 11, 2007 to November 30, 2008



HON. KAREN BASS  
Speaker

HON. SALLY J. LEIBER  
Speaker pro Tempore

HON. LORI SALDANA  
Assistant Speaker pro Tempore

HON. ALBERTO TORRICO  
Majority Floor Leader

HON. MICHAEL VILLINES  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

SUE PARKER  
Minute Clerk

CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, September 11, 2007**  
**FIRST SESSION DAY**  
**FIRST CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, September 11, 2007

At 6:55 p.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Arnold Schwarzenegger, Governor of the State of California, dated September 11, 2007, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2007–08 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk, Sue Parker, Minute Clerk, and Ronald E. Pane, Chief Sergeant-at-Arms.

Hon. Fabian Núñez, Speaker of the Assembly for the 2007–08 Regular Session, presiding.

Assistant Clerk Elizabeth Potter, reading.

#### ROLL CALL

The roll was called and the following answered to their names—78:

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Karnette	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Gaines	Lieber	Soto
Brownley	Galgiani	Lieu	Spitzer
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torricon
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	Mr. Speaker
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	



**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, In the six years since the terrorist attacks of September 11th, the debates in this country regarding the proper response to those attacks are all very poignant and valid in a democracy, even though many times in history we've learned that loose lips sink ships. Yet, on 9/11, we were drawn into a conflict with a region of the world that is besieged by ethnic and sectarian hatreds. As our political leaders search for a way to deal with the problems following September 11th, we turn our attention this morning to those who lost their lives on this day six years ago, and to the military casualties since then. We ask You, Lord, to grant rest to their souls in a place of peace where there is no pain or strife. Bring comfort to the families who have lost loved ones since then and help us all to show that love and faith in You is always the proper response to hatred.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Tran then led the Assembly in the pledge of allegiance to the Flag.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness: Assembly Member Strickland.*

**PROCLAMATION OF THE GOVERNOR**

Speaker Núñez directed the Clerk to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

**A PROCLAMATION**

BY THE GOVERNOR OF THE STATE OF CALIFORNIA

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now therefore,

I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me by Section 3(b) Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California on the 11th day of September, 2007, at a time to be determined, for the following purpose and to legislate upon the following subjects:

1. To consider and act upon legislation to protect and restore the Sacramento-San Joaquin Delta while also improving the reliability and quality of water supplies from that estuary.
2. To consider and act upon legislation to address the short term and long term improvement of California's water management system including the development of new surface and groundwater storage and improved conveyance facilities.
3. To consider and act upon legislation to appropriate funds, including appropriations for general obligation and lease revenue bonds, to improve water resource management, build additional water storage facilities, develop groundwater aquifers, improve groundwater quality and flood protection, and restore the Sacramento-San Joaquin Delta and other important ecosystem restoration projects.
4. To consider and act upon legislation to place a general obligation bond and, as necessary, a lease revenue bond on the ballot.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 11th day of September, 2007.

ARNOLD SCHWARZENEGGER  
Governor of California

ATTEST:

DEBRA BOWEN  
Secretary of State



**MOTION TO ORGANIZE  
THE SECOND EXTRAORDINARY SESSION**

Assembly Member Bass moved that the following actions and votes from the Regular Session and First Extraordinary Session of September 11, 2007 shall apply in the Second Extraordinary Session: 1) the election of Fabian Núñez on December 4, 2006 and the oath of office administered on December 4, 2006 in the 2007–08 Regular Session; 2) the Standing Rules of the Assembly for the 2007–2008 Regular Session and the organization of Standing Committees; 3) the provisions of House Resolution 3 in the Regular Session relative to the payment of Members and distribution of Weekly Histories; 4) the vote for the Non-Member Officers and their respective oaths of office in the 2007–2008 Regular Session.

Motion seconded by Assembly Member Runner.

Without objection, motion carried.

(NOTE: See December 4, 2006 Assembly Daily Journal for oath of office for Speaker of the Assembly, Journal page 8; for text of the Standing Rules, Journal page 11; for text of House Resolution No. 3, Journal page 57; oaths of office for Non-Member Officers, Journal page 56.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 11, 2007

*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 the following Democratic Leadership for the 2007–08 2nd Extraordinary Session:

Speaker pro Tempore	Hon. Sally Lieber
Majority Floor Leader	Hon. Karen Bass
Assistant Majority Floor Leader	Hon. Kevin De León
Majority Whip	Hon. Fiona Ma
Assistant Majority Whip	Hon. Mary Hayashi
Democratic Caucus Chair	Hon. Noreen Evans

Sincerely,

**FABIAN NUÑEZ**  
Speaker of the Assembly

September 11, 2007

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have established and appointed the chairs to the following committees for the 2007–08 2nd Extraordinary Session:

*Rules*

Assemblymember Hector De La Torre, Chair  
 Assemblymember Sam Blakeslee, Vice Chair

*Agriculture*

Assemblymember Nicole Parra, Chair  
 Assemblymember Doug La Malfa, Vice Chair

*Appropriations*

Assemblymember Mark Leno, Chair  
 Assemblymember Mimi Walters, Vice Chair

*Natural Resources*

Assemblymember Loni Hancock, Chair  
 Assemblymember Jean Fuller, Vice Chair

*Water, Parks and Wildlife*

Assemblymember Lois Wolk, Chair  
 Assemblymember Bill Maze, Vice Chair

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

September 11, 2007

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Pursuant to the Assembly and Joint Rules, please keep the Assembly Desk open during the Interim Study Recess in the Second Extraordinary Session for the purpose of processing bill introductions. Unless I indicate otherwise, the Desk shall remain open each business day from 9:00 a.m. to 3:00 p.m.

Thank you for your attention to this matter.

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

**MOTION TO ADJOURN**

At 6:57 p.m., Assembly Member Bass moved that the Assembly do now adjourn.

Assembly Member De León seconded the motion.

Motion carried.

**MESSAGES FROM THE SENATE**

Senate Chamber, September 11, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the Joint Rules for the 2007–08 Second Extraordinary Session.

**ADJOURNMENT**

At 6:57 p.m., the Assembly adjourned for the Interim Study Recess, to reconvene upon Call of the Speaker, pursuant to Joint Rules 51 and 61, and consent for the Senate to do the same.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk



CALIFORNIA LEGISLATURE

2007–08 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

INTERIM STUDY RECESS

Assembly Chamber, Sacramento  
Wednesday, September 26, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess.

INTRODUCTION OF ASSEMBLY BILLS

The following bills were introduced:

**ASSEMBLY BILL NO. 1—Laird (Principal coauthors: Arambula, Eng, Feuer, Huffman, Krekorian, Núñez, Salas, and Wolk).** An act relating to water.

**ASSEMBLY BILL NO. 2—Laird (Principal coauthors: Arambula, Eng, Feuer, Huffman, Krekorian, Núñez, Salas, and Wolk).** An act to add Part 1.2 (commencing with Section 10003.10) to Division 6 of the Water Code, relating to water.

**ASSEMBLY BILL NO. 3—Laird (Principal coauthors: Arambula, Eng, Feuer, Huffman, Krekorian, Núñez, Salas, and Wolk).** An act to add Chapter 1.5 (commencing with Section 12210) to Part 4.5 of Division 6 of the Water Code, relating to water.

**ASSEMBLY BILL NO. 4—Villines.** An act to add Division 33 (commencing with Section 83000) to the Water Code, relating to water, and making an appropriation therefor.

**ASSEMBLY BILL NO. 5—DeVore.** An act to amend Sections 25524.1 and 25524.2 of, and to add Section 25524.3 to, the Public Resources Code, relating to water.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE

2007–08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Tuesday, October 2, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

October 2, 2007

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have established the Special Committee on Water for the 2007–08 Second Extraordinary Session and have named the following members to serve on this committee:

- Assemblymember Lois Wolk, Chair
- Assemblymember Bill Maze, Vice Chair
- Assemblymember Juan Arambula
- Assemblymember Mike Eng
- Assemblymember Mike Feuer
- Assemblymember Bob Huff
- Assemblymember Jared Huffman
- Assemblymember Rick Keene

Assemblymember Paul Krekorian  
Assemblymember Doug La Malfa  
Assemblymember John Laird  
Assemblymember Mary Salas

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE

2007-08 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 3

INTERIM STUDY RECESS

Assembly Chamber, Sacramento  
Thursday, December 13, 2007

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007-08 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

November 8, 2007

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: This is to advise you that I've appointed the following members to the Republican Leadership Team for the 2007/2008 Second Extraordinary Session:

- |                                 |  |
|---------------------------------|--|
| Assemblyman Michael N. Villines | Assembly Republican Leader   |
| Assemblyman Bob Huff            | 2nd Ranking Republican Leader/<br>Caucus Chair                                     |
| Assemblyman Roger Niello        | Assembly Budget Committee<br>Vice Chair and<br>Assistant Republican Leader         |
| Assemblywoman Mimi Walters      | Assembly Appropriations<br>Committee Vice Chair And<br>Assistant Republican Leader |
| Assemblyman Bill Emmerson       | Assistant Republican Leader  |
| Assemblyman Rick Keene          | Assistant Republican Leader  |
| Assemblyman Van Tran            | Assistant Republican Leader  |

Assemblyman John J. Benoit  
Assemblyman Doug La Malfa  
Assemblyman Todd Spitzer  
Assemblyman Chuck DeVore  
Assemblyman Anthony Adams  
Assemblywoman Jean Fuller  
Assemblyman Ted Gaines

Chief Republican Whip  
Chief Republican Whip  
Chief Republican Whip  
Republican Whip  
Republican Whip  
Republican Whip  
Republican Whip

If you have any questions regarding this letter, please contact Ivan Altamura at 319-2029.

It is an honor working with you in the California State Assembly.

Sincerely,

MICHAEL N. VILLINES  
Assembly Republican Leader

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE  
2007–08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 7, 2008**

**SECOND SESSION DAY**

**ONE HUNDRED NINETEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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, January 7, 2008

The Assembly met at 2:17 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Jeffries	Price
Aghazarian	Duvall	Jones	Runner
Anderson	Dymally	Karnette	Ruskin
Arambula	Emmerson	Keene	Salas
Bass	Eng	Krekorian	Saldaña
Beall	Evans	La Malfa	Silva
Benoit	Feuer	Laird	Smyth
Berg	Fuentes	Leno	Solorio
Berryhill	Fuller	Levine	Spitzer
Blakeslee	Gaines	Lieber	Strickland
Brownley	Galgiani	Lieu	Swanson
Caballero	Garcia	Ma	Torrico
Calderon	Garrick	Maze	Tran
Carter	Hancock	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nakanishi	Wolk
Davis	Horton	Nava	Mr. Speaker
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*To attend a funeral in the District: Assembly Member Portantino.*  
*Because of illness: Assembly Member Soto.*

#### MESSAGES FROM THE SENATE

Senate Chamber, October 9, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 5

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

Senate Chamber, January 7, 2008

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

#### FIRST READING OF ASSEMBLY BILLS

The following bills were read the first time:

**ASSEMBLY BILL NO. 1—Laird (Principal coauthors: Arambula, Eng, Feuer, Huffman, Krekorian, Núñez, Salas, and Wolk).** An act relating to water.

**ASSEMBLY BILL NO. 2—Laird (Principal coauthors: Arambula, Eng, Feuer, Huffman, Krekorian, Núñez, Salas, and Wolk).** An act to add Part 1.2 (commencing with Section 10003.10) to Division 6 of the Water Code, relating to water.

**ASSEMBLY BILL NO. 3—Laird (Principal coauthors: Arambula, Eng, Feuer, Huffman, Krekorian, Núñez, Salas, and Wolk).** An act to add Chapter 1.5 (commencing with Section 12210) to Part 4.5 of Division 6 of the Water Code, relating to water.

**ASSEMBLY BILL NO. 4—Villines.** An act to add Division 33 (commencing with Section 83000) to the Water Code, relating to water, and making an appropriation therefor.

**ASSEMBLY BILL NO. 5—DeVore.** An act to amend Sections 25524.1 and 25524.2 of, and to add Section 25524.3 to, the Public Resources Code, relating to water.

#### FIRST READING OF SENATE BILLS

The following bills were read the first time:

**SENATE BILL NO. 5—**An act to add Section 6217.3 to the Public Resources Code, relating to public resources, and making an appropriation therefor.

**SENATE BILL NO. 1—**An act to add Division 33 (commencing with Section 83000) to the Water Code, relating to water, and making an appropriation therefor.

#### ADJOURNMENT

At 3:34 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 17, 2008**

**THIRD SESSION DAY**

**ONE HUNDRED TWENTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 17, 2008

The Assembly met at 9:51 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	DeVore	Jeffries	Price
Aghazarian	Duvall	Jones	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Caballero	Garcia	Maze	Swanson
Calderon	Garrick	Mendoza	Torrico
Carter	Hancock	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Parra	Mr. Speaker
De León	Huff	Plescia	
DeSaulnier	Huffman	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Dymally and Karnette.*

*To attend a funeral: Assembly Member Lieber.*

*Because of illness: Assembly Members Anderson and Soto.*

(NOTE: For explanations of absences of Assembly Members Dymally and Karnette on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 24, 2008**

**FOURTH SESSION DAY**

**ONE HUNDRED THIRTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 24, 2008

The Assembly met at 9:31 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huffman	Parra
Aghazarian	DeVore	Jeffries	Plescia
Anderson	Duvall	Jones	Portantino
Arambula	Dymally	Karnette	Runner
Bass	Emmerson	Keene	Ruskin
Beall	Eng	Krekorian	Salas
Benoit	Evans	La Malfa	Saldaña
Berg	Feuer	Laird	Silva
Berryhill	Fuentes	Leno	Smyth
Blakeslee	Fuller	Levine	Solorio
Brownley	Gaines	Lieber	Spitzer
Caballero	Galgiani	Lieu	Strickland
Calderon	Garcia	Ma	Swanson
Carter	Garrick	Maze	Torrico
Cook	Hancock	Mendoza	Tran
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nakanishi	Walters
De La Torre	Houston	Nava	Wolk
De León	Huff	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Hayashi.*

*Because of illness: Assembly Members Price and Soto.*

(NOTE: For explanation of absence of Assembly Member Hayashi on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 31, 2008**

**FIFTH SESSION DAY**

**ONE HUNDRED FORTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 31, 2008

The Assembly met at 7 a.m.

Hon. Jim Silva, Assembly Member, 67th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—64:

Adams	De La Torre	Hernandez	Mullin
Aghazarian	De León	Horton	Nakanishi
Anderson	DeVore	Houston	Nava
Arambula	Duvall	Huff	Niello
Beall	Emmerson	Huffman	Parra
Benoit	Eng	Jeffries	Plescia
Berg	Evans	Jones	Runner
Berryhill	Feuer	Karnette	Ruskin
Blakeslee	Fuentes	Keene	Salas
Brownley	Fuller	Krekorian	Silva
Caballero	Gaines	La Malfa	Smyth
Calderon	Galgiani	Laird	Swanson
Carter	Garcia	Lieber	Torrico
Cook	Garrick	Ma	Tran
Coto	Hancock	Maze	Walters
Davis	Hayashi	Mendoza	Mr. Speaker

Quorum present.

**At 1:10 p.m., Hon. Fiona Ma, 12th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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 Bass, DeSaulnier, Dymally, Leno, Levine, Lieu, Portantino, Price, Solorio, Strickland, and Villines.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 64): Assembly Member Wolk.*

*On personal business, and waiving per diem: Assembly Member Saldaña.*

*Because of illness: Assembly Member Soto.*

*Because of illness in his family: Assembly Member Spitzer.*

(NOTE: For explanations of absences of Assembly Members Bass, DeSaulnier, Dymally, Leno, Portantino, Price, Solorio, Strickland, and Villines, on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Wolk on this day, on legislative business, per diem waived, see the Assembly Daily Journal for the Regular Session for this day; for explanations of absences of Assembly Members Levine and Lieu on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session on January 30, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 7, 2008**

**SIXTH SESSION DAY**

**ONE HUNDRED FIFTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 7, 2008

The Assembly met at 9:45 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huff	Niello
Aghazarian	DeVore	Huffman	Parra
Anderson	Duvall	Jeffries	Plescia
Arambula	Dymally	Jones	Portantino
Bass	Emmerson	Karnette	Price
Beall	Eng	Keene	Ruskin
Benoit	Evans	Krekorian	Salas
Berg	Feuer	La Malfa	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani*	Levine	Solorio
Caballero	Gaines	Lieber	Strickland
Calderon	Galgiani	Lieu	Swanson
Carter	Garcia	Ma	Torrico
Cook	Garrick	Maze	Tran
Coto	Hancock	Mendoza	Villines
Davis	Hayashi	Mullin	Walters
De La Torre	Hernandez	Nakanishi	Wolk
De León	Horton	Nava	Mr. Speaker

\*(NOTE: For Certificate of Election of and Oath of Office by Assembly Member Warren Furutani see the Assembly Daily Journal for the Regular Session for this day.)

#### 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 Houston and Spitzer.*

*Because of illness: Assembly Members Runner and Soto.*

(NOTE: For explanations of absences of Assembly Members Houston and Spitzer on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 15, 2008**

**SEVENTH SESSION DAY**

**ONE HUNDRED FIFTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, February 15, 2008

The Assembly met at 9:31 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huff	Parra
Aghazarian	DeVore	Huffman	Plescia
Anderson	Duvall	Jeffries	Portantino
Arambula	Emmerson	Jones	Runner
Bass	Eng	Karnette	Ruskin
Beall	Evans	Keene	Salas
Benoit	Feuer	Krekorian	Saldaña
Berg	Fuentes	La Malfa	Silva
Berryhill	Fuller	Laird	Smyth
Blakeslee	Furutani	Leno	Solorio
Brownley	Gaines	Levine	Spitzer
Caballero	Galgiani	Lieber	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	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Lieu and Price.*

*Because of illness: Assembly Members Dymally and Soto.*



**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 21, 2008**

**EIGHTH SESSION DAY**

**ONE HUNDRED SIXTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 21, 2008

The Assembly met at 7 a.m.

Hon. Ted Lieu, Assembly Member, 53rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—71:

Adams	DeSaulnier	Huff	Plescia
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
Beall	Eng	Karnette	Ruskin
Benoit	Evans	Keene	Salas
Berg	Feuer	Krekorian	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani	Levine	Solorio
Caballero	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Villines
De La Torre	Horton	Nava	Walters
De León	Houston	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass, DeVore, La Malfa, and Mendoza.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, pages 63 and 64): Assembly Member Niello.*

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Members Soto and Wolk.*

*Because of a death in her family: Assembly Member Garcia.*

(NOTE: For explanations of absences of Assembly Members Bass, DeVore, La Malfa, Mendoza, and Niello on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 28, 2008**

**NINTH SESSION DAY**

**ONE HUNDRED SEVENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 28, 2008

The Assembly met at 9:52 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garcia	Maze	Torrico
Carter	Garrick	Mendoza	Villines
Cook	Hancock	Mullin	Walters
Coto	Hayashi	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Horton	Niello	
De León	Houston	Parra	
DeSaulnier	Huff	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Tran.*

*On personal business, and waiving per diem: Assembly Member Levine.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanation of absence of Assembly Member Tran on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)



**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 6, 2008**

**TENTH SESSION DAY**

**ONE HUNDRED SEVENTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, March 6, 2008

The Assembly met at 9:50 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Jeffries	Plescia
Aghazarian	Duvall	Jones	Portantino
Anderson	Dymally	Karnette	Price
Arambula	Eng	Keene	Runner
Bass	Evans	Krekorian	Ruskin
Beall	Feuer	La Malfa	Salas
Benoit	Fuentes	Laird	Saldaña
Berg	Fuller	Leno	Silva
Berryhill	Furutani	Levine	Smyth
Blakeslee	Gaines	Lieber	Solorio
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	Mr. Speaker
De León	Huff	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Emerson and Huffman.*

*On personal business, and waiving per diem: Assembly Member DeSaulnier.*

*Because of illness: Assembly Member Soto.*

*Because of a death in his family: Assembly Member Spitzer.*

(NOTE: For explanations of absences of Assembly Members Emerson and Huffman on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 13, 2008**

**ELEVENTH SESSION DAY**

**ONE HUNDRED EIGHTY-FIFTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, March 13, 2008

The Assembly met at 6 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—69:

Adams	DeVore	Jones	Portantino
Aghazarian	Duvall	Karnette	Ruskin
Anderson	Dymally	Keene	Salas
Arambula	Emmerson	Krekorian	Saldaña
Bass	Eng	La Malfa	Silva
Beall	Evans	Laird	Smyth
Berg	Feuer	Leno	Spitzer
Berryhill	Fuentes	Levine	Strickland
Blakeslee	Fuller	Lieber	Swanson
Brownley	Furutani	Lieu	Torrico
Caballero	Gaines	Maze	Tran
Carter	Galgiani	Mendoza	Villines
Cook	Garcia	Mullin	Walters
Coto	Garrick	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Jeffries	Plescia	

Quorum present.

**At 11:39 a.m., Hon. Chuck DeVore, 70th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Calderon, Hancock, Hayashi, Huffman, Price, and Solorio.*

*On legislative business, and waiving per diem: Assembly Member Benoit.*

*On personal business, and waiving per diem: Assembly Member Runner.*

*Because of illness: Assembly Members Horton, Ma, and Soto.*

(NOTE: For explanations of absences of Assembly Members Calderon, Hancock, Hayashi, Huffman, Price, and Solorio on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Benoit on this day, on legislative business waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)



**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE

2007-08 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 4

SPRING RECESS

Assembly Chamber, Sacramento  
Friday, March 14, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007-08 Second Extraordinary Session was printed while the Assembly was in Spring Recess.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 14, 2008

*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 Ted Lieu to replace Assemblymember Hector De La Torre as Chair and as a member of the Assembly Rules Committee for the 2007-08 Second Extraordinary Session.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007–08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, March 28, 2008**  
**TWELFTH SESSION DAY**  
**TWO HUNDREDTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, March 28, 2008

The Assembly met at 6 a.m.

Hon. Jim Beall, Jr., Assembly Member, 24th District, presiding.  
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—53:

Aghazarian	Dymally	Huffman	Plescia
Anderson	Eng	Jeffries	Portantino
Arambula	Feuer	Kamette	Price
Beall	Fuentes	Keene	Runner
Berg	Fuller	La Malfa	Ruskin
Berryhill	Furutani	Laird	Salas
Brownley	Gaines	Leno	Silva
Caballero	Galgiani	Levine	Spitzer
Calderon	Garcia	Mendoza	Swanson
Cook	Garrick	Mullin	Torrico
Coto	Hayashi	Nakanishi	Tran
Davis	Hernandez	Nava	
DeVore	Horton	Niello	
Duvall	Huff	Parra	

Quorum present.

**At 11:27 a.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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, Bass, Benoit, Blakeslee, Carter, De La Torre, De León, Emmerson, Evans, Hancock, Houston, Krekorian, Lieber, Lieu, Núñez, Saldaña, Smyth, Solorio, Strickland, Villines, and Walters.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 63): Assembly Member Jones.*

*On personal business, and waiving per diem: Assembly Members DeSaulnier, Ma, and Wolk.*

*Because of illness: Assembly Members Maze and Soto.*

(NOTE: For explanations of absences of Assembly Members Adams, Bass, Benoit, Blakeslee, Carter, De La Torre, De León, Emmerson, Evans, Hancock, Houston, Krekorian, Lieber, Lieu, Núñez, Saldaña, Smyth, Solorio, Strickland, Villines, and Walters on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Jones on this day, on legislative business, and waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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MARY HAYASHI, Assistant Majority Whip

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 3, 2008**

**THIRTEENTH SESSION DAY**

**TWO HUNDRED SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 3, 2008

The Assembly met at 9:06 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Plescia
Anderson	Duvall	Huffman	Portantino
Arambula	Dymally	Jeffries	Price
Bass	Emmerson	Jones	Ruskin
Beall	Eng	Karnette	Salas
Benoit	Evans	Keene	Saldaña
Berg	Feuer	Krekorian	Silva
Berryhill	Fuentes	La Malfa	Smyth
Blakeslee	Fuller	Laird	Solorio
Brownley	Furutani	Leno	Spitzer
Caballero	Gaines	Lieber	Strickland
Calderon	Galgiani	Lieu	Swanson
Carter	Garcia	Ma	Torrico
Cook	Garrick	Mendoza	Tran
Coto	Hancock	Mullin	Villines
Davis	Hayashi	Nakanishi	Walters
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Levine and Runner.*

*Because of illness: Assembly Member Soto.*

*Because of illness in his family: Assembly Member Maze.*

(NOTE: For explanations of absences of Assembly Members Levine and Runner on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, April 7, 2008**

**FOURTEENTH SESSION DAY**

**TWO HUNDRED TENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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, April 7, 2008

The Assembly met at 12:35 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Lieu	Torrco
Calderon	Garcia	Ma	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hancock	Mullin	Walters
Coto	Hayashi	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Horton	Niello	
De León	Houston	Parra	
DeSaulnier	Huff	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Soto.*

*Because of an illness in his family: Assembly Member Spitzer.*

*Because of a death in his family: Assembly Member Maze.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 6—Salas.** An act to amend Section 79473 of the Water Code, relating to the Sacramento-San Joaquin Delta.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007–08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 10, 2008**  
**FIFTEENTH SESSION DAY**  
**TWO HUNDRED THIRTEENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 10, 2008

The Assembly met at 6 a.m.

Hon. Joel Anderson, Assembly Member, 77th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Villines reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Huff	Plescia
Aghazarian	Duvall	Jeffries	Portantino
Anderson	Dymally	Jones	Price
Arambula	Emmerson	Karnette	Runner
Bass	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	Mendoza	Torrico
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De León	Horton	Niello	Wolk
DeSaulnier	Houston	Parra	

Quorum present.

**At 11:37 a.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 De La Torre, Huffman, and Núñez.*

*Because of illness: Assembly Member Soto.*

*Because of a death in his family: Assembly Member Maze.*

(NOTE: For explanations of absences of Assembly Members De La Torre, Huffman, and Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007–08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 17, 2008**

**SIXTEENTH SESSION DAY**

**TWO HUNDRED TWENTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 17, 2008

The Assembly met at 6 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Kamette	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Furutani	Levine	Solorio
Blakeslee	Gaines	Lieber	Spitzer
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

Quorum present.

**At 11:33 a.m., Hon. Michael D. Duvall, 72nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Núñez.*

*Because of illness: Assembly Members Fuller and Soto.*

(NOTE: For explanation of absence of Assembly Member Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for April 16, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 24, 2008**

**SEVENTEENTH SESSION DAY**

**TWO HUNDRED TWENTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 24, 2008

The Assembly met at 9:24 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—73:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Portantino
Anderson	Duvall	Jeffries	Runner
Arambula	Dymally	Jones	Ruskin
Bass	Emmerson	Keene	Salas
Beall	Eng	Krekorian	Saldaña
Benoit	Evans	La Malfa	Silva
Berg	Feuer	Laird	Smyth
Berryhill	Fuentes	Leno	Solorio
Blakeslee	Fuller	Levine	Spitzer
Brownley	Furutani	Lieber	Strickland
Caballero	Gaines	Lieu	Swanson
Calderon	Galgiani	Ma	Torrico
Carter	Garcia	Maze	Villines
Cook	Garrick	Mendoza	Walters
Coto	Hancock	Mullin	Wolk
Davis	Hayashi	Nakanishi	
De La Torre	Hernandez	Nava	
De León	Horton	Niello	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Huffman, Karnette, Plescia, Price, and Tran.*

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanations of absences of Assembly Members Huffman, Karnette, Plescia, Price, and Tran on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 1, 2008**  
**EIGHTEENTH SESSION DAY**  
**TWO HUNDRED THIRTY-FOURTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, May 1, 2008

The Assembly met at 9:09 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Plescia
Anderson	Duvall	Huffman	Portantino
Arambula	Dymally	Jeffries	Price
Bass	Emmerson	Jones	Ruskin
Beall	Eng	Karnette	Salas
Benoit	Evans	Keene	Saldaña
Berg	Feuer	La Malfa	Silva
Berryhill	Fuentes	Laird	Smyth
Blakeslee	Fuller	Leno	Solorio
Brownley	Furutani	Lieber	Spitzer
Caballero	Gaines	Lieu	Strickland
Calderon	Galgiani	Ma	Swanson
Carter	Garcia	Maze	Torrico
Cook	Garrick	Mendoza	Tran
Coto	Hancock	Mullin	Villines
Davis	Hayashi	Nakanishi	Walters
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business was dispensed with for this legislative day.

#### 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 Member Runner.*

*On personal business, and waiving per diem: Assembly Member Levine.*

*Because of illness: Assembly Member Soto.*

*On paternity leave: Assembly Member Krekorian.*

(NOTE: For explanation of absence of Assembly Member Runner on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 15, 2008**

**NINETEENTH SESSION DAY**

**TWO HUNDRED FORTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 15, 2008

The Assembly met at 9:54 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeVore	Jeffries	Plescia
Aghazarian	Duvall	Jones	Portantino
Anderson	Emmerson	Keene	Price
Arambula	Eng	Krekorian	Runner
Beall	Evans	La Malfa	Ruskin
Benoit	Feuer	Laird	Salas
Berg	Fuentes	Leno	Saldaña
Berryhill	Fuller	Levine	Silva
Blakeslee	Furutani	Lieber	Smyth
Brownley	Gaines	Lieu	Solorio
Caballero	Galgiani	Ma	Spitzer
Calderon	Garcia	Maze	Strickland
Carter	Hancock	Mendoza	Swanson
Cook	Hayashi	Mullin	Torrico
Coto	Hernandez	Nakanishi	Tran
Davis	Horton	Nava	Villines
De La Torre	Houston	Niello	Walters
De León	Huff	Núñez	Wolk
DeSaulnier	Huffman	Parra	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Dymally.*

*On personal business, and waiving per diem: Assembly Member Garrick.*

*Because of illness: Assembly Members Karnette and Soto.*

(NOTE: For explanation of absence of Assembly Member Dymally on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ELECTION OF SPEAKER**

Assembly Member Torrico was granted unanimous consent that the unanimous consent vote on February 28, 2008 (Assembly Journal, page 4138), electing Assembly Member Karen Bass to the Office of Speaker of the Assembly for the 2007–08 Regular Session, and the Oath of Office administered on May 13, 2008 (Assembly Journal, page 5103) by Hon. Fabian Núñez, Speaker of the Assembly, be substituted in the 2007–08 Second Extraordinary Session.

**OATH**

*for the Office of Speaker of the Assembly*

I, Karen Bass, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**RECESS**

By unanimous consent, at 9:55 a.m., Speaker pro Tempore Lieber declared the Assembly recessed upon Call of the Speaker.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 15, 2008

*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 Alberto Torrico as the Majority Floor Leader for the 2007–08 Second Extraordinary Session.

Sincerely,

**KAREN BASS**  
 Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**KAREN BASS, Speaker**

**SUE PARKER, Minute Clerk**

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, May 19, 2008**

**TWENTIETH SESSION DAY**

**TWO HUNDRED FIFTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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, May 19, 2008

The Assembly met at 11:21 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jones	Price
Aghazarian	Dymally	Karnette	Runner
Anderson	Emmerson	Keene	Ruskin
Arambula	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Maze	Swanson
Calderon	Garcia	Mendoza	Torrco
Carter	Hancock	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Núñez	Mme. Speaker
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	
DeVore	Jeffries	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Garrick and Ma.*

*Because of illness: Assembly Member Soto.*

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 16, 2008

*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 Lori Saldaña as the Assistant Speaker pro Tempore for the 2007–08 Second Extraordinary Session.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**KAREN BASS, Speaker**

**SUE PARKER, Minute Clerk**

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 29, 2008**

**TWENTY-FIRST SESSION DAY**

**TWO HUNDRED SIXTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, May 29, 2008

The Assembly met at 9:57 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Emmerson	Karnette	Price
Aghazarian	Eng	Keene	Runner
Anderson	Evans	Krekorian	Ruskin
Arambula	Feuer	La Malfa	Salas
Beall	Fuentes	Laird	Saldaña
Benoit	Fuller	Leno	Silva
Berg	Furutani	Levine	Smyth
Berryhill	Gaines	Lieber	Solorio
Blakeslee	Galgiani	Lieu	Spitzer
Brownley	Garcia	Ma	Strickland
Carter	Garrick	Maze	Swanson
Cook	Hancock	Mendoza	Torrco
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Villines
De La Torre	Horton	Nava	Walters
De León	Houston	Niello	Wolk
DeSaulnier	Huff	Núñez	Mme. Speaker
DeVore	Huffman	Parra	
Duvall	Jeffries	Plescia	
Dymally	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Calderon.*

*Because of illness: Assembly Members Caballero and Soto.*

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bill was referred to committee:

<i>Senate Bill No.</i>	<i>Committee</i>
<b>1</b> -----	Special Committee on Water

**ADJOURNMENT**

At 6:32 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 5, 2008**  
**TWENTY-SECOND SESSION DAY**  
**TWO HUNDRED SIXTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, June 5, 2008

The Assembly met at 9:53 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Karnette	Price
Anderson	Emmerson	Keene	Runner
Arambula	Eng	Krekorian	Ruskin
Benoit	Evans	La Malfa	Salas
Berg	Feuer	Laird	Saldaña
Berryhill	Fuentes	Leno	Silva
Blakeslee	Fuller	Levine	Smyth
Brownley	Furutani	Lieber	Solorio
Caballero	Gaines	Lieu	Spitzer
Calderon	Galgiani	Ma	Swanson
Carter	Garcia	Mendoza	Torrico
Cook	Garrick	Mullin	Tran
Coto	Hancock	Nakanishi	Villines
Davis	Hayashi	Nava	Walters
De La Torre	Hernandez	Niello	Wolk
De León	Houston	Núñez	Mme. Speaker
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Maze.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 63): Assembly Member Jones.*

*On personal business, and waiving per diem: Assembly Member Horton.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Members Beall and Strickland.*

(NOTE: For explanation of absence of Assembly Member Maze on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Jones on this day, on legislative business, per diem waived, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 12, 2008**

**TWENTY-THIRD SESSION DAY**

**TWO HUNDRED SEVENTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, June 12, 2008

The Assembly met at 9:16 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	Duvall	Huffman	Parra
Aghazarian	Dymally	Jeffries	Portantino
Anderson	Emmerson	Jones	Price
Arambula	Eng	Karnette	Runner
Beall	Evans	Keene	Ruskin
Benoit	Feuer	Krekorian	Salas
Berg	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Strickland
Cook	Garrick	Maze	Swanson
Coto	Hancock	Mendoza	Torrico
Davis	Hayashi	Mullin	Tran
De La Torre	Hernandez	Nakanishi	Villines
De León	Horton	Nava	Walters
DeSaulnier	Houston	Niello	Wolk
DeVore	Huff	Núñez	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass and Plescia.*

*On personal business, and waiving per diem: Assembly Member Ma.*

*Because of illness: Assembly Members Berryhill and Soto.*

(NOTE: For explanation of absence of Assembly Member Plescia on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Bass on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for June 11, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY J. LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 19, 2008**

**TWENTY-FOURTH SESSION DAY**

**TWO HUNDRED EIGHTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 19, 2008

The Assembly met at 9:50 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
Arambula	Eng	Keene	Runner
Beall	Feuer	Krekorian	Ruskin
Benoit	Fuentes	La Malfa	Salas
Berg	Fuller	Laird	Saldaña
Berryhill	Furutani	Leno	Silva
Blakeslee	Gaines	Levine	Smyth
Brownley	Galgiani	Lieber	Solorio
Calderon	Garcia	Lieu	Spitzer
Carter	Garrick	Ma	Strickland
Cook	Hancock	Maze	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Tran
De La Torre	Horton	Nakanishi	Villines
De León	Houston	Nava	Walters
DeSaulnier	Huff	Niello	Wolk
DeVore	Huffman	Parra	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Caballero and Núñez.*

*Because of illness: Assembly Members Evans and Soto.*

(NOTE: For explanations of absences of Assembly Members Caballero and Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 26, 2008**

**TWENTY-FIFTH SESSION DAY**

**TWO HUNDRED NINETIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 26, 2008

The Assembly met at 9:53 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jeffries	Price
Aghazarian	Dymally	Jones	Runner
Anderson	Emmerson	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Portantino.*

*Because of illness: Assembly Members Núñez and Soto.*

(NOTE: For explanation of absence of Assembly Member Portantino on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 3, 2008**

**TWENTY-SIXTH SESSION DAY**

**TWO HUNDRED NINETY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, July 3, 2008

The Assembly met at 9:25 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeVore	Huff	Niello
Aghazarian	Duvall	Huffman	Parra
Anderson	Dymally	Jeffries	Plescia
Arambula	Emmerson	Jones	Portantino
Beall	Eng	Karnette	Price
Benoit	Evans	Keene	Ruskin
Berg	Feuer	Krekorian	Salas
Berryhill	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Swanson
Cook	Garrick	Ma	Torrico
Coto	Hancock	Maze	Tran
Davis	Hayashi	Mendoza	Villines
De La Torre	Hernandez	Mullin	Walters
De León	Horton	Nakanishi	Wolk
DeSaulnier	Houston	Nava	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Núñez.*

*Because of illness: Assembly Members Runner, Soto, and Strickland.*

(NOTE: For explanation of absence of Assembly Member Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 15, 2008**

**TWENTY-SEVENTH SESSION DAY  
THREE HUNDRED NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, July 15, 2008

The Assembly met at 9:58 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Dymally	Karnette	Price
Aghazarian	Emmerson	Keene	Runner
Anderson	Eng	Krekorian	Ruskin
Arambula	Evans	La Malfa	Salas
Beall	Feuer	Laird	Saldaña
Benoit	Fuentes	Leno	Silva
Berg	Fuller	Levine	Smyth
Berryhill	Furutani	Lieber	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Caballero	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrco
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De La Torre	Horton	Niello	Wolk
De León	Huff	Núñez	Mme. Speaker
DeSaulnier	Huffman	Parra	
DeVore	Jeffries	Plescia	
Duvall	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Houston.*

*Because of illness: Assembly Members Calderon and Soto.*

(NOTE: For explanation of absence of Assembly Member Houston on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007–08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 5

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RECESS UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Wednesday, July 30, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Second Extraordinary Session was printed while the Assembly was in Recess Upon Call of the Speaker.

**INTRODUCTION OF ASSEMBLY BILLS**

The following bill was introduced:

**ASSEMBLY BILL NO. 7—Wolk.** An act to add Part 1.6 (commencing with Section 10100) to Division 6 of the Water Code, relating to water.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 4, 2008**

**TWENTY-EIGHTH SESSION DAY**

**THREE HUNDRED TWENTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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, August 4, 2008

The Assembly met at 12:25 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

#### FIRST READING OF ASSEMBLY BILLS

The following bill was read the first time:

**ASSEMBLY BILL NO. 7—Wolk.** An act to add Part 1.6 (commencing with Section 10100) to Division 6 of the Water Code, relating to water.



**AUTHOR'S AMENDMENTS**  
**Special Committee on Water**

August 4, 2008

Mme. Speaker: The Chair of your Special Committee on Water reports:  
Senate Bill No. 1

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

**SENATE BILL NO. 1**—An act to add Division 33 (commencing with Section 83000) to the Water Code, relating to water, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ADJOURNMENT**

At 4 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 4, 2008**

The following measure was amended in the Assembly on this day:

**SB RN**

1 0823483

**Daily Total: 1**

**Cumulative Total: 1**

CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 15, 2008**

**TWENTY-NINTH SESSION DAY**

**THREE HUNDRED FORTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, August 15, 2008

The Assembly met at 9:41 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—72:

Adams	Duvall	Huffman	Niello
Aghazarian	Emmerson	Jeffries	Núñez
Anderson	Eng	Jones	Parra
Arambula	Evans	Karnette	Portantino
Beall	Feuer	Keene	Ruskin
Benoit	Fuentes	Krekorian	Salas
Berg	Fuller	La Malfa	Saldaña
Blakeslee	Furutani	Laird	Silva
Brownley	Gaines	Leno	Smyth
Caballero	Galgiani	Levine	Solorio
Carter	Garcia	Lieber	Spitzer
Cook	Garrick	Lieu	Strickland
Coto	Hancock	Ma	Swanson
Davis	Hayashi	Maze	Tran
De La Torre	Hernandez	Mendoza	Villines
De León	Horton	Mullin	Walters
DeSaulnier	Houston	Nakanishi	Wolk
DeVore	Huff	Nava	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Price and Torrico.*

*Because of illness: Assembly Members Berryhill, Dymally, Runner, and Soto.*

*Because of illness in his family: Assembly Member Plescia.*

*The following Assembly Member was excused for the day, and his per diem was waived: Assembly Member Calderon.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 21, 2008**

**THIRTIETH SESSION DAY**

**THREE HUNDRED FORTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, August 21, 2008

The Assembly met at 10:35 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Kamette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 8—Huffman, Caballero, and Wolk.** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and water source protection 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.



**ADJOURNMENT**

At 6:25 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 22, 2008**

**THIRTY-FIRST SESSION DAY**

**THREE HUNDRED FORTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Friday, August 22, 2008

The Assembly met at 1:20 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Assistant Chief Clerk Lawrence A. Murman at the Desk.  
Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, We don't need to look very far to see that there are so many disturbing things in the world around us. Trouble can come upon us at any time and try to rob us of our joy and our hope . . . if we let it. But with Your love in our heart, Lord, we can overcome all the ugliness and the disturbing things we encounter. Keep us under Your protection, Lord, and help us to behold the beauty and the goodness of God all around us.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Emmerson then led the Assembly in the pledge of allegiance to the Flag.

**READING OF THE JOURNAL DISPENSED WITH**

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

**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 Runner and Soto.*

**ANNOUNCEMENTS**

Assembly Member Torrico announced that the Special Committee on Water would meet on Monday, August 25, 2008, at 1:30 p.m. to hear Senate Bill No. 1 and Assembly Bills Nos. 7 and 8.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly</i>	<i>Committee</i>
<i>Bill No.</i>	
7 -----	Special Committee on Water
8 -----	Special Committee on Water

**ADJOURNMENT**

At 1:22 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 25, 2008**

**THIRTY-SECOND SESSION DAY**

**THREE HUNDRED FIFTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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, August 25, 2008

The Assembly met at 7 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	Duvall	Huffman	Parra
Aghazarian	Dymally	Jeffries	Plescia
Anderson	Emmerson	Jones	Portantino
Arambula	Eng	Karnette	Price
Beall	Evans	Keene	Runner
Benoit	Feuer	Krekorian	Ruskin
Berg	Fuentes	La Malfa	Salas
Berryhill	Fuller	Leno	Silva
Blakeslee	Furutani	Levine	Smyth
Brownley	Gaines	Lieber	Solorio
Caballero	Galgiani	Lieu	Spitzer
Calderon	Garcia	Ma	Strickland
Carter	Garrick	Maze	Swanson
Cook	Hancock	Mendoza	Torrico
Coto	Hayashi	Mullin	Villines
De La Torre	Hernandez	Nakanishi	Walters
De León	Horton	Nava	Wolk
DeSaulnier	Houston	Niello	Mme. Speaker
DeVore	Huff	Núñez	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Davis, Laird, Saldaña, and Tran.*

*Because of illness: Assembly Member Soto.*



**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 9—Plescia (Principal coauthor: Senator Cogdill).** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and water source protection 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.

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 26, 2008**

**THIRTY-THIRD SESSION DAY**

**THREE HUNDRED FIFTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Tuesday, August 26, 2008

The Assembly met at 7 a.m.

Hon. Ira Ruskin, Assembly Member, 21st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—60:

Adams	Dymally	Huff	Parra
Aghazarian	Emmerson	Huffman	Plescia
Anderson	Eng	Karnette	Portantino
Arambula	Feuer	Keene	Price
Berg	Fuentes	La Malfa	Runner
Berryhill	Fuller	Leno	Ruskin
Blakeslee	Furutani	Levine	Salas
Brownley	Gaines	Lieber	Silva
Caballero	Galgiani	Lieu	Smyth
Calderon	Garcia	Maze	Swanson
Cook	Garrick	Mullin	Torrico
Coto	Hancock	Nakanishi	Villines
De La Torre	Hayashi	Nava	Walters
DeVore	Hernandez	Niello	Wolk
Duvall	Houston	Núñez	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Beall, Benoit, DeSaulnier, Evans, and Spitzer.*

*On personal business, and waiving per diem: Assembly Members Carter, Davis, De León, Horton, Jones, Laird, Ma, Mendoza, Saldaña, Solorio, and Tran.*

*Because of illness: Assembly Member Soto.*

*Because of illness in their families: Assembly Members Jeffries and Krekorian.*

*Due to travel delays: Assembly Member Strickland.*

(NOTE: For explanations of absences of Assembly Members Beall, Benoit, DeSaulnier, Evans, and Spitzer 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:

August 26, 2008

*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 Assemblymembers Anna Caballero and Patty Berg to the Assembly Special Committee on Water for the remainder of the 2007–08 Second Extraordinary Session. I am removing Assemblymembers Paul Krekorian and John Laird.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**ADJOURNMENT**

At 4:50 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**KAREN BASS, Speaker**

**SUE PARKER, Minute Clerk**

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 27, 2008**  
**THIRTY-FOURTH SESSION DAY**  
**THREE HUNDRED FIFTY-SECOND CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, August 27, 2008

The Assembly met at 12:49 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Jones	Price
Anderson	Emmerson	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Members Runner and Soto.*



**REPORTS OF STANDING COMMITTEES**  
**Special Committee on Water**

Date of Hearing: August 26, 2008

Mme. Speaker: Your Committee on Water reports:  
Assembly Bill No. 7

With the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

Date of Hearing: August 26, 2008

Mme. Speaker: Your Committee on Water reports:  
Senate Bill No. 1

With amendments with the recommendation: Amend, and do pass, as amended.

WOLK, Chair

Above bill ordered to second reading.

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 28, 2008**

**THIRTY-FIFTH SESSION DAY**

**THREE HUNDRED FIFTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, August 28, 2008

The Assembly met at 12:50 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called, and the following answered to their names—77:

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
Anderson	Eng	Keene	Ruskin
Arambula	Evans	Krekorian	Salas
Beall	Feuer	La Malfa	Saldaña
Benoit	Fuentes	Laird	Silva
Berg	Fuller	Leno	Smyth
Berryhill	Furutani	Levine	Solorio
Blakeslee	Gaines	Lieber	Spitzer
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torricon
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
De La Torre	Horton	Nava	Wolk
De León	Houston	Niello	Mme. Speaker
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	
Duvall	Jeffries	Plescia	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

*Our Father in Heaven, We long to be made whole in body, mind, and soul. Let your light be a beacon for us through the tunnels of fear, apprehension, and darkness.*

Give us victory over selfishness, and the desire to hold back 100% of our work and service because we disagree.

Build in this house a standard of going the extra mile, giving an extra hand, and sharing sacrifice so that our example may be known through our actions and not just our words.

May your blessings be upon us today we pray in thy name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Swanson then led the Assembly in the pledge of allegiance to the Flag.

**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 Davis.*

*Because of illness: Assembly Members Runner and Soto.*

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 7**—An act to add Part 1.6 (commencing with Section 10100) to Division 6 of the Water Code, relating to water.

Bill read second time, and ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1**—An act to add and repeal Section 65595.5 of the Government Code, and to add Sections 127.5 and 134.5 to, and to add Division 33 (commencing with Section 83000) to, and to repeal and add Part 2.2 (commencing with Section 10530) of Division 6 of, the Water Code, relating to water, and making an appropriation therefor.

Bill read second time; amendments proposed by the Special Committee on Water read and adopted, bill ordered reprinted and to be returned to the second reading file.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 28, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 7

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1  
WITHOUT REFERENCE TO FILE**

Assembly Member Torrico requested unanimous consent to take up Senate Bill No. 1, as amended, without reference to file for purpose of consideration.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member Torrico moved that the Rules be suspended for the purpose of permitting Assembly Member Wolk to take up Senate Bill No. 1, as amended, without reference to file for purpose of consideration.

Assembly Member Laird seconded the motion.

Rules suspended by the following vote:

**AYES—46**

Arambula	Eng	Krekorian	Portantino
Beall	Evans	Laird	Price
Berg	Feuer	Leno	Ruskin
Brownley	Fuentes	Levine	Salas
Caballero	Furutani	Lieber	Saldaña
Calderon	Galgiani	Lieu	Solorio
Carter	Hancock	Ma	Swanson
Coto	Hayashi	Mendoza	Torrico
De La Torre	Hernandez	Mullin	Wolk
De León	Huffman	Nava	Mme. Speaker
DeSaulnier	Jones	Núñez	
Dymally	Karnette	Parra	

**NOES—30**

Adams	Duvall	Jeffries	Smyth
Aghazarian	Fuller	Keene	Spitzer
Anderson	Gaines	La Malfa	Strickland
Benoit	Garcia	Maze	Tran
Berryhill	Garrick	Nakanishi	Villines
Blakeslee	Horton	Niello	Walters
Cook	Houston	Plescia	
DeVore	Huff	Silva	

**Further consideration of Senate Bill No. 1**

**SENATE BILL NO. 1 (Perata)**—An act to add and repeal Section 65595.5 of the Government Code, and to add Sections 127.5 and 134.5 to, to add Division 33 (commencing with Section 83000) to, and to repeal and add Part 2.2 (commencing with Section 10530) of Division 6 of, the Water Code, relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Wolk.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Wolk moved a call of the Assembly.

Motion carried. Time, 1:28 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**RECESS**

By unanimous consent, at 1:29 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**RECONVENED**

At 2:53 p.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1**

At 2:53 p.m., on motion of Assembly Member Wolk, 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. 1 refused adoption by the following vote:

**AYES—44**

Arambula	Dymally	Karnette	Núñez
Beall	Eng	Krekorian	Portantino
Berg	Evans	Laird	Price
Brownley	Feuer	Leno	Ruskin
Caballero	Fuentes	Levine	Salas
Calderon	Furutani	Lieber	Saldaña
Carter	Hancock	Lieu	Solorio
Coto	Hayashi	Ma	Swanson
De La Torre	Hernandez	Mendoza	Torrico
De León	Huffman	Mullin	Wolk
DeSaulnier	Jones	Nava	Mme. Speaker

**NOES—22**

Adams	Duvall	Huff	Spitzer
Anderson	Fuller	Keene	Tran
Benoit	Gaines	La Malfa	Villines
Blakeslee	Garcia	Maze	Walters
Cook	Garrick	Nakanishi	
DeVore	Houston	Niello	

**Motion to Amend Pursuant to Joint Rule 23.5**

Assembly Member Wolk moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—45**

Arambula	Evans	Laird	Price
Beall	Feuer	Leno	Ruskin
Berg	Fuentes	Levine	Salas
Brownley	Furutani	Lieber	Saldaña
Caballero	Galgiani	Lieu	Solorio
Calderon	Hancock	Ma	Swanson
Carter	Hayashi	Mendoza	Torrico
Coto	Hernandez	Mullin	Wolk
De León	Huffman	Nava	Mme. Speaker
DeSaulnier	Jones	Núñez	
Dymally	Karnette	Parra	
Eng	Krekorian	Portantino	

**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	Plescia	
DeVore	Huff	Silva	

Bill ordered reprinted, and ordered returned to the third reading file.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES**

Assembly Member Torrico requested unanimous consent that the Rules be suspended for the purpose of taking up Senate Bill No. 1, as amended, without reference to file for purpose of consideration.

Assembly Member Benoit withheld unanimous consent.

**Motion to Suspend the Rules**

Assembly Member Torrico moved that the Rules be suspended for the purpose of taking up Senate Bill No. 1, as amended, without reference to file for purpose of consideration.

Assembly Member Feuer seconded the motion.

**Point of Order**

Assembly Member Spitzer arose to the following point of order:

Is this motion on Senate Bill No. 1 to suspend the Rules on the one day wait under Joint Rule 23.5?

**Reply by Speaker pro Tempore Lieber**

The Speaker pro Tempore replied that the motion is to waive the Rules for Senate Bill No. 1 to go out to print and back on file.



**Further consideration of Senate Bill No. 1**

Rules suspended by the following vote:

**AYES—45**

Arambula	Evans	Laird	Price
Beall	Feuer	Leno	Ruskin
Berg	Fuentes	Levine	Salas
Brownley	Furutani	Lieber	Saldaña
Caballero	Galgiani	Lieu	Solorio
Calderon	Hancock	Ma	Swanson
Carter	Hayashi	Mendoza	Torrico
Coto	Hernandez	Mullin	Wolk
De Leon	Huffman	Nava	Mme. Speaker
DeSaulnier	Jones	Núñez	
Dymally	Karnette	Parra	
Eng	Krekorian	Portantino	

**NOES—31**

Adams	Duvall	Huff	Silva
Aghazarian	Emmerson	Jeffries	Smyth
Anderson	Fuller	Keene	Spitzer
Benoit	Gaines	La Malfa	Strickland
Berryhill	Garcia	Maze	Tran
Blakeslee	Garrick	Nakanishi	Villines
Cook	Horton	Niello	Walters
DeVore	Houston	Plescia	

**Consideration of Senate Bill No. 1, as Amended**

**SENATE BILL NO. 1 (Perata)**—An act to add and repeal Section 65595.5 of the Government Code, and to add Sections 127.5 and 134.5 to, to add Division 33 (commencing with Section 83000) to, and to repeal and add Part 2.2 (commencing with Section 10530) of Division 6 of, the Water Code, relating to water, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Wolk.

Bill passed by the following vote:

**AYES—43**

Arambula	Eng	Krekorian	Portantino
Beall	Evans	Laird	Price
Berg	Feuer	Leno	Ruskin
Brownley	Fuentes	Levine	Salas
Caballero	Furutani	Lieber	Saldaña
Calderon	Hancock	Lieu	Solorio
Carter	Hayashi	Ma	Swanson
Coto	Hernandez	Mendoza	Torrico
De León	Huffman	Mullin	Wolk
DeSaulnier	Jones	Nava	Mme. Speaker
Dymally	Karnette	Núñez	

**NOES—25**

Adams	Fuller	Keene	Spitzer
Anderson	Gaines	La Malfa	Tran
Benoit	Garcia	Maze	Villines
Blakeslee	Garrick	Nakanishi	Walters
Cook	Houston	Niello	
DeVore	Huff	Silva	
Duvall	Jeffries	Smyth	

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):

**Torrigo Motion, Suspend the Rules:** Arambula, Eng, Mullin, and Núñez—Aye; Houston, Plescia, Silva, and Villines—No.

**Senate Bill No. 1, Wolk Amendments:** Huffman—Aye; Villines—No.

**Torrigo Motion, Suspend the Rules:** Huffman—Aye.

**Senate Bill No. 1:** Huffman—Aye.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 28, 2008**

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The following measure was amended in the Assembly on this day:

**SB RN**

1 0827041

1 0827101

**Daily Total: 2**

**Cumulative Total: 3**



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Saturday, August 30, 2008**

**THIRTY-SIXTH SESSION DAY**

**THREE HUNDRED FIFTY-FIFTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Saturday, August 30, 2008

The Assembly met at 11:22 a.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The roll was called, and the following answered to their names—77:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Wilmer Amina Carter, Assembly Member, District 62:

*Heavenly Father, As we begin each day to examine issues and discuss proposals, never let us be so distracted by the argument and rhetoric as to forget that we are dealing with the lives and living patterns of human beings, those who have, and have not, but all possessing an indescribable dignity and destiny.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Huffman then led the Assembly in the pledge of allegiance to the Flag.

**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 Runner and Soto.*

*Because of illness in his family: Assembly Member Tran.*

**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 7 (Wolk)**—An act to add Part 1.6 (commencing with Section 10100) to Division 6 of the Water Code, relating to water.

Bill read third time.

**Assembly Rule 112 Suspended**

Assembly Member Gaines was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

**Further Consideration of Assembly Bill No. 7**

Bill passed by the following vote:

**AYES—45**

Arambula	Dymally	Krekorian	Price
Beall	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Brownley	Feuer	Levine	Saldaña
Caballero	Fuentes	Lieber	Solorio
Calderon	Furutani	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—30**

Adams	Duvall	Huff	Silva
Aghazarian	Emmerson	Jeffries	Smyth
Anderson	Fuller	Keene	Spitzer
Benoit	Gaines	La Malfa	Strickland
Berryhill	Garcia	Maze	Villines
Blakeslee	Garrick	Nakanishi	Walters
Cook	Horton	Niello	
DeVore	Houston	Plescia	

Bill ordered transmitted to the Senate.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Assembly Bill No. 7:** Calderon, Hayashi, Leno, and Ruskin—Aye; Aghazarian, Anderson, Houston, Nakanishi, and Villines—No.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Sunday, August 31, 2008**

**THIRTY-SEVENTH SESSION DAY**

**THREE HUNDRED FIFTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Sunday, August 31, 2008

The Assembly met at 10:36 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

*Because of illness in his family: Assembly Member Tran.*

#### MESSAGES FROM THE SENATE

Senate Chamber, August 31, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE

2007–08 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 6

FINAL RECESS

Assembly Chamber, Sacramento  
November 30, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Second Extraordinary Session was printed while the Assembly was in Final Recess.

REPORTS OF STANDING COMMITTEES  
Special Committee on Water

November 30, 2008

Mme Speaker: Your Special Committee on Water reports:  
Assembly Bill No. 8  
Without action.

WOLK, Chair

Above bill ordered filed with the Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber, November 30, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:  
Assembly Bill No. 7

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

MEASURES WHICH DIED AT DESK

Assembly Bills Nos. 1, 2, 3, 4, 5, 6, and 9; Senate Bill No. 5; and Senate Concurrent Resolution No. 1.

**ADJOURNMENT**

At 12 midnight, November 30, 2008, pursuant to the provisions of Article IV, Section 3(a) of the Constitution and Joint Rule 51, the 2007–08 Second Extraordinary Session of the Legislature adjourned *sine die*.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Tuesday, September 11, 2007. See Assembly Journal, page 4.)

Volume 6

# Journal of the Assembly

Legislature of the State of California  
2007–08 Third Extraordinary Session

January 14, 2008 to September 16, 2008



HON. KAREN BASS  
Speaker

HON. SALLY J. LEIBER  
Speaker pro Tempore

HON. LORI SALDANA  
Assistant Speaker pro Tempore

HON. ALBERTO TORRICO  
Majority Floor Leader

HON. MICHAEL VILLINES  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

SUE PARKER  
Minute Clerk

CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 14, 2008**  
**FIRST SESSION DAY**  
**FIRST CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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, January 14, 2008

At 1:13 p.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Arnold Schwarzenegger, Governor of the State of California, dated January 10, 2008, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2007–08 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk, Sue Parker, Minute Clerk, and Ronald Pane, Chief Sergeant-at-Arms.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly for the 2007–08 Regular Session, presiding.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called, and the following answered to their names—76:

Adams	DeSaulnier	Jeffries	Plescia
Aghazarian	DeVore	Jones	Portantino
Anderson	Duvall	Karnette	Price
Arambula	Dymally	Keene	Runner
Bass	Emmerson	Krekorian	Ruskin
Beall	Eng	La Malfa	Salas
Benoit	Evans	Laird	Saldaña
Berg	Feuer	Leno	Silva
Berryhill	Fuentes	Levine	Smyth
Blakeslee	Fuller	Lieber	Solorio
Brownley	Gaines	Lieu	Spitzer
Caballero	Galgiani	Ma	Strickland
Calderon	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torricon
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De La Torre	Horton	Niello	Wolk
De León	Huffman	Parra	Mr. Speaker

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, Our capacity for knowing is limited because we are finite beings and You are infinite. Yet even though You are without beginning or end, You are also, our personal God, Who has been where we are and understands our struggles. Lift us up today, Lord, and help us to turn our difficulties over to You, so that we may continue on to brighter days and blessings.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Garcia then led the Assembly in the pledge of allegiance to the Flag.

**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 Houston and Huff.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanations of absences of Assembly Members Houston and Huff on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**PROCLAMATIONS OF THE GOVERNOR**

Speaker pro Tempore Lieber directed the Clerk to read the following Proclamations of the Governor convening the Legislature in extraordinary session:

**A PROCLAMATION****BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS at the time the 2007 Budget Act was enacted it reflected budget reserves for Fiscal Year 2007–08 totaling \$4.1 billion; and

WHEREAS at that same time, as a result of spending requirements embedded in law and increased program costs as a result of inflation, caseload and population driven program growth, the Department of Finance projected shortfall between revenues and expenditures in Fiscal Year 2008–09 would be \$6.1 billion; and

WHEREAS since the enactment of the 2007 Budget Act, the California economy, though remaining strong in general, has faced the same challenges that are affecting the rest of the nation, in large part as a result of a slowing housing market and higher energy prices; and

WHEREAS these economic challenges have resulted in a \$4.8 billion reduction in the General Fund revenue forecast for Fiscal Year 2007–08 below the revenue forecast used when the 2007 Budget Act was enacted, including a \$665 million reduction in the receipt of General Fund revenues through December 2007; and

WHEREAS costs payable from the General Fund during Fiscal Year 2007–08 are anticipated to increase by \$1.9 billion over expenses budgeted for Fiscal Year 2007–08, largely as a result of the cost of fighting extraordinary wildfires in Southern California, lower property tax revenues to offset state participation in school funding and court ordered payments for state programs; and

WHEREAS the Department of Finance now reports that this combination of lowered revenue receipts and projections and increased costs has resulted in a projected budget shortfall for Fiscal Year

2007–08 of \$3.3 billion as well as a cumulative budget shortfall in Fiscal Year 2008–09 of \$14.5 billion; and

WHEREAS the Department of Finance further reports that there is now expected to be insufficient cash reserves for Fiscal Year 2007–08 as well as for Fiscal Year 2008–09 and possibly insufficient cash to make currently anticipated payments in Fiscal Year 2008–09; and

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, in accordance with Section 10(f) of Article IV of the Constitution of the State of California, HEREBY DETERMINE that General Fund revenues for Fiscal Year 2007–08 will decline substantially below the estimate of General Fund revenues upon which the 2007 Budget Bill was based.

I, ARNOLD SCHWARZENEGGER, Governor of the State of California, HEREBY DECLARE that a fiscal emergency exists.

I, ARNOLD SCHWARZENEGGER, Governor of the State of California, HEREBY IDENTIFY THE NATURE OF THIS FISCAL EMERGENCY to be the projected budget imbalance and insufficient cash reserves for Fiscal Year 2007–08 and the projected insufficient cash reserves and potential budgetary and cash deficit in Fiscal Year 2008–09 which are anticipated to result from the lower than estimated General Fund revenues in Fiscal Year 2007–08 and increased Fiscal Year 2007–08 expenditures.

FURTHER, on this day, as required by Section 10(f) of Article IV of the Constitution of the State of California, I will cause the Legislature to assemble in special session to address this fiscal emergency, and I will submit to the Legislature proposed legislation to address this fiscal emergency.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of January, 2008.

ARNOLD SCHWARZENEGGER  
Governor of California

ATTEST:

DEBRA BOWEN  
Secretary of State



#### A PROCLAMATION

#### BY THE GOVERNOR OF THE STATE OF CALIFORNIA

WHEREAS on this date, pursuant to Section 10(f) of Article IV of the Constitution of the State of California, I have proclaimed a fiscal emergency; and

WHEREAS on this date, I am submitting to the Legislature proposed legislation to address that fiscal emergency; and

WHEREAS this extraordinary occasion having arisen and now existing, it requires that the Legislature of the State of California be convened in extraordinary session.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority

vested in me in accordance with Section 10(f) of Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California on the 10th day of January 2008, at a time to be determined, to consider and act upon legislation to address the fiscal emergency proclaimed by me this day.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the state of California to be affixed this 10th day of January, 2008.

ARNOLD SCHWARZENEGGER  
Governor of California



ATTEST:

DEBRA BOWEN  
Secretary of State

**GOVERNOR'S PROPOSED LEGISLATION**

Pursuant to the provisions of Article IV Section 10(f)(1) of the California Constitution, the following are request numbers of the proposed legislation submitted by the Governor:

RN 0800519	RN 0701273
RN 0800112	RN 0731571
RN 0800115	RN 0731682
RN 0800364	RN 0731718
RN 0800367	RN 0732439
RN 0800383	RN 0732449

(Note: The above request numbers will become legislation upon introduction by an Assembly Member in the Assembly or a Senator in the Senate. The complete text of the Governor's proposed legislation is available upon request in the Assembly Chief Clerk's Office.)

**RECEIPT**

I acknowledge receipt this 10th day of January 2008 at 2:15 p.m., of a proclamation by the Governor, regarding a fiscal emergency, accompanied by proposed legislation to address the fiscal emergency, delivered to me personally by Jacque Roberts.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**ELECTION OF SPEAKER**

Assembly Member Bass moved that the voice vote election of Speaker Fabian Núñez on December 4, 2006, to the Office of Speaker of the Assembly for the 2007–08 Regular Session, and the Oath of Office administered (Assembly Journal, page 8), be substituted in the Third Extraordinary Session.

Assembly Member De León seconded the motion.

Motion carried.

**Oath of Office of Speaker of the Assembly**

The following oath of office was administered to Speaker-elect Fabian Núñez, on Monday, December 4, 2006 by Associate Justice Carlos R. Moreno, Supreme Court of California:

**OATH**

*for the Office of Speaker of the Assembly*

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the state of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**ANNOUNCEMENT**

Speaker pro Tempore Lieber announced that former Assembly Members Richard Alarcón and Laura Richardson were members of the Assembly December 4, 2006 and will not be recorded on any substitute roll calls. In the absence of objection, Assembly Member Felipe Fuentes who took the Oath of Office on May 25, 2007 (2007–08 Regular Session Daily Journal, page 1650) will be allowed to add on to all substitute resolutions and motions today.

**ADOPTION OF STANDING RULES**

Assembly Member Bass moved that the Permanent Standing Rules of the Assembly for the 2007–08 Regular Session and the organization of Standing Committees be adopted in the Third Extraordinary Session.

(NOTE: For the text of the Assembly Standing Rules, see Assembly Daily Journal for December 4, 2006 for the 2007–08 Regular Session, page 11.)

Assembly Member De La Torre seconded the motion.

Motion carried by the following vote:

**AYES—71**

Aghazarian	DeVore	Jones	Plescia
Arambula	Duvall	Karnette	Portantino
Bass	Dymally	Keene	Price
Beall	Emmerson	Krekorian	Runner
Benoit	Eng	La Malfa	Ruskin
Berg	Evans	Laird	Salas
Berryhill	Feuer	Leno	Saldaña
Blakeslee	Fuentes	Levine	Silva
Brownley	Fuller	Lieber	Smyth
Caballero	Gaines	Lieu	Solorio
Calderon	Galgiani	Ma	Spitzer
Carter	Garcia	Maze	Swanson
Cook	Garrick	Mendoza	Torrico
Coto	Hancock	Mullin	Tran
Davis	Hayashi	Nakanishi	Villines
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker
DeSaulnier	Huffman	Parra	

**NOES—None**

**MOTION RELATIVE TO ORGANIZATION OF THE ASSEMBLY**

Assembly Member Bass moved that the provisions of House Resolution No. 3 in the 2007–08 Regular Session relative to the payment of Members and distribution of Weekly Histories be substituted in the 2007–08 Third Extraordinary Session.

(NOTE: For the text of House Resolution No. 3, see Assembly Daily Journal for December 4, 2006 for the 2007–08 Regular Session, page 57).

Assembly Member De La Torre seconded the motion.

Without objection, the motion carried.

**ANNOUNCEMENT**

Speaker pro Tempore Lieber announced that the Speaker pro Tempore, Democratic and Republican Leadership, and Rules Committee members for the 2007–08 Regular Session will be appointed for these positions in the Third Extraordinary Session.

**ELECTION OF OFFICERS OF THE ASSEMBLY**

Assembly Member Bass moved that the Non-Member Officers in the 2007–08 Regular Session be deemed the Non-Member Officers in the Third Extraordinary Session (Chief Clerk, Chief Sergeant-at-Arms, Chaplain, and Alternate Chaplain) and that their respective oaths in the Regular Session be substituted in the Third Extraordinary Session.

(NOTE: For the oaths of office for the non-member officers for the 2007–08 Regular Session, see Assembly Daily Journal for December 4, 2006, page 56.)

Assembly Member De La Torre seconded the motion.

Without objection, the motion carried.

**PARLIAMENTARY INQUIRY**

Assembly Member Spitzer arose to the following parliamentary inquiry:

Under Proposition 58, the Legislature has 45 days to act once the Governor declares a fiscal emergency. When do the 45 days begin?

Also, if the Legislature fails to act within 45 days, what remedy if any, is available to the Governor?

**Reply by Speaker pro Tempore Lieber**

The Speaker pro Tempore replied that the 45 calendar days began on January 11, 2008, the day after the proclamation was received by the Assembly. February 24, 2008 is the 45th calendar day.

Legislative Counsel is currently reviewing the issues relating to the implementation of Proposition 58.

**Parliamentary Inquiry**

Assembly Member Spitzer arose to the following parliamentary inquiry:

Is it not correct that if the Legislative Counsel has not provided an opinion whether or not on the 45th day without legislative action, one of two actions can occur?

They are:

1) The Governor's proposed budget changes, midyear and other, would automatically take effect; or

2) The 45 days is fiction under Proposition 58, the voters did not empower the Governor with any real authority in that the 45 days come and go and a failure by the Legislature to act could result in the Governor declaring another fiscal emergency, thus starting another 45 days?

**Reply by Speaker pro Tempore Lieber**

The Speaker pro Tempore replied that those issues are currently under review by the Legislative Counsel.

**Parliamentary Inquiry**

Assembly Member Spitzer arose to the following parliamentary inquiry:

When do you think this Legislative body will be given any information or an opinion about when the 45 days run and what it means?

**Reply by Speaker pro Tempore Lieber**

The Speaker pro Tempore replied that the issue is currently under consideration by the Legislative Counsel. All members are entitled to confer with Legislative Counsel on this same issue or any other issue.

**Point of Personal Privilege**

Assembly Member Spitzer arose to the following point of personal privilege:

The Speaker pro Tempore's reply would be true, except when Legislative Counsel is researching an issue on an exact point of law, they generally will not give an opinion to another member on the same question. Legislative Counsel will not give out multiple opinions on the same subject.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 14, 2008

*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 the following Democratic Leadership for the 2007–08 Third Extraordinary Session:

- |                                 |                    |
|---------------------------------|--------------------|
| Speaker pro Tempore             | Hon. Sally Lieber  |
| Majority Floor Leader           | Hon. Karen Bass    |
| Assistant Majority Floor Leader | Hon. Kevin de León |
| Majority Whip                   | Hon. Fiona Ma      |
| Assistant Majority Whip         | Hon. Mary Hayashi  |
| Democratic Caucus Chair         | Hon. Noreen Evans  |

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

January 14, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have created and appointed the chairs to the following committees for the 2007–08 Third Extraordinary Session:

*Rules*

- Assemblymember Hector De La Torre, Chair
- Assemblymember Sam Blakeslee, Vice Chair
- Assemblymember Anthony Adams
- Assemblymember Greg Aghazarian
- Assemblymember John Benoit
- Assemblymember Wilmer Amina Carter
- Assemblymember Mike Davis
- Assemblymember Mark DeSaulnier
- Assemblymember Felipe Fuentes
- Assemblymember Paul Krekorian
- Assemblymember Tony Mendoza
- Assemblymember Loni Hancock, Democratic Alternate
- Assemblymember Todd Spitzer, Republican Alternate

*Appropriations*

- Assemblymember Mark Leno, Chair
- Assemblymember Mimi Walters, Vice Chair
- Assemblymember Anna Caballero
- Assemblymember Mike Davis
- Assemblymember Mark DeSaulnier
- Assemblymember Bill Emmerson
- Assemblymember Jared Huffman
- Assemblymember Betty Karnette



Assemblymember Paul Krekorian  
Assemblymember Doug La Malfa  
Assemblymember Ted Lieu  
Assemblymember Fiona Ma  
Assemblymember Alan Nakanishi  
Assemblymember Pedro Nava  
Assemblymember Sharon Runner  
Assemblymember Jose Solorio  
Democratic Vacancy

*Budget*

Assemblymember John Laird, Chair  
Assemblymember Roger Niello, Vice Chair  
Assemblymember Juan Arambula  
Assemblymember Jim Beall, Jr.  
Assemblymember John Benoit  
Assemblymember Patty Berg  
Assemblymember Sam Blakeslee  
Assemblymember Julia Brownley  
Assemblymember Paul Cook  
Assemblymember Hector De La Torre  
Assemblymember Chuck DeVore  
Assemblymember Michael Duvall  
Assemblymember Mervyn Dymally  
Assemblymember Noreen Evans  
Assemblymember Mike Feuer  
Assemblymember Jean Fuller  
Assemblymember Mary Hayashi  
Assemblymember Edward Hernandez  
Assemblymember Bob Huff  
Assemblymember Dave Jones  
Assemblymember Bill Maze  
Assemblymember Gene Mullin  
Assemblymember Ira Ruskin  
Assemblymember Jim Silva  
Assemblymember Sandré Swanson  
Assemblymember Lois Wolk  
Democratic Vacancy

*Revenue and Taxation*

Assemblymember Charles Calderon, Chair  
Assemblymember Chuck DeVore, Vice Chair  
Assemblymember Juan Arambula  
Assemblymember Mike Eng  
Assemblymember Mike Feuer  
Assemblymember Mary Hayashi  
Assemblymember Fiona Ma  
Assemblymember George Plescia  
Assemblymember Todd Spitzer

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

January 11, 2008

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: This is to advise you that I've appointed the following members to the Republican Leadership Team for the 2007/2008 Third Extraordinary Session:

- |                                 |  |
|---------------------------------|--|
| Assemblyman Michael N. Villines | Assembly Republican Leader   |
| Assemblyman Bob Huff            | 2 <sup>nd</sup> Ranking Republican Leader/<br>Caucus Chair                         |
| Assemblyman Roger Niello        | Assembly Budget Committee<br>Vice Chair and<br>Assistant Republican Leader         |
| Assemblywoman Mimi Walters      | Assembly Appropriations<br>Committee Vice Chair and<br>Assistant Republican Leader |
| Assemblyman Bill Emmerson       | Assistant Republican Leader  |
| Assemblyman Rick Keene          | Assistant Republican Leader  |
| Assemblyman Van Tran            | Assistant Republican Leader  |
| Assemblyman John J. Benoit      | Chief Republican Whip  |
| Assemblyman Doug La Malfa       | Chief Republican Whip  |
| Assemblyman Todd Spitzer        | Chief Republican Whip  |
| Assemblyman Chuck DeVore        | Republican Whip  |
| Assemblyman Anthony Adams       | Republican Whip  |
| Assemblywoman Jean Fuller       | Republican Whip  |
| Assemblyman Ted Gaines          | Republican Whip  |

If you have any questions regarding this letter, please contact Ivan Altamura at 319-2029.

It is an honor working with you in the California State Assembly.  
Sincerely,

MICHAEL N. VILLINES  
Assembly Republican Leader

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Bas Motion to Adopt Standing Rules:** Gaines, La Malfa, Salas, Torrico, and Villines—Aye.

**MESSAGES FROM THE SENATE**

Senate Chamber, January 14, 2008

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the Joint Rules for the 2007–08 Third Extraordinary Session.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 17, 2008**  
**SECOND SESSION DAY**  
**FOURTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 17, 2008

The Assembly met at 9:51 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	DeVore	Jeffries	Price
Aghazarian	Duvall	Jones	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Caballero	Garcia	Maze	Swanson
Calderon	Garrick	Mendoza	Torrico
Carter	Hancock	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Parra	Mr. Speaker
De León	Huff	Plescia	
DeSaulnier	Huffman	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Dymally and Karnette.*

*To attend a funeral: Assembly Member Lieber.*

*Because of illness: Assembly Members Anderson and Soto.*

(NOTE: For explanations of absences of Assembly Members Dymally and Karnette 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 communications were presented by the Speaker, and ordered printed in the Journal:

January 17, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have reduced the membership of the Budget Committee from 27 to 26 members, eliminating the Democratic vacancy, effective immediately. Additionally, I have appointed Assemblymember Paul Krekorian to replace Assemblymember Mervyn Dymally on the Committee. These changes apply to both the 2007–08 Regular and Third Extraordinary Sessions.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

January 17, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have created the following Budget Subcommittees for the 2007–08 Third Extraordinary Session:

*Subcommittee No. 1 on Health and Human Services*

Assemblymember Patty Berg, Chair  
Assemblymember Jim Beall, Jr.  
Assemblymember John Benoit  
Assemblymember Hector De La Torre  
Assemblymember Edward Hernandez  
Assemblymember Bill Maze

*Subcommittee No. 2 on Education Finance*

Assemblymember Julia Brownley, Chair  
Assemblymember Michael Duvall  
Assemblymember Jean Fuller  
Assemblymember Gene Mullin  
Assemblymember Sandré Swanson

*Subcommittee No. 3 on Resources*

Assemblymember Ira Ruskin, Chair  
Assemblymember Sam Blakeslee  
Assemblymember Julia Brownley  
Assemblymember Noreen Evans  
Assemblymember Dave Jones  
Assemblymember Jim Silva

*Subcommittee No. 4 on State Administration*

Assemblymember Juan Arambula, Chair  
Assemblymember Paul Cook  
Assemblymember Chuck DeVore  
Assemblymember Mary Hayashi  
Assemblymember Gene Mullin  
Assemblymember Sandré Swanson

*Subcommittee No. 5 on Information Technology/Transportation*

Assemblymember Mike Feuer, Chair  
Assemblymember John Benoit  
Assemblymember Bob Huff  
Assemblymember Paul Krekorian  
Assemblymember Lois Wolk

As with the Regular Session Budget Subcommittees, Assemblymembers John Laird and Roger Niello will serve as the Democratic and Republican alternates respectively, on all of the Budget Subcommittees.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)

CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 24, 2008**

**THIRD SESSION DAY**

**ELEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 24, 2008

The Assembly met at 9:31 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huffman	Parra
Aghazarian	DeVore	Jeffries	Plescia
Anderson	Duvall	Jones	Portantino
Arambula	Dymally	Karnette	Runner
Bass	Emmerson	Keene	Ruskin
Beall	Eng	Krekorian	Salas
Benoit	Evans	La Malfa	Saldaña
Berg	Feuer	Laird	Silva
Berryhill	Fuentes	Leno	Smyth
Blakeslee	Fuller	Levine	Solorio
Brownley	Gaines	Lieber	Spitzer
Caballero	Galgiani	Lieu	Strickland
Calderon	Garcia	Ma	Swanson
Carter	Garrick	Maze	Torrico
Cook	Hancock	Mendoza	Tran
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nakanishi	Walters
De La Torre	Houston	Nava	Wolk
De León	Huff	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Hayashi.*

*Because of illness: Assembly Members Price and Soto.*

(NOTE: For explanation of absence of Assembly Member Hayashi on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, January 29, 2008**  
**FOURTH SESSION DAY**  
**SIXTEENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, January 29, 2008

The Assembly met at 9:37 a.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Aghazarian	DeVore	Huffman	Parra
Anderson	Duvall	Jeffries	Plescia
Arambula	Dymally	Jones	Portantino
Bass	Emmerson	Karnette	Price
Beall	Eng	Keene	Ruskin
Benoit	Evans	Krekorian	Salas
Berg	Feuer	La Malfa	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Gaines	Levine	Solorio
Caballero	Galgiani	Lieber	Spitzer
Calderon	Garcia	Lieu	Strickland
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mendoza	Tran
Davis	Hernandez	Mullin	Villines
De La Torre	Horton	Nakanishi	Walters
De León	Houston	Nava	Wolk
DeSaulnier	Huff	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Adams, Runner and Soto.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1—Charles Calderon.** An act to amend Sections 6055 and 6203.5 of the Revenue and Taxation Code, relating to sales and use taxation.

**ASSEMBLY BILL NO. 2—Charles Calderon.** An act to amend Section 6203 of the Revenue and Taxation Code, relating to taxation.

**ADJOURNMENT**

At 3:33 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 31, 2008**  
**FIFTH SESSION DAY**  
**EIGHTEENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, January 31, 2008

The Assembly met at 7 a.m.

Hon. Jim Silva, Assembly Member, 67th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—64:

Adams	De La Torre	Hernandez	Mullin
Aghazarian	De León	Horton	Nakanishi
Anderson	DeVore	Houston	Nava
Arambula	Duvall	Huff	Niello
Beall	Emmerson	Huffman	Parra
Benoit	Eng	Jeffries	Plescia
Berg	Evans	Jones	Runner
Berryhill	Feuer	Karnette	Ruskin
Blakeslee	Fuentes	Keene	Salas
Brownley	Fuller	Krekorian	Silva
Caballero	Gaines	La Malfa	Smyth
Calderon	Galgiani	Laird	Swanson
Carter	Garcia	Lieber	Torrico
Cook	Garrick	Ma	Tran
Coto	Hancock	Maze	Walters
Davis	Hayashi	Mendoza	Mr. Speaker

Quorum present.

**At 1:10 p.m., Hon. Fiona Ma, 12th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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 Bass, DeSaulnier, Dymally, Leno, Levine, Lieu, Portantino, Price, Solorio, Strickland, and Villines.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 64): Assembly Member Wolk.*

*On personal business, and waiving per diem: Assembly Member Saldaña.*

*Because of illness: Assembly Member Soto.*

*Because of illness in his family: Assembly Member Spitzer.*

(NOTE: For explanations of absences of Assembly Members Bass, DeSaulnier, Dymally, Leno, Portantino, Price, Solorio, Strickland, and Villines, on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Wolk on this day, on legislative business, per diem waived, see the Assembly Daily Journal for the Regular Session for this day; for explanations of absences of Assembly Members Levine and Lieu on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session on January 30, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, February 4, 2008**

**SIXTH SESSION DAY**

**TWENTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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, February 4, 2008

The Assembly met at 6 a.m.

Hon. Bonnie Garcia, Assembly Member, 80th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

### ROLL CALL

The following were placed upon the morning roll call—62:

Adams	Duvall	Jones	Runner
Aghazarian	Dymally	Karnette	Ruskin
Anderson	Emmerson	Keene	Salas
Arambula	Feuer	Krekorian	Saldaña
Benoit	Fuentes	Laird	Silva
Berryhill	Fuller	Levine	Smyth
Blakeslee	Gaines	Lieber	Spitzer
Brownley	Garcia	Ma	Swanson
Caballero	Hancock	Maze	Torrico
Calderon	Hayashi	Mullin	Tran
Cook	Hernandez	Nakanishi	Villines
Coto	Horton	Nava	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Plescia	Mr. Speaker
DeSaulnier	Huffman	Portantino	
DeVore	Jeffries	Price	

Quorum present.

**At 1:59 p.m., Hon. Paul Krekorian, 43rd District, presiding**

### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

### 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 Bass, Beall, Berg, Carter, Davis, Eng, Evans, Galgiani, La Malfa, Leno, Lieu, Mendoza, Parra, Solorio, and Strickland.*

*Because of illness: Assembly Members Garrick and Soto.*

(NOTE: For explanations of absences of Assembly Members Bass, Beall, Berg, Carter, Davis, Eng, Evans, Galgiani, La Malfa, Leno, Lieu, Mendoza, Parra, Solorio, and Strickland on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 3**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 4**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 5**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 6**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 7**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 8**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 9**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 10**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 11**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 12**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 13**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 14**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 15**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 16**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

**ASSEMBLY BILL NO. 17**—Committee on Budget (Assembly Members Laird (Chair), Arambula, Beall, Berg, Brownley, De La Torre, Evans, Feuer, Hayashi, Hernandez, Jones, Krekorian, Mullin, Ruskin, Swanson, and Wolk). An act relating to the Budget Act of 2007.

#### ADJOURNMENT

At 5 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)

CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 7, 2008**  
**SEVENTH SESSION DAY**  
**TWENTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 7, 2008

The Assembly met at 9:45 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Huff	Niello
Aghazarian	DeVore	Huffman	Parra
Anderson	Duvall	Jeffries	Plescia
Arambula	Dymally	Jones	Portantino
Bass	Emmerson	Karnette	Price
Beall	Eng	Keene	Ruskin
Benoit	Evans	Krekorian	Salas
Berg	Feuer	La Malfa	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani*	Levine	Solorio
Caballero	Gaines	Lieber	Strickland
Calderon	Galgiani	Lieu	Swanson
Carter	Garcia	Ma	Torrico
Cook	Garrick	Maze	Tran
Coto	Hancock	Mendoza	Villines
Davis	Hayashi	Mullin	Walters
De La Torre	Hernandez	Nakanishi	Wolk
De León	Horton	Nava	Mr. Speaker

\*(NOTE: For Certificate of Election of and Oath of Office by Assembly Member Warren Furutani see the Assembly Daily Journal for the Regular Session for this day.)

### 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 Houston and Spitzer.*

*Because of illness: Assembly Members Runner and Soto.*

(NOTE: For explanations of absences of Assembly Members Houston and Spitzer on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

### REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly</i>		<i>Committee</i>
<i>Bill No.</i>		
<b>3</b>	-----	Budget
<b>4</b>	-----	Budget
<b>5</b>	-----	Budget
<b>6</b>	-----	Budget
<b>7</b>	-----	Budget

<b>8</b>	-----	Budget
<b>9</b>	-----	Budget
<b>10</b>	-----	Budget
<b>11</b>	-----	Budget
<b>12</b>	-----	Budget
<b>13</b>	-----	Budget
<b>14</b>	-----	Budget
<b>15</b>	-----	Budget
<b>16</b>	-----	Budget
<b>17</b>	-----	Budget

**AUTHOR'S AMENDMENTS**  
**Committee on Budget**

February 7, 2008

Mr. Speaker: The Chair of your Committee on Budget reports:

- |                      |                      |
|----------------------|----------------------|
| Assembly Bill No. 3  | Assembly Bill No. 11 |
| Assembly Bill No. 4  | Assembly Bill No. 12 |
| Assembly Bill No. 5  | Assembly Bill No. 13 |
| Assembly Bill No. 6  | Assembly Bill No. 14 |
| Assembly Bill No. 7  | Assembly Bill No. 15 |
| Assembly Bill No. 8  | Assembly Bill No. 16 |
| Assembly Bill No. 9  | Assembly Bill No. 17 |
| Assembly Bill No. 10 |                      |

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

**ASSEMBLY BILL NO. 3**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 4**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 5**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 6**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 7**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 8**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 9**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 10**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 11**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 12**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 13**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 14**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 15**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 16**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 17**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3-4.)

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 7, 2008

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The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>	
	3	0806739
	4	0806741
	5	0806744
	6	0806764
	7	0806762
	8	0806763
	9	0806730
	10	0806733
	11	0806736
	12	0806740
	13	0806743
	14	0806731
	15	0806732
	16	0806734
	17	0806735
	<b>Daily Total:</b>	<b>15</b>
	<b>Cumulative Total:</b>	<b>15</b>



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 14, 2008**  
**EIGHTH SESSION DAY**  
**THIRTY-SECOND CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 14, 2008

The Assembly met at 7 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeSaulnier	Huff	Parra
Aghazarian	DeVore	Huffman	Portantino
Anderson	Duvall	Jeffries	Runner
Arambula	Dymally	Jones	Ruskin
Bass	Emmerson	Karnette	Salas
Beall	Eng	Keene	Saldaña
Benoit	Evans	Krekorian	Silva
Berg	Feuer	La Malfa	Smyth
Berryhill	Fuentes	Laird	Solorio
Blakeslee	Fuller	Leno	Spitzer
Brownley	Furutani	Levine	Strickland
Caballero	Gaines	Lieber	Swanson
Calderon	Galgiani	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mr. Speaker
De León	Houston	Niello	

Quorum present.

**At 11:50 a.m., Hon. Rick Keene, 3rd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Garcia, Plescia, and Price.*

*On personal business, and waiving per diem: Assembly Member Lieu.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanations of absences of Assembly Members Garcia, Plescia, and Price 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:

February 14, 2008

*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 Warren Furutani to fill the Democratic vacancy on the Assembly Appropriations Committee for the 2007–08 Third Extraordinary Session.

Sincerely,

**FABIAN NUÑEZ**  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 8, 2008

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 3	Assembly Bill No. 11
Assembly Bill No. 4	Assembly Bill No. 12
Assembly Bill No. 5	Assembly Bill No. 13
Assembly Bill No. 6	Assembly Bill No. 14
Assembly Bill No. 7	Assembly Bill No. 15
Assembly Bill No. 8	Assembly Bill No. 16
Assembly Bill No. 9	Assembly Bill No. 17
Assembly Bill No. 10	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**REPORTS OF STANDING COMMITTEES****Committee on Budget**

Date of Hearing: February 14, 2008

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 3	Assembly Bill No. 7
Assembly Bill No. 4	Assembly Bill No. 8
Assembly Bill No. 5	Assembly Bill No. 10
Assembly Bill No. 6	

With amendments with the recommendation: Amend, and do pass, as amended.

LAIRD, Chair

Above bills ordered to second reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 15, 2008**

**NINTH SESSION DAY**

**THIRTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, February 15, 2008

The Assembly met at 9:36 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

### ROLL CALL

The roll was called, and the following answered to their names—76:

Adams	DeSaulnier	Huff	Parra
Aghazarian	DeVore	Huffman	Plescia
Anderson	Duvall	Jeffries	Portantino
Arambula	Emmerson	Jones	Runner
Bass	Eng	Karnette	Ruskin
Beall	Evans	Keene	Salas
Benoit	Feuer	Krekorian	Saldaña
Berg	Fuentes	La Malfa	Silva
Berryhill	Fuller	Laird	Smyth
Blakeslee	Furutani	Leno	Solorio
Brownley	Gaines	Levine	Spitzer
Caballero	Galgiani	Lieber	Strickland
Calderon	Garcia	Ma	Swanson
Carter	Garrick	Maze	Torrigo
Cook	Hancock	Mendoza	Tran
Coto	Hayashi	Mullin	Villines
Davis	Hernandez	Nakanishi	Walters
De La Torre	Horton	Nava	Wolk
De León	Houston	Niello	Mr. Speaker

**PRAYER**

Upon invitation of Speaker Núñez, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, As we stay faithful in our prayers and thanksgiving to You, You will move mightily on our behalf. You will take us to places in our life that we've never thought possible. Thank You, Lord, for giving us a diligent spirit. Thank You for Your faithfulness to us. And give us strength to stand until we see Your promises fulfilled in our life.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker Núñez, Assembly Member Bass 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 Bass, seconded by Assembly Member Aghazarian.

**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 Members Lieu and Price.*

*Because of illness: Assembly Members Dymally and Soto.*

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 3**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 4**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 5**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 6**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 7**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 8**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 10**—An act relating to the Budget Act of 2007.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 15, 2008

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 3

Assembly Bill No. 7

Assembly Bill No. 4

Assembly Bill No. 8

Assembly Bill No. 5

Assembly Bill No. 10

Assembly Bill No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

### CONSIDERATION OF ASSEMBLY BILL NO. 4 BY UNANIMOUS CONSENT

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 4 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 4 (Committee on Budget)**—An act to add Sections 8483.51 and 14041.1 to the Education Code, to amend Items 6110-246-0001 and 6110-485 of, and to add Item 6110-488 to, Section 2.00 of, and to repeal Section 9.00 of, the Budget Act of 2007 (Chapters 171 and 172 of the Statutes of 2007), relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

#### AYES—74

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mr. Speaker
De La Torre	Houston	Parra	
De León	Huff	Plescia	

#### NOES—1

Hancock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—74**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mr. Speaker
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—1**

Hancock

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF ASSEMBLY BILL NO. 6  
BY UNANIMOUS CONSENT**

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 6 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 6 (Committee on Budget)**—An act to amend Sections 11453, 12201, and 15153 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Torrico
Caballero	Galgiani	Ma	Tran
Calderon	Garcia	Maze	Villines
Carter	Garrick	Mendoza	Walters
Cook	Hayashi	Mullin	Wolk
Coto	Hernandez	Nava	Mr. Speaker
Davis	Horton	Niello	
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—2**

Hancock                      Swanson

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—73**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Torrico
Caballero	Galgiani	Ma	Tran
Calderon	Garcia	Maze	Villines
Carter	Garrick	Mendoza	Walters
Cook	Hayashi	Mullin	Wolk
Coto	Hernandez	Nava	Mr. Speaker
Davis	Horton	Niello	
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—2**

Hancock                      Swanson

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF ASSEMBLY BILL NO. 8  
BY UNANIMOUS CONSENT**

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 8 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 8 (Committee on Budget)**—An act to amend Section 22954 of the Education Code, to amend Sections 17522, 17560, and 17568 of, and to add Section 69614.3 to, the Government Code, relating to state operations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—68**

Adams	DeSaulnier	Huffman	Plescia
Aghazarian	DeVore	Jones	Portantino
Anderson	Duvall	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Bass	Evans	Krekorian	Saldaña
Beall	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hayashi	Mendoza	Tran
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nava	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Parra	Mr. Speaker

**NOES—3**

Emmerson	Garcia	Hancock
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The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—68**

Adams	DeSaulnier	Huffman	Plescia
Aghazarian	DeVore	Jones	Portantino
Anderson	Duvall	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Bass	Evans	Krekorian	Saldaña
Beall	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hayashi	Mendoza	Tran
Coto	Hernandez	Mullin	Villines
Davis	Horton	Nava	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Parra	Mr. Speaker

**NOES—3**

Emmerson	Garcia	Hancock
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Bill ordered transmitted to the Senate immediately.



**CONSIDERATION OF ASSEMBLY BILL NO. 10  
BY UNANIMOUS CONSENT**

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 10 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 10 (Committee on Budget)**—An act to amend Section 6248 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time and refused passage by the following vote:

**AYES—49**

Aghazarian	De León	Horton	Parra
Arambula	DeSaulnier	Huffman	Portantino
Bass	DeVore	Jones	Ruskin
Beall	Eng	Karnette	Salas
Berg	Evans	Krekorian	Saldaña
Blakeslee	Feuer	Laird	Solorio
Brownley	Fuentes	Leno	Swanson
Caballero	Furutani	Levine	Torrico
Calderon	Galgiani	Lieber	Wolk
Carter	Garcia	Ma	Mr. Speaker
Coto	Hancock	Mendoza	
Davis	Hayashi	Mullin	
De La Torre	Hernandez	Nava	

**NOES—20**

Adams	Gaines	Keene	Silva
Anderson	Garrick	La Malfa	Smyth
Benoit	Houston	Maze	Strickland
Berryhill	Huff	Plescia	Villines
Duvall	Jeffries	Runner	Walters

**Motion to Reconsider Assembly Bill No. 10  
on Next Legislative Day**

Assembly Member Laird moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 10 was this day refused passage.

Assembly Bill No. 10 ordered to the unfinished business file.

**CONSIDERATION OF ASSEMBLY BILL NO. 3  
BY UNANIMOUS CONSENT**

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 3 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 3 (Committee on Budget)**—An act to amend Item 3790-497 of, and to add Items 3790-002-6051 and 4260-497 to, Section 2.00 of the Budget Act of 2007 (Chapters 171 and 172 of the Statutes of 2007), and to add Sections 4.44 and 24.85 to, and to repeal Section 24.80 of, that act, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mr. Speaker
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—1**

Hancock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—74**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mr. Speaker
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—1**

Hancock

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF ASSEMBLY BILL NO. 7  
BY UNANIMOUS CONSENT**

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 7 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 7 (Committee on Budget)**—An act to amend Sections 2104, 2105, 2106, 2107, and 2107.5 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mr. Speaker
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—1**

Hancock

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—74**

Adams	DeSaulnier	Huffman	Portantino
Aghazarian	DeVore	Jeffries	Runner
Anderson	Duvall	Jones	Ruskin
Arambula	Emmerson	Karnette	Salas
Bass	Eng	Keene	Saldaña
Beall	Evans	Krekorian	Silva
Benoit	Feuer	La Malfa	Smyth
Berg	Fuentes	Laird	Solorio
Berryhill	Fuller	Leno	Spitzer
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hayashi	Mullin	Walters
Coto	Hernandez	Nava	Wolk
Davis	Horton	Niello	Mr. Speaker
De La Torre	Houston	Parra	
De León	Huff	Plescia	

**NOES—1**

Hancock

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF ASSEMBLY BILL NO. 5  
BY UNANIMOUS CONSENT**

Pursuant to a request by Assembly Member Bass, Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 5 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 5 (Committee on Budget)**—An act to amend Section 95004 of the Government Code, and to amend Sections 4640.6, 4643, 4648.4, 4681.3, 4681.5, 4691.6, 4781.6, and 4783 of, and to add Sections 4681.6, 4689.8, 4691.9, 14041.1, 14105.19, and 14166.245 to, the Welfare and Institutions Code, relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—64**

Adams	Davis	Huff	Parra
Aghazarian	De La Torre	Huffman	Plescia
Anderson	De León	Jeffries	Portantino
Arambula	DeSaulnier	Jones	Runner
Bass	DeVore	Karnette	Ruskin
Beall	Duvall	Krekorian	Silva
Benoit	Eng	La Malfa	Smyth
Berg	Feuer	Laird	Solorio
Berryhill	Fuentes	Leno	Spitzer
Blakeslee	Fuller	Levine	Strickland
Brownley	Furutani	Lieber	Torrico
Caballero	Gaines	Ma	Tran
Calderon	Galgiani	Maze	Villines
Carter	Hayashi	Mullin	Walters
Cook	Hernandez	Nava	Wolk
Coto	Houston	Niello	Mr. Speaker

**NOES—5**

Emmerson	Hancock	Swanson
Garcia	Keene	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—64**

Adams	Davis	Huff	Parra
Aghazarian	De La Torre	Huffman	Plescia
Anderson	De León	Jeffries	Portantino
Arambula	DeSaulnier	Jones	Runner
Bass	DeVore	Karnette	Ruskin
Beall	Duvall	Krekorian	Silva
Benoit	Eng	La Malfa	Smyth
Berg	Feuer	Laird	Solorio
Berryhill	Fuentes	Leno	Spitzer
Blakeslee	Fuller	Levine	Strickland
Brownley	Furutani	Lieber	Torrico
Caballero	Gaines	Ma	Tran
Calderon	Galgiani	Maze	Villines
Carter	Hayashi	Mullin	Walters
Cook	Hernandez	Nava	Wolk
Coto	Houston	Niello	Mr. Speaker

**NOES—5**

Emmerson	Hancock	Swanson
Garcia	Keene	

Bill 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):

**Assembly Bill No. 4 and Urgency:** Calderon and Walters—Aye; Hancock—No.

**Assembly Bill No. 6 and Urgency:** Benoit and Calderon—Aye; Hancock and Swanson—No.

**Assembly Bill No. 8 and Urgency:** Calderon—Aye; Hancock—No.

**Assembly Bill No. 10:** Aghazarian, Calderon, Garcia, and Horton—Aye.

**Assembly Bill No. 3 and Urgency:** Strickland—Aye.

**Assembly Bill No. 7 and Urgency:** Berryhill and La Malfa—Aye.

**Assembly Bill No. 5 and Urgency:** La Malfa—Aye.

**MESSAGES FROM THE SENATE**

Senate Chamber, February 15, 2008

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3	Assembly Bill No. 6
Assembly Bill No. 4	Assembly Bill No. 7
Assembly Bill No. 5	Assembly Bill No. 8

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, February 15, 2008

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 8

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. 8**—An act to amend Section 6248 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 15, 2008

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 3

Assembly Bill No. 6

Assembly Bill No. 4

Assembly Bill No. 7

Assembly Bill No. 5

Assembly Bill No. 8

And reports the same correctly enrolled, and presented to the Governor on the 15th day of February, 2008, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

**ADJOURNMENT**

At 4:35 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 15, 2008

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The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>	
	3	0807014
	4	0806963
	5	0806921
	6	0806947
	7	0806922
	8	0806933
	10	0806920
	<b>Daily Total:</b>	<b>7</b>
	<b>Cumulative Total:</b>	<b>22</b>





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 19, 2008**

**TENTH SESSION DAY**

**THIRTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, February 19, 2008

The Assembly met at 1:51 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called, and the following answered to their names—78:

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Karnette	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	Mr. Speaker
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, When we go on vacation, we need to decide where we are going and how we will get there. We gather brochures and maps and we begin with all these aids at our side. In the journey of life, You, Lord, desire that we experience a constant transformation within us as we go. And Your Holy Spirit guides and directs us in the small transformations we experience. Help us to remember, Lord, that our goal is not to be a self-made person, but ultimately to be a God-made person, guided by the power of Your Holy Spirit.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Niello 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 Bass, seconded by Assembly Member Blakeslee.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness: Assembly Member Soto.*

*Because of a death in her family: Assembly Member Garcia.*

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Laird.

*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.*

Resolution read, and adopted by the following vote:

**AYES—75**

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
Arambula	Eng	Keene	Runner
Bass	Evans	Krekorian	Ruskin
Beall	Feuer	La Malfa	Salas
Berg	Fuentes	Laird	Saldaña
Berryhill	Fuller	Leno	Silva
Blakeslee	Furutani	Levine	Smyth
Brownley	Gaines	Lieber	Solorio
Caballero	Galgiani	Lieu	Spitzer
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mendoza	Tran
Davis	Hernandez	Mullin	Villines
De La Torre	Horton	Nakanishi	Walters
De León	Houston	Nava	Wolk
DeSaulnier	Huff	Niello	Mr. Speaker
DeVore	Huffman	Parra	

**NOES—None**

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 to amend Section 6248 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

**CONSIDERATION OF SENATE BILL NO. 8 BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Senate Bill No. 8 without reference to file, for purpose of consideration.

**SENATE BILL NO. 8 (Committee on Budget and Fiscal Review)**—An act to amend Section 6248 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and presented by Assembly Member Laird.

Bill failed passage by the following vote:

**AYES—47**

Arambula	DeSaulnier	Jones	Parra
Bass	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	Mr. Speaker
De León	Huffman	Nava	

**NOES—18**

Anderson	Garrick	La Malfa	Spitzer
Benoit	Houston	Maze	Strickland
Berryhill	Huff	Plescia	Walters
Duvall	Jeffries	Silva	
Gaines	Keene	Smyth	

**UNFINISHED BUSINESS  
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 10 was continued until the next legislative day.

**ADJOURNMENT**

At 2:01 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 21, 2008**  
**ELEVENTH SESSION DAY**  
**THIRTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 21, 2008

The Assembly met at 7 a.m.

Hon. Ted Lieu, Assembly Member, 53rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—71:

Adams	DeSaulnier	Huff	Plescia
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
Beall	Eng	Karnette	Ruskin
Benoit	Evans	Keene	Salas
Berg	Feuer	Krekorian	Saldaña
Berryhill	Fuentes	Laird	Silva
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani	Levine	Solorio
Caballero	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Villines
De La Torre	Horton	Nava	Walters
De León	Houston	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass, DeVore, La Malfa, and Mendoza.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, pages 63 and 64): Assembly Member Niello.*

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Members Soto and Wolk.*

*Because of a death in her family: Assembly Member Garcia.*

(NOTE: For explanations of absences of Assembly Members Bass, DeVore, La Malfa, Mendoza, and Niello on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, February 25, 2008**  
**TWELFTH SESSION DAY**  
**FORTY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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, February 25, 2008

The Assembly met at 1:23 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Spitzer
Brownley	Gaines	Lieber	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mr. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Plescia and Soto.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 18—Fuller (Coauthors: Duvall, Garrick, Huff, and Villines).** An act to add and repeal Section 41500.2 of the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 19—Fuller (Coauthors: Duvall, Garrick, Huff, and Villines).** An act to add and repeal Section 42602.7 of the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTION TO RECONSIDER BILLS CONTINUED**

Assembly Member Laird was granted unanimous consent that the motion to reconsider the vote on Assembly Bill No. 10 be continued until the next legislative day.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 28, 2008**  
**THIRTEENTH SESSION DAY**  
**FORTY-SIXTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 28, 2008

The Assembly met at 9:52 a.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garcia	Maze	Torrico
Carter	Garrick	Mendoza	Villines
Cook	Hancock	Mullin	Walters
Coto	Hayashi	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Horton	Niello	
De León	Houston	Parra	
DeSaulnier	Huff	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Tran.*

*On personal business, and waiving per diem: Assembly Member Levine.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanation of absence of Assembly Member Tran on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 20—Strickland.** An act to add Section 8318 to the Government Code, relating to state-funded public benefits.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 6, 2008**  
**FOURTEENTH SESSION DAY**  
**FIFTY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, March 6, 2008

The Assembly met at 9:50 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Jeffries	Plescia
Aghazarian	Duvall	Jones	Portantino
Anderson	Dymally	Karnette	Price
Arambula	Eng	Keene	Runner
Bass	Evans	Krekorian	Ruskin
Beall	Feuer	La Malfa	Salas
Benoit	Fuentes	Laird	Saldaña
Berg	Fuller	Leno	Silva
Berryhill	Furutani	Levine	Smyth
Blakeslee	Gaines	Lieber	Solorio
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	Mr. Speaker
De León	Huff	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Emerson and Huffman.*

*On personal business, and waiving per diem: Assembly Member DeSaulnier.*

*Because of illness: Assembly Member Soto.*

*Because of a death in his family: Assembly Member Spitzer.*

(NOTE: For explanations of absences of Assembly Members Emerson and Huffman on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 10, 2008**  
**FIFTEENTH SESSION DAY**  
**FIFTY-SEVENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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.

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## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, March 10, 2008

The Assembly met at 12:11 p.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called, and the following answered to their names—77:

Adams	DeVore	Huffman	Plescia
Aghazarian	Duvall	Jeffries	Portantino
Anderson	Dymally	Jones	Price
Arambula	Emmerson	Karnette	Runner
Bass	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	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	
De León	Houston	Niello	
DeSaulnier	Huff	Parra	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Reverend Dr. Winifred B. Gaines, Episcopal priest, Canon of Trinity Cathedral Sacramento:

*Compassionate and Gracious God, All authority is yours.*

You hold the universe within your hands and all of us within your loving embrace.

You touch the hearts of rich and poor alike,

You speak to the powerful and the powerless.

We ask your blessings upon the women who are leaders in this State and especially the women who are members of the State Assembly.

Grant that these women who are called to leadership may genuinely serve the people of this State.

May they continually search for policies and make decisions that will be for the good of all.

Give them vision to see far into the issues of this State, courage to uphold what they believe is right, and integrity in their motives.

Grant that they may bring to this work compassionate hearts and open minds so that they may always see, behind the budget and programs, the faces of the men, women and children they serve.

Be their security in times of anxiety and their inspiration in times of opportunity.

By their plans and actions may they be co-creators with You, that your kingdom may come and your will be done.

We pray this in your Holy Name.—AMEN

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Berg 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 Bass, seconded by Assembly Member Blakeslee.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness: Assembly Members Núñez and Soto.*

*Because of a death in his family: Assembly Member Spitzer.*

**RECESS**

By unanimous consent, at 12:11 p.m., Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of special guests.

Speaker pro Tempore Lieber introduced Hon. Leona Egeland, Assembly Member from 1974 to 1975 and Chair of the Women's Legislative Caucus, and Hon. Dan McCorquodale, State Senator from 1983 to 1994.

**RECONVENED**

At 12:12 p.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

**REQUEST FOR UNANIMOUS CONSENT  
TO RE-REFER ASSEMBLY BILL NO. 9**

Assembly Member Bass requested unanimous consent that Assembly Bill No. 9 be re-referred from the Committee on Budget to the Committee on Revenue and Taxation.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Re-refer Assembly Bill No. 9**

Assembly Member Bass moved that Assembly Bill No. 9 be re-referred from the Committee on Budget to the Committee on Revenue and Taxation.

Assembly Member De León seconded the motion.

Motion carried by the following vote:

**AYES—46**

Arambula	DeSaulnier	Jones	Parra
Bass	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	
De León	Huffman	Nava	

**NOES—31**

Adams	Duvall	Huff	Runner
Aghazarian	Emmerson	Jeffries	Silva
Anderson	Fuller	Keene	Smyth
Benoit	Gaines	La Malfa	Strickland
Berryhill	Garcia	Maze	Tran
Blakeslee	Garrick	Nakanishi	Villines
Cook	Horton	Niello	Walters
DeVore	Houston	Plescia	

**AUTHOR'S AMENDMENTS**

**Committee on Revenue and Taxation**

March 10, 2008

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 9

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

**ASSEMBLY BILL NO. 9**—An act relating to the Budget Act of 2007.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ADJOURNMENT**

At 4:30 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 10, 2008**

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The following measure was amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
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9	0808258
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<b>Daily Total:</b>	<b>1</b>
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<b>Cumulative Total:</b>	<b>23</b>
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CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, March 11, 2008**

**SIXTEENTH SESSION DAY**

**FIFTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, March 11, 2008

The Assembly met at 7 a.m.

Hon. Guy Houston, Assembly Member, 15th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	DeVore	Huffman	Plescia
Aghazarian	Duvall	Jeffries	Portantino
Anderson	Dymally	Jones	Price
Arambula	Emmerson	Karnette	Runner
Bass	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	Strickland
Caballero	Galgiani	Lieu	Swanson
Calderon	Garcia	Ma	Torrico
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mr. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Parra	

Quorum present.

**At 10:46 a.m., Hon. Patty Berg, 1st District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Soto.*

*Because of a death in his family: Assembly Member Spitzer.*

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 2008

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 9

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Revenue and Taxation**

March 11, 2008

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 9

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

**ASSEMBLY BILL NO. 9**—An act to add Section 17044 to, to add Chapter 3.3 (commencing with Section 23580) to Part 11 of Division 2 of, and to add Part 21 (commencing with Section 42001) to Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 4 p.m., Wednesday, March 12, 2008.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 11, 2008

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The following measure was amended in the Assembly on this day:

AB	RN
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9	0808324
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<b>Daily Total:</b>	<b>1</b>
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<b>Cumulative Total:</b>	<b>24</b>
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CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 12, 2008**  
**SEVENTEENTH SESSION DAY**  
**FIFTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, March 12, 2008

The Assembly met at 4:13 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### RECESS

By unanimous consent, at 4:39 p.m., Speaker pro Tempore Lieber  
declared the Assembly recessed.

#### RECONVENED

At 4:54 p.m., the Assembly reconvened.  
Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

#### Quorum Present

At 4:55 p.m., Speaker pro Tempore Lieber declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—77:

Adams	DeVore	Jones	Price
Aghazarian	Duvall	Karnette	Runner
Anderson	Dymally	Keene	Ruskin
Arambula	Emmerson	Krekorian	Salas
Bass	Eng	La Malfa	Saldaña
Beall	Evans	Laird	Silva
Benoit	Feuer	Leno	Smyth
Berg	Fuentes	Levine	Solorio
Berryhill	Fuller	Lieber	Spitzer
Blakeslee	Furutani	Lieu	Strickland
Brownley	Gaines	Ma	Swanson
Caballero	Garcia	Maze	Torrico
Calderon	Garrick	Mendoza	Tran
Carter	Hancock	Mullin	Villines
Cook	Hayashi	Nakanishi	Walters
Coto	Hernandez	Nava	Wolk
Davis	Houston	Niello	Mr. Speaker
De La Torre	Huff	Parra	
De León	Huffman	Plescia	
DeSaulnier	Jeffries	Portantino	

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Mervyn Dymally, Assembly Member, District 52:

*Father,* During these difficult times, give us the ability and the will to act with rightful purpose. Let us remember that it is our duty to serve not only our State’s residents but to also serve our God in a manner that does us honor individually and as a body.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Eng 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 Bass, seconded by Assembly Member Emmerson.

**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 Galgiani, Horton, and Soto.*

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 12, 2008

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 9

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**CONSIDERATION OF DAILY FILE**

**UNFINISHED BUSINESS**

**MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 10 was continued until the next legislative day.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES**

Assembly Member Bass requested unanimous consent to suspend the Rules to permit Assembly Member Calderon to take up Assembly Bill No. 9, as amended, without reference to print or file for the purpose of consideration.

Assembly Member Blakeslee withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved to suspend the Rules to permit Assembly Member Calderon to take up Assembly Bill No. 9, as amended, without reference to print or file for the purpose of consideration.

Assembly Member De León seconded the motion.

Motion for suspension of the Rules carried by the following vote:

**AYES—43**

Arambula	DeSaulnier	Karnette	Portantino
Bass	Dymally	Krekorian	Price
Beall	Eng	Laird	Ruskin
Berg	Evans	Leno	Salas
Brownley	Feuer	Levine	Saldaña
Caballero	Fuentes	Lieber	Solorio
Carter	Furutani	Lieu	Swanson
Coto	Hayashi	Ma	Torrico
Davis	Hernandez	Mullin	Wolk
De La Torre	Huffman	Nava	Mr. Speaker
De León	Jones	Parra	

**NOES—31**

Adams	Duvall	Jeffries	Silva
Aghazarian	Emmerson	Keene	Smyth
Anderson	Fuller	La Malfa	Spitzer
Benoit	Gaines	Maze	Strickland
Berryhill	Garcia	Nakanishi	Tran
Blakeslee	Garrick	Niello	Villines
Cook	Houston	Plescia	Walters
DeVore	Huff	Runner	

**REPORTS OF STANDING COMMITTEES**

**Committee on Revenue and Taxation**

Date of Hearing: March 12, 2008

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 9

With amendments with the recommendation: Amend, and do pass, as amended.

CALDERON, Chair

Above bill ordered to second reading.

**SECOND READING OF ASSEMBLY BILL NO. 9**

**ASSEMBLY BILL NO. 9**—An act to add Section 17044 to, to add Chapter 3.3 (commencing with Section 23580) to Part 11 of Division 2 of, and to add Part 21 (commencing with Section 42001) to Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be returned to the second reading file, and be considered engrossed.

**CONSIDERATION OF ASSEMBLY BILL NO. 9**

Pursuant to a roll call vote taken earlier today, Assembly Member Calderon was granted consent to take up Assembly Bill No. 9 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 9 (Núñez)**—An act to add Section 17044 to, to add Chapter 3.3 (commencing with Section 23580) to Part 11 of Division 2 of, and to add Part 21 (commencing with Section 42001) to Division 2 of, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Assembly Member Calderon.

**Urgency Clause**

Urgency clause read.

**Assembly Rule 112 Suspended**

Assembly Member Blakeslee was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

**Assembly Rule 112 Suspended**

Assembly Member De León 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 Garcia was granted unanimous consent to use visual aids on the Floor to assist in debate.

**Point of Order**

Assembly Member Spitzer arose to the following point of order:

Pursuant to Mason's Manual of Legislative Procedure, Section 124, it is inappropriate to use another Member's name during debate, remarks should be limited to the question before the House, and references to personalities should be avoided.

**Ruling by Speaker pro Tempore Lieber**

The Speaker pro Tempore ruled the point of order well taken.

The roll was opened.

The urgency clause to Assembly Bill No. 9 refused adoption by the following vote:

**AYES—45**

Arambula	DeSaulnier	Karnette	Price
Bass	Dymally	Krekorian	Ruskin
Beall	Eng	Laird	Salas
Berg	Evans	Leno	Saldaña
Brownley	Feuer	Levine	Solorio
Caballero	Fuentes	Lieber	Swanson
Calderon	Furutani	Lieu	Torrico
Carter	Hancock	Ma	Wolk
Coto	Hayashi	Mendoza	Mr. Speaker
Davis	Hernandez	Mullin	
De La Torre	Huffman	Nava	
De León	Jones	Portantino	

**NOES—30**

Adams	Emmerson	La Malfa	Smyth
Aghazarian	Fuller	Maze	Spitzer
Anderson	Gaines	Nakanishi	Strickland
Benoit	Garrick	Niello	Tran
Berryhill	Houston	Parra	Villines
Blakeslee	Huff	Plescia	Walters
DeVore	Jeffries	Runner	
Duvall	Keene	Silva	

**Motion to Reconsider Assembly Bill No. 9  
on Next Legislative Day**

Assembly Member De León moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 9 was this day refused adoption.

Assembly Bill No. 9 ordered to the unfinished business file.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record her vote on the following item:

**Bass Motion to Suspend the Rules:** Strickland—No.

**ADJOURNMENT**

At 8:04 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 12, 2008**

The following measure was amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
9	0808378

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>25</b>





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 13, 2008**  
**EIGHTEENTH SESSION DAY**  
**SIXTIETH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, March 13, 2008

The Assembly met at 6 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—69:

Adams	DeVore	Jones	Portantino
Aghazarian	Duvall	Karnette	Ruskin
Anderson	Dymally	Keene	Salas
Arambula	Emmerson	Krekorian	Saldaña
Bass	Eng	La Malfa	Silva
Beall	Evans	Laird	Smyth
Berg	Feuer	Leno	Spitzer
Berryhill	Fuentes	Levine	Strickland
Blakeslee	Fuller	Lieber	Swanson
Brownley	Furutani	Lieu	Torrico
Caballero	Gaines	Maze	Tran
Carter	Galgiani	Mendoza	Villines
Cook	Garcia	Mullin	Walters
Coto	Garrick	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Jeffries	Plescia	

Quorum present.

**At 11:39 a.m., Hon. Chuck DeVore, 70th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Calderon, Hancock, Hayashi, Huffman, Price, and Solorio.*

*On legislative business, and waiving per diem: Assembly Member Benoit.*

*On personal business, and waiving per diem: Assembly Member Runner.*

*Because of illness: Assembly Members Horton, Ma, and Soto.*

(NOTE: For explanations of absences of Assembly Members Calderon, Hancock, Hayashi, Huffman, Price, and Solorio on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Benoit on this day, on legislative business waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 21—Villines.** An act to add Sections 5003.16 and 5080.41 to the Public Resources Code, to amend Section 9 of Chapter 731 of the Statutes of 1998, and to amend Section 10 of Chapter 974 of the Statutes of 2002, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE

2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

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SPRING RECESS

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Assembly Chamber, Sacramento  
Friday, March 14, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Third Extraordinary Session was printed while the Assembly was in Spring Recess.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 14, 2008

*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 Ted Lieu to replace Assemblymember Hector De La Torre as Chair and as a member of the Assembly Rules Committee for the 2007–08 Third Extraordinary Session.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, March 28, 2008**  
**NINETEENTH SESSION DAY**  
**SEVENTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, March 28, 2008

The Assembly met at 6 a.m.

Hon. Jim Beall, Jr., Assembly Member, 24th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—53:

Aghazarian	Dymally	Huffman	Plescia
Anderson	Eng	Jeffries	Portantino
Arambula	Feuer	Kamette	Price
Beall	Fuentes	Keene	Runner
Berg	Fuller	La Malfa	Ruskin
Berryhill	Furutani	Laird	Salas
Brownley	Gaines	Leno	Silva
Caballero	Galgiani	Levine	Spitzer
Calderon	Garcia	Mendoza	Swanson
Cook	Garrick	Mullin	Torrico
Coto	Hayashi	Nakanishi	Tran
Davis	Hernandez	Nava	
DeVore	Horton	Niello	
Duvall	Huff	Parra	

Quorum present.

**At 11:27 a.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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, Bass, Benoit, Blakeslee, Carter, De La Torre, De León, Emmerson, Evans, Hancock, Houston, Krekorian, Lieber, Lieu, Núñez, Saldaña, Smyth, Solorio, Strickland, Villines, and Walters.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 63): Assembly Member Jones.*

*On personal business, and waiving per diem: Assembly Members DeSaulnier, Ma, and Wolk.*

*Because of illness: Assembly Members Maze and Soto.*

(NOTE: For explanations of absences of Assembly Members Adams, Bass, Benoit, Blakeslee, Carter, De La Torre, De León, Emmerson, Evans, Hancock, Houston, Krekorian, Lieber, Lieu, Núñez, Saldaña, Smyth, Solorio, Strickland, Villines, and Walters on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Jones on this day, on legislative business, and waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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MARY HAYASHI, Assistant Majority Whip

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 3, 2008**  
**TWENTIETH SESSION DAY**  
**EIGHTY-FIRST CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 3, 2008

The Assembly met at 9:06 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Plescia
Anderson	Duvall	Huffman	Portantino
Arambula	Dymally	Jeffries	Price
Bass	Emmerson	Jones	Ruskin
Beall	Eng	Karnette	Salas
Benoit	Evans	Keene	Saldaña
Berg	Feuer	Krekorian	Silva
Berryhill	Fuentes	La Malfa	Smyth
Blakeslee	Fuller	Laird	Solorio
Brownley	Furutani	Leno	Spitzer
Caballero	Gaines	Lieber	Strickland
Calderon	Galgiani	Lieu	Swanson
Carter	Garcia	Ma	Torrico
Cook	Garrick	Mendoza	Tran
Coto	Hancock	Mullin	Villines
Davis	Hayashi	Nakanishi	Walters
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Levine and Runner.*

*Because of illness: Assembly Member Soto.*

*Because of illness in his family: Assembly Member Maze.*

(NOTE: For explanations of absences of Assembly Members Levine and Runner on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**MESSAGES FROM THE SENATE**

Senate Chamber, April 1, 2008

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1

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. 1**—An act to amend Sections 2104, 2105, and 2106 of the Streets and Highways Code, and to amend Section 15153 of the Welfare and Institutions Code, relating to the support of counties, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, April 7, 2008**  
**TWENTY-FIRST SESSION DAY**  
**EIGHTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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, April 7, 2008

The Assembly met at 12:35 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

**ROLL CALL**

The following were placed upon the morning roll call—77:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Laird	Smyth
Berryhill	Fuller	Leno	Solorio
Blakeslee	Furutani	Levine	Strickland
Brownley	Gaines	Lieber	Swanson
Caballero	Galgiani	Lieu	Torrico
Calderon	Garcia	Ma	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hancock	Mullin	Walters
Coto	Hayashi	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Horton	Niello	
De León	Houston	Parra	
DeSaulnier	Huff	Plescia	

Quorum present.

**REGULAR BUSINESS DISPENSED WITH**

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

**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 Member Soto.*

*Because of an illness in his family: Assembly Member Spitzer.*

*Because of a death in his family: Assembly Member Maze.*

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bill was referred to committee:

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
<b>1</b> -----	Budget

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 10, 2008**  
**TWENTY-SECOND SESSION DAY**  
**EIGHTY-EIGHTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 10, 2008

The Assembly met at 6 a.m.

Hon. Joel Anderson, Assembly Member, 77th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Villines reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Huff	Plescia
Aghazarian	Duvall	Jeffries	Portantino
Anderson	Dymally	Jones	Price
Arambula	Emmerson	Karnette	Runner
Bass	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	Mendoza	Torrico
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De León	Horton	Niello	Wolk
DeSaulnier	Houston	Parra	

Quorum present.

**At 11:37 a.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 De La Torre, Huffman, and Núñez.*

*Because of illness: Assembly Member Soto.*

*Because of a death in his family: Assembly Member Maze.*

(NOTE: For explanations of absences of Assembly Members De La Torre, Huffman, and Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 17, 2008**  
**TWENTY-THIRD SESSION DAY**  
**NINETY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 17, 2008

The Assembly met at 6 a.m.

Hon. Todd Spitzer, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Kamette	Runner
Arambula	Emmerson	Keene	Ruskin
Bass	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Furutani	Levine	Solorio
Blakeslee	Gaines	Lieber	Spitzer
Brownley	Galgiani	Lieu	Strickland
Caballero	Garcia	Ma	Swanson
Calderon	Garrick	Maze	Torrico
Carter	Hancock	Mendoza	Tran
Cook	Hayashi	Mullin	Villines
Coto	Hernandez	Nakanishi	Walters
Davis	Horton	Nava	Wolk
De La Torre	Houston	Niello	
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

Quorum present.

**At 11:33 a.m., Hon. Michael D. Duvall, 72nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Núñez.*

*Because of illness: Assembly Members Fuller and Soto.*

(NOTE: For explanation of absence of Assembly Member Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for April 16, 2008.)

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

April 16, 2008

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Bill Emmerson to the Assembly Budget Committee for the Third Extraordinary Session, increasing the size of the committee from 26 to 27 members. I have also appointed Assemblymember Emmerson to replace Assemblymember John Benoit as a member of the Budget Subcommittee No. 1 on Health and Human Services for the 2007–08 Third Extraordinary Session.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007-08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 24, 2008**  
**TWENTY-FOURTH SESSION DAY**  
**ONE HUNDRED SECOND CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, April 24, 2008

The Assembly met at 9:24 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—73:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Portantino
Anderson	Duvall	Jeffries	Runner
Arambula	Dymally	Jones	Ruskin
Bass	Emmerson	Keene	Salas
Beall	Eng	Krekorian	Saldaña
Benoit	Evans	La Malfa	Silva
Berg	Feuer	Laird	Smyth
Berryhill	Fuentes	Leno	Solorio
Blakeslee	Fuller	Levine	Spitzer
Brownley	Furutani	Lieber	Strickland
Caballero	Gaines	Lieu	Swanson
Calderon	Galgiani	Ma	Torrico
Carter	Garcia	Maze	Villines
Cook	Garrick	Mendoza	Walters
Coto	Hancock	Mullin	Wolk
Davis	Hayashi	Nakanishi	
De La Torre	Hernandez	Nava	
De León	Horton	Niello	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Huffman, Karnette, Plescia, Price, and Tran.*

*On personal business, and waiving per diem: Assembly Member Núñez.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanations of absences of Assembly Members Huffman, Karnette, Plescia, Price, and Tran on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 1, 2008**

**TWENTY-FIFTH SESSION DAY  
ONE HUNDRED NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 1, 2008

The Assembly met at 9:09 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeSaulnier	Houston	Parra
Aghazarian	DeVore	Huff	Plescia
Anderson	Duvall	Huffman	Portantino
Arambula	Dymally	Jeffries	Price
Bass	Emmerson	Jones	Ruskin
Beall	Eng	Karnette	Salas
Benoit	Evans	Keene	Saldaña
Berg	Feuer	La Malfa	Silva
Berryhill	Fuentes	Laird	Smyth
Blakeslee	Fuller	Leno	Solorio
Brownley	Furutani	Lieber	Spitzer
Caballero	Gaines	Lieu	Strickland
Calderon	Galgiani	Ma	Swanson
Carter	Garcia	Maze	Torrico
Cook	Garrick	Mendoza	Tran
Coto	Hancock	Mullin	Villines
Davis	Hayashi	Nakanishi	Walters
De La Torre	Hernandez	Nava	Wolk
De León	Horton	Niello	Mr. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business was dispensed with for this legislative day.

#### 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 Member Runner.*

*On personal business, and waiving per diem: Assembly Member Levine.*

*Because of illness: Assembly Member Soto.*

*On paternity leave: Assembly Member Krekorian.*

(NOTE: For explanation of absence of Assembly Member Runner on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, May 6, 2008**

**TWENTY-SIXTH SESSION DAY**

**ONE HUNDRED FOURTEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, May 6, 2008

The Assembly met at 7 a.m.

Hon. Joel Anderson, Assembly Member, 77th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	DeVore	Huffman	Portantino
Aghazarian	Duvall	Jeffries	Price
Anderson	Dymally	Jones	Runner
Arambula	Emmerson	Karnette	Ruskin
Bass	Eng	Keene	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Ma	Strickland
Caballero	Galgiani	Maze	Swanson
Calderon	Garcia	Mendoza	Torrico
Carter	Garrick	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Parra	Mr. Speaker
De León	Huff	Plescia	

Quorum present.

**At 1:30 p.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member DeSaulnier.*

*On personal business, and waiving per diem: Assembly Members Hancock and Lieu.*

*Because of illness: Assembly Member Soto.*

*On paternity leave: Assembly Member Krekorian.*

(NOTE: For explanation of absence of Assembly Member DeSaulnier 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:

May 6, 2008

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have removed Assemblymember Mark DeSaulnier from the Assembly Rules Committee for the 2007–08 Third Extraordinary Session, creating a Democratic vacancy.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**REPORTS OF STANDING COMMITTEES  
Committee on Budget**

Date of Hearing: April 21, 2008

Mr. Speaker: Your Committee on Budget reports:  
Senate Bill No. 1

With the recommendation: Do pass.

LAIRD, Chair

Above bill ordered to second reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007-08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 7, 2008**

**TWENTY-SEVENTH SESSION DAY  
ONE HUNDRED FIFTEENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, May 7, 2008

The Assembly met at 7 a.m.

Hon. Anthony Adams, Assembly Member, 59th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	DeVore	Huff	Plescia
Aghazarian	Duvall	Huffman	Portantino
Anderson	Dymally	Jeffries	Price
Arambula	Emmerson	Jones	Runner
Bass	Eng	Karnette	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	Strickland
Caballero	Galgiani	Ma	Swanson
Calderon	Garcia	Maze	Torrico
Carter	Garrick	Mendoza	Tran
Cook	Hancock	Mullin	Villines
Coto	Hayashi	Nakanishi	Walters
Davis	Hernandez	Nava	Wolk
De La Torre	Horton	Niello	
DeSaulnier	Houston	Parra	

Quorum present.

**At 1:27 p.m., Hon. Jared Huffman, 6th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 De León, Keene, Núñez, and Spitzer.*

*On personal business, and waiving per diem: Assembly Member Lieu.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanations of absences of Assembly Members De León, Keene, Núñez, and Spitzer on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1**—An act to amend Sections 2104, 2105, and 2106 of the Streets and Highways Code, and to amend Section 15153 of the Welfare and Institutions Code, relating to the support of counties, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, May 12, 2008**

**TWENTY-EIGHTH SESSION DAY  
ONE HUNDRED TWENTIETH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**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, May 12, 2008

The Assembly met at 11:03 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Present

The roll call was completed, and the following answered to their names—77:

Adams	DeVore	Jeffries	Portantino
Aghazarian	Duvall	Jones	Price
Anderson	Dymally	Karnette	Ruskin
Arambula	Emmerson	Keene	Salas
Bass	Eng	Krekorian	Saldaña
Beall	Evans	La Malfa	Silva
Benoit	Feuer	Laird	Smyth
Berg	Fuentes	Leno	Solorio
Berryhill	Fuller	Levine	Spitzer
Blakeslee	Furutani	Lieber	Strickland
Brownley	Gaines	Lieu	Swanson
Caballero	Galgiani	Ma	Torrico
Calderon	Garcia	Maze	Tran
Carter	Garrick	Mendoza	Villines
Cook	Hancock	Mullin	Walters
Coto	Hayashi	Nakanishi	Wolk
Davis	Hernandez	Nava	Mr. Speaker
De La Torre	Horton	Niello	
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered Hon. Alberto Torrico, Assembly Member, District 20:

Let us pray.

The Book of Proverbs tells us:

“Where there is no vision, the People perish.”

As we gather this morning to begin another week of the people’s business, in this the people’s house, we ask that you grant each legislator the wisdom to lead our great state, and the humility to discern your will.

As we honor Asian Americans from throughout California this morning, we thank you for their vision, contributions and service on behalf of others.

As California’s elected leaders gather this morning to seek your guidance, compassion and vision, we pray that California’s vision be a shared vision for all of our residents.

And we pray that California’s vision leaves no one behind and gives each Californian the opportunity to fulfill the potential you have bestowed upon each of us.

We ask that you bring stability and prosperity to our state’s businesses. We ask that you bless the hands of the workers, and those in power above them that the measure they deal will be tempered with justice and compassion.

We ask that you provide support for all of the organizations that are serving our community’s poor, elderly, homeless, disabled and afflicted.

And finally Lord we pray that you:

Bless the hands of the people of the earth

The hands that carry the burden of life

And we ask that you Bless this great state of ours and especially today’s honorees.

All of these things, we pray in the Name of Jesus and in your blessed and Holy Name, Lord.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Nakanishi then led the Assembly in the pledge of allegiance to the Flag.

**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 Member Houston.*

*Because of illness: Assembly Members Runner and Soto.*

(NOTE: For explanation of absence of Assembly Member Houston on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1 (Committee on Budget and Fiscal Review)**—An act to amend Sections 2104, 2105, and 2106 of the Streets and Highways Code, and to amend Section 15153 of the Welfare and Institutions Code, relating to the support of counties, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Laird.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Adams	DeSaulnier	Huffman	Parra
Aghazarian	DeVore	Jeffries	Plescia
Anderson	Dymally	Jones	Portantino
Arambula	Emmerson	Karnette	Price
Bass	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	Huff	Niello	Mr. Speaker

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Adams	DeSaulnier	Huffman	Parra
Aghazarian	DeVore	Jeffries	Plescia
Anderson	Dymally	Jones	Portantino
Arambula	Emmerson	Karnette	Price
Bass	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	Huff	Niello	Mr. Speaker

**NOES—None**

**UNFINISHED BUSINESS  
MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Bills Nos. 10 and 9 were continued until the next legislative day.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Senate Bill No. 1 and Urgency:** Berryhill and Villines—Aye.

**RECESS**

By unanimous consent, at 11:05 a.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 15, 2008**

**TWENTY-NINTH SESSION DAY**

**ONE HUNDRED TWENTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 15, 2008

The Assembly met at 9:55 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeVore	Jeffries	Plescica
Aghazarian	Duvall	Jones	Portantino
Anderson	Emmerson	Keene	Price
Arambula	Eng	Krekorian	Runner
Beall	Evans	La Malfa	Ruskin
Benoit	Feuer	Laird	Salas
Berg	Fuentes	Leno	Saldaña
Berryhill	Fuller	Levine	Silva
Blakeslee	Furutani	Lieber	Smyth
Brownley	Gaines	Lieu	Solorio
Caballero	Galgiani	Ma	Spitzer
Calderon	Garcia	Maze	Strickland
Carter	Hancock	Mendoza	Swanson
Cook	Hayashi	Mullin	Torrico
Coto	Hernandez	Nakanishi	Tran
Davis	Horton	Nava	Villines
De La Torre	Houston	Niello	Walters
De León	Huff	Núñez	Wolk
DeSaulnier	Huffman	Parra	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Dymally.*

*On personal business, and waiving per diem: Assembly Member Garrick.*

*Because of illness: Assembly Members Karnette and Soto.*

(NOTE: For explanation of absence of Assembly Member Dymally on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ELECTION OF SPEAKER**

Assembly Member Torrico was granted unanimous consent that the unanimous consent vote on February 28, 2008 (Assembly Journal, page 4138), electing Assembly Member Karen Bass to the Office of Speaker of the Assembly for the 2007–08 Regular Session, and the Oath of Office administered on May 13, 2008 (Assembly Journal, page 5103) by Hon. Fabian Núñez, Speaker of the Assembly, be substituted in the 2007–08 Third Extraordinary Session.

**OATH**

*for the Office of Speaker of the Assembly*

I, Karen Bass, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**RECESS**

By unanimous consent, at 9:56 a.m., Speaker pro Tempore Lieber declared the Assembly recessed upon Call of the Speaker.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 15, 2008

*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 Alberto Torrico as the Majority Floor Leader for the 2007–08 Third Extraordinary Session.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**KAREN BASS, Speaker**

**SUE PARKER, Minute Clerk**

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, May 19, 2008**

**THIRTIETH SESSION DAY**

**ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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, May 19, 2008

The Assembly met at 11:21 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jones	Price
Aghazarian	Dymally	Karnette	Runner
Anderson	Emmerson	Keene	Ruskin
Arambula	Eng	Krekorian	Salas
Beall	Evans	La Malfa	Saldaña
Benoit	Feuer	Laird	Silva
Berg	Fuentes	Leno	Smyth
Berryhill	Fuller	Levine	Solorio
Blakeslee	Furutani	Lieber	Spitzer
Brownley	Gaines	Lieu	Strickland
Caballero	Galgiani	Maze	Swanson
Calderon	Garcia	Mendoza	Torrico
Carter	Hancock	Mullin	Tran
Cook	Hayashi	Nakanishi	Villines
Coto	Hernandez	Nava	Walters
Davis	Horton	Niello	Wolk
De La Torre	Houston	Núñez	Mme. Speaker
De León	Huff	Parra	
DeSaulnier	Huffman	Plescia	
DeVore	Jeffries	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Garrick and Ma.*

*Because of illness: Assembly Member Soto.*

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 16, 2008

*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 Lori Saldaña as the Assistant Speaker pro Tempore for the 2007–08 Third Extraordinary Session.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 29, 2008**

**THIRTY-FIRST SESSION DAY**

**ONE HUNDRED THIRTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, May 29, 2008

The Assembly met at 9:57 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Emmerson	Karnette	Price
Aghazarian	Eng	Keene	Runner
Anderson	Evans	Krekorian	Ruskin
Arambula	Feuer	La Malfa	Salas
Beall	Fuentes	Laird	Saldaña
Benoit	Fuller	Leno	Silva
Berg	Furutani	Levine	Smyth
Berryhill	Gaines	Lieber	Solorio
Blakeslee	Galgiani	Lieu	Spitzer
Brownley	Garcia	Ma	Strickland
Carter	Garrick	Maze	Swanson
Cook	Hancock	Mendoza	Torrico
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Villines
De La Torre	Horton	Nava	Walters
De León	Houston	Niello	Wolk
DeSaulnier	Huff	Núñez	Mme. Speaker
DeVore	Huffman	Parra	
Duvall	Jeffries	Plescia	
Dymally	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Calderon.*

*Because of illness: Assembly Members Caballero and Soto.*

**ADJOURNMENT**

At 6:32 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 5, 2008**

**THIRTY-SECOND SESSION DAY**

**ONE HUNDRED FORTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, June 5, 2008

The Assembly met at 9:53 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Karnette	Price
Anderson	Emmerson	Keene	Runner
Arambula	Eng	Krekorian	Ruskin
Benoit	Evans	La Malfa	Salas
Berg	Feuer	Laird	Saldaña
Berryhill	Fuentes	Leno	Silva
Blakeslee	Fuller	Levine	Smyth
Brownley	Furutani	Lieber	Solorio
Caballero	Gaines	Lieu	Spitzer
Calderon	Galgiani	Ma	Swanson
Carter	Garcia	Mendoza	Torrico
Cook	Garrick	Mullin	Tran
Coto	Hancock	Nakanishi	Villines
Davis	Hayashi	Nava	Walters
De La Torre	Hernandez	Niello	Wolk
De León	Houston	Núñez	Mme. Speaker
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Maze.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 63): Assembly Member Jones.*

*On personal business, and waiving per diem: Assembly Member Horton.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Members Beall and Strickland.*

(NOTE: For explanation of absence of Assembly Member Maze on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Jones on this day, on legislative business, per diem waived, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 12, 2008**

**THIRTY-THIRD SESSION DAY**

**ONE HUNDRED FIFTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, June 12, 2008

The Assembly met at 9:16 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Adams	Duvall	Huffman	Parra
Aghazarian	Dymally	Jeffries	Portantino
Anderson	Emmerson	Jones	Price
Arambula	Eng	Karnette	Runner
Beall	Evans	Keene	Ruskin
Benoit	Feuer	Krekorian	Salas
Berg	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Strickland
Cook	Garrick	Maze	Swanson
Coto	Hancock	Mendoza	Torrico
Davis	Hayashi	Mullin	Tran
De La Torre	Hernandez	Nakanishi	Villines
De León	Horton	Nava	Walters
DeSaulnier	Houston	Niello	Wolk
DeVore	Huff	Núñez	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Bass and Plescia.*

*On personal business, and waiving per diem: Assembly Member Ma.*

*Because of illness: Assembly Members Berryhill and Soto.*

(NOTE: For explanation of absence of Assembly Member Plescia on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Bass on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for June 11, 2008.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SALLY J. LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 19, 2008**

**THIRTY-FOURTH SESSION DAY  
ONE HUNDRED FIFTY-EIGHTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, June 19, 2008

The Assembly met at 9:50 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
Arambula	Eng	Keene	Runner
Beall	Feuer	Krekorian	Ruskin
Benoit	Fuentes	La Malfa	Salas
Berg	Fuller	Laird	Saldaña
Berryhill	Furutani	Leno	Silva
Blakeslee	Gaines	Levine	Smyth
Brownley	Galgiani	Lieber	Solorio
Calderon	Garcia	Lieu	Spitzer
Carter	Garrick	Ma	Strickland
Cook	Hancock	Maze	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Tran
De La Torre	Horton	Nakanishi	Villines
De León	Houston	Nava	Walters
DeSaulnier	Huff	Niello	Wolk
DeVore	Huffman	Parra	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Caballero and Núñez.*

*Because of illness: Assembly Members Evans and Soto.*

(NOTE: For explanations of absences of Assembly Members Caballero and Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 25, 2008**

**THIRTY-FIFTH SESSION DAY**

**ONE HUNDRED SIXTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, June 25, 2008

The Assembly met at 7 a.m.

Hon. Mike Eng, Assembly Member, 49th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Greg Villines reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Jones	Price
Anderson	Emmerson	Karnette	Runner
Arambula	Eng	Krekorian	Ruskin
Beall	Evans	La Malfa	Salas
Benoit	Feuer	Laird	Saldaña
Berg	Fuentes	Leno	Silva
Berryhill	Fuller	Levine	Smyth
Blakeslee	Furutani	Lieber	Solorio
Brownley	Gaines	Lieu	Spitzer
Caballero	Galgiani	Ma	Strickland
Calderon	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrico
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De La Torre	Horton	Niello	Mme. Speaker
De León	Houston	Núñez	
DeSaulnier	Huff	Parra	
DeVore	Huffman	Plescia	

Quorum present.

**At 1:45 p.m., Hon. Dave Jones, 9th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Keene.*

*On legislative business, per diem waived for the 2007–2008 Session (See Assembly Journal, page 64): Assembly Member Wolk.*

*Because of illness: Assembly Member Soto.*

(NOTE: For explanation of absence of Assembly Member Keene on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Wolk on this day, on legislative business waiving per diem, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 22—Charles Calderon.** An act to add Section 7061 to the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 23—Charles Calderon.** An act to add Section 6016.7 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 3, 2008**

**THIRTY-SIXTH SESSION DAY**

**ONE HUNDRED SEVENTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, July 3, 2008

The Assembly met at 9:25 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

Adams	DeVore	Huff	Niello
Aghazarian	Duvall	Huffman	Parra
Anderson	Dymally	Jeffries	Plescia
Arambula	Emmerson	Jones	Portantino
Beall	Eng	Karnette	Price
Benoit	Evans	Keene	Ruskin
Berg	Feuer	Krekorian	Salas
Berryhill	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Silva
Brownley	Furutani	Leno	Smyth
Caballero	Gaines	Levine	Solorio
Calderon	Galgiani	Lieber	Spitzer
Carter	Garcia	Lieu	Swanson
Cook	Garrick	Ma	Torrico
Coto	Hancock	Maze	Tran
Davis	Hayashi	Mendoza	Villines
De La Torre	Hernandez	Mullin	Walters
De León	Horton	Nakanishi	Wolk
DeSaulnier	Houston	Nava	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Núñez.*

*Because of illness: Assembly Members Runner, Soto, and Strickland.*

(NOTE: For explanation of absence of Assembly Member Núñez on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3-4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 15, 2008**

**THIRTY-SEVENTH SESSION DAY**

**ONE HUNDRED EIGHTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, July 15, 2008

The Assembly met at 9:58 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Dymally	Karnette	Price
Aghazarian	Emmerson	Keene	Runner
Anderson	Eng	Krekorian	Ruskin
Arambula	Evans	La Malfa	Salas
Beall	Feuer	Laird	Saldaña
Benoit	Fuentes	Leno	Silva
Berg	Fuller	Levine	Smyth
Berryhill	Furutani	Lieber	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Caballero	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrco
Cook	Hancock	Mullin	Tran
Coto	Hayashi	Nakanishi	Villines
Davis	Hernandez	Nava	Walters
De La Torre	Horton	Niello	Wolk
De León	Huff	Núñez	Mme. Speaker
DeSaulnier	Huffman	Parra	
DeVore	Jeffries	Plescia	
Duvall	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Houston.*

*Because of illness: Assembly Members Calderon and Soto.*

(NOTE: For explanation of absence of Assembly Member Houston on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 7, 2008**

**THIRTY-EIGHTH SESSION DAY**

**TWO HUNDRED SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, August 7, 2008

The Assembly met at 9:29 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 15, 2008**

**THIRTY-NINTH SESSION DAY**

**TWO HUNDRED FIFTEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, August 15, 2008

The Assembly met at 9:41 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—72:

Adams	Duvall	Huffman	Niello
Aghazarian	Emmerson	Jeffries	Núñez
Anderson	Eng	Jones	Parra
Arambula	Evans	Karnette	Portantino
Beall	Feuer	Keene	Ruskin
Benoit	Fuentes	Krekorian	Salas
Berg	Fuller	La Malfa	Saldaña
Blakeslee	Furutani	Laird	Silva
Brownley	Gaines	Leno	Smyth
Caballero	Galgiani	Levine	Solorio
Carter	Garcia	Lieber	Spitzer
Cook	Garrick	Lieu	Strickland
Coto	Hancock	Ma	Swanson
Davis	Hayashi	Maze	Tran
De La Torre	Hernandez	Mendoza	Villines
De León	Horton	Mullin	Walters
DeSaulnier	Houston	Nakanishi	Wolk
DeVore	Huff	Nava	Mme. Speaker

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Price and Torrico.*

*Because of illness: Assembly Members Berryhill, Dymally, Runner, and Soto.*

*Because of illness in his family: Assembly Member Plescia.*

*The following Assembly Member was excused for the day, and his per diem was waived: Assembly Member Calderon.*

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007-08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Sunday, August 17, 2008**

**FORTIETH SESSION DAY**

**TWO HUNDRED SEVENTEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Sunday, August 17, 2008

The Assembly met at 4:08 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the afternoon roll call—77:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

*Due to travel delays: Assembly Member Torrico.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 24—Houston (Coauthors: Adams, Anderson, Benoit, Berryhill, Blakeslee, Cook, DeVore, Duvall, Emmerson, Fuller, Gaines, Garcia, Garrick, Huff, Jeffries, Keene, La Malfa, Maze, Nakanishi, Niello, Plescia, Silva, Smyth, Strickland, Tran, Villines, and Walters).** An act to add Section 13337.6 to the Government Code, relating to the current urgent expenses of the government of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 8:20 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 21, 2008**

**FORTY-FIRST SESSION DAY**

**TWO HUNDRED TWENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, August 21, 2008

The Assembly met at 10:35 a.m.

Hon. Lloyd Levine, Assembly Member, 40th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Kamette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 25—Charles Calderon.** An act to add Sections 39, 19188, and 19779 to the Revenue and Taxation Code, relating to taxation.

**ADJOURNMENT**

At 4:25 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 29, 2008**

**FORTY-SECOND SESSION DAY**

**TWO HUNDRED TWENTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Friday, August 29, 2008

The Assembly met at 9:40 a.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Adams	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
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	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Runner and Soto.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 26—Jeffries.** An act to amend Section 1720.4 of the Labor Code, relating to public works.

**ADJOURNMENT**

At 5:30 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





## CALIFORNIA LEGISLATURE

2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

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## RECESS UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Friday, September 5, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Third Extraordinary Session was printed while the Assembly was in Recess upon Call of the Speaker:

### INTRODUCTION OF ASSEMBLY BILLS

The following bills were introduced:

**ASSEMBLY BILL NO. 27—Charles Calderon.** An act to amend Sections 17052.12 and 23609 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 28—Charles Calderon.** An act to repeal Section 6396 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 29—Charles Calderon.** An act to amend Section 17942 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 30—Charles Calderon.** An act to amend Sections 17681 and 24831 of, and to repeal Sections 17052.8, 17681.6, 23604, and 24831.6 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 31—Charles Calderon.** An act to repeal Sections 24302 and 24305 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 32—Charles Calderon.** An act to repeal Article 1.5 (commencing with Section 25110) of Chapter 17 of Part 11 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 33—Charles Calderon.** An act to add Section 6225 to the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 34—Charles Calderon.** An act to amend Sections 17020.6, 17024.5, 17041, 17052.12, 17063, 17072, 17085, 17132.5, 17152, 17206, 17250, 17250.5, 17275.5, 17501, 17551, 17952.5, 18165, 18180, 18631, 19116, 19134, 19164, 19166, 19172, 19179, 19443, 21015.5, 23045, 23051.5, 23609, 23772, 24305, 24357, 24357.1, 24357.7, 24949.5, 24990.6, and 24993 of, to add Sections 17020.15, 17132.8, 17144.5, 17225, 17257, 17257.2, 17257.4, 17755, 18037.5, 18155.6, 19172.5, 19185, 19186, 23046.5, 23703.7, 24329, 24462, 24950.5, and 24990.8 to, and to repeal Sections 24981 and 24988 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 35—Charles Calderon.** An act to amend Sections 17053.70, 17053.74, 17053.75, 17235, 17267.2, 17276.1, 17276.2, 23612.2, 23622.7, 24356.7, 24384.5, 24416.1, and 24416.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

#### **ADJOURNMENT**

At 3:20 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)

CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 8, 2008**

**FORTY-THIRD SESSION DAY**

**TWO HUNDRED THIRTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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 8, 2008

The Assembly met at 12:20 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Adams	Dymally	Karnette	Price
Aghazarian	Emmerson	Keene	Runner
Anderson	Eng	Krekorian	Ruskin
Arambula	Evans	La Malfa	Salas
Beall	Feuer	Laird	Saldaña
Benoit	Fuentes	Leno	Silva
Berg	Fuller	Levine	Smyth
Berryhill	Furutani	Lieber	Solorio
Blakeslee	Gaines	Lieu	Spitzer
Brownley	Galgiani	Ma	Strickland
Calderon	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrco
Cook	Hayashi	Mullin	Tran
Coto	Horton	Nakanishi	Villines
Davis	Houston	Nava	Walters
De La Torre	Huff	Niello	Wolk
De León	Huffman	Núñez	Mme. Speaker
DeVore	Jeffries	Parra	
Duvall	Jones	Portantino	

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Members Caballero, DeSaulnier, Hernandez, and Plescia.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Member Hancock.*

**FIRST READING OF ASSEMBLY BILLS**

The following bills were read the first time:

**ASSEMBLY BILL NO. 27—Charles Calderon.** An act to amend Sections 17052.12 and 23609 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 28—Charles Calderon.** An act to repeal Section 6396 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 29—Charles Calderon.** An act to amend Section 17942 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 30—Charles Calderon.** An act to amend Sections 17681 and 24831 of, and to repeal Sections 17052.8, 17681.6, 23604, and 24831.6 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 31—Charles Calderon.** An act to repeal Sections 24302 and 24305 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 32—Charles Calderon.** An act to repeal Article 1.5 (commencing with Section 25110) of Chapter 17 of Part 11 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 33—Charles Calderon.** An act to add Section 6225 to the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 34—Charles Calderon.** An act to amend Sections 17020.6, 17024.5, 17041, 17052.12, 17063, 17072, 17085, 17132.5, 17152, 17206, 17250, 17250.5, 17275.5, 17501, 17551, 17952.5, 18165, 18180, 18631, 19116, 19134, 19164, 19166, 19172, 19179, 19443, 21015.5, 23045, 23051.5, 23609, 23772, 24305, 24357, 24357.1, 24357.7, 24949.5, 24990.6, and 24993 of, to add Sections 17020.15, 17132.8, 17144.5, 17225, 17257, 17257.2, 17257.4, 17755, 18037.5, 18155.6, 19172.5, 19185, 19186, 23046.5, 23703.7, 24329, 24462, 24950.5, and 24990.8 to, and to repeal Sections 24981 and 24988 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 35—Charles Calderon.** An act to amend Sections 17053.70, 17053.74, 17053.75, 17235, 17267.2, 17276.1, 17276.2, 23612.2, 23622.7, 24356.7, 24384.5, 24416.1, and 24416.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 15, 2008**  
**FORTY-FOURTH SESSION DAY**  
**TWO HUNDRED FORTY-SIXTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**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 10:02 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, 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.*

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 36—Laird.** An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Laird.

*Resolved,* That Assembly Bill No. 36 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	DeSaulnier	Huffman	Niello
Aghazarian	DeVore	Jones	Núñez
Arambula	Dymally	Karnette	Portantino
Beall	Emmerson	Keene	Price
Benoit	Eng	Krekorian	Runner
Berg	Evans	La Malfa	Ruskin
Blakeslee	Feuer	Laird	Salas
Brownley	Fuentes	Leno	Saldaña
Caballero	Fuller	Levine	Solorio
Carter	Furutani	Lieber	Swanson
Cook	Galgiani	Lieu	Torrico
Coto	Hancock	Ma	Villines
Davis	Hayashi	Mendoza	Mme. Speaker
De La Torre	Hernandez	Nakanishi	
De León	Huff	Nava	

**NOES—4**

Anderson	Berryhill	Maze	Spitzer
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Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Assembly Bill No. 36**

**ASSEMBLY BILL NO. 36**—An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

Bill read second time.

**CONSIDERATION OF ASSEMBLY BILL NO. 36  
BY UNANIMOUS CONSENT**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 36 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 36 (Laird)**—An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

Bill read third time, and passed by the following vote:

**AYES—43**

Arambula	Dymally	Jones	Nava
Beall	Eng	Karnette	Núñez
Berg	Evans	Krekorian	Portantino
Brownley	Feuer	Laird	Price
Caballero	Fuentes	Leno	Ruskin
Carter	Furutani	Levine	Salas
Coto	Galgiani	Lieber	Saldaña
Davis	Hancock	Lieu	Swanson
De La Torre	Hayashi	Ma	Torrico
De León	Hernandez	Mendoza	Mme. Speaker
DeSaulnier	Huffman	Mullin	

**NOES—29**

Adams	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	
Duvall	Jeffries	Smyth	

Bill ordered transmitted to the Senate immediately.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 1—Bass.** Relative to final adjournment of the 2007–08 Third Extraordinary Session of the Legislature.

**RECESS**

By unanimous consent, at 10:14 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

**TWO HUNDRED FORTY-SEVENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 16, 2008

At 12 midnight.

Speaker pro Tempore Sally Lieber, presiding.

**RECONVENED**

At 2:16 a.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, September 16, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 36

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

Bill ordered enrolled.

Senate Chamber, September 15, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 2

GREGORY P. SCHMIDT, Secretary of the Senate  
By David Valverde, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 2**—Relative to final adjournment of the 2007–08 Third Extraordinary Session of the Legislature.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2  
BY UNANIMOUS CONSENT**

Assembly Member Torrico was granted unanimous consent to take up Senate Concurrent Resolution No. 2 without reference to file, for purpose of consideration.

**SENATE CONCURRENT RESOLUTION NO. 2 (Perata)**—Relative to final adjournment of the 2007–08 Third Extraordinary Session of the Legislature.

Resolution read, presented by Assembly Member Torrico, and adopted by the following vote:

**AYES—76**

Adams	Duvall	Huffman	Núñez
Aghazarian	Dymally	Jeffries	Parra
Anderson	Emmerson	Jones	Portantino
Arambula	Eng	Karnette	Price
Beall	Evans	Keene	Runner
Benoit	Feuer	Krekorian	Ruskin
Berg	Fuentes	La Malfa	Salas
Berryhill	Fuller	Laird	Saldaña
Blakeslee	Furutani	Leno	Silva
Brownley	Gaines	Levine	Solorio
Caballero	Galgiani	Lieber	Spitzer
Calderon	Garcia	Lieu	Strickland
Carter	Garrick	Ma	Swanson
Cook	Hancock	Maze	Torrico
Coto	Hayashi	Mendoza	Tran
Davis	Hernandez	Mullin	Villines
De León	Horton	Nakanishi	Walters
DeSaulnier	Houston	Nava	Wolk
DeVore	Huff	Niello	Mme. Speaker

**NOES—None**

Resolution ordered transmitted to the Senate.

**ADJOURNMENT**

At 2:18 a.m., pursuant to the provisions of Senate Concurrent Resolution No. 2, the 2007–08 Third Extraordinary Session of the Legislature was adjourned *sine die*.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)



CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

**RECESS JOURNAL NO. 3**

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**FINAL RECESS**

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Assembly Chamber, Sacramento  
Tuesday, September 23, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Third Extraordinary Session was printed while the Assembly was in Final Recess.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 19, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 36

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2008, at 6:30 p.m.

E. DOTSON WILSON, Chief Clerk

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3–4.)





CALIFORNIA LEGISLATURE  
2007–08 THIRD EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 4

FINAL RECESS

Assembly Chamber, Sacramento  
Wednesday, October 1, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Third Extraordinary Session was printed while the Assembly was in Final Recess.

**Veto Message—Assembly Bill No. 36**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill X3 36 without my signature, as I can not support taking more money away from the paychecks of hard working Californians to balance the state budget. While this year’s budget does not permanently solve California’s structural deficit, it solves this year’s \$15.2 billion dollar budget gap, does not take money out of people’s paychecks or borrow from voter-approved local government or transportation funds.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 9 p.m., of the following Assembly Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bill No. 36.

**LAWRENCE A. MURMAN**

Assistant Chief Clerk of the Assembly

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**KAREN BASS, Speaker**

**SUE PARKER, Minute Clerk**

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Monday, January 14, 2008. See Assembly Journal, pages 3-4.)

CALIFORNIA LEGISLATURE

2007–08 THIRD EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

APPENDIX TO THE ASSEMBLY JOURNAL FOR THE 2007–08 THIRD EXTRAORDINARY SESSION

Assembly Chamber, Sacramento Sunday, November 30, 2008

The following is an appendix to the Assembly Journal for the 2007–08 Third Extraordinary Session containing information received subsequent to the adjournment sine die of the session.

REPORTS OF STANDING COMMITTEES Committee on Budget

November 30, 2008

Mme. Speaker: Your Committee on Budget reports:

- Assembly Bill No. 11 Assembly Bill No. 15
Assembly Bill No. 12 Assembly Bill No. 16
Assembly Bill No. 13 Assembly Bill No. 17
Assembly Bill No. 14

Without action.

LAIRD, Chair

Above bills ordered filed with the Chief Clerk.

MEASURES WHICH DIED AT DESK

Assembly Bills Nos. 1, 2, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35; Assembly Concurrent Resolution No. 1.

MEASURES WHICH DIED ON UNFINISHED BUSINESS— RECONSIDERATION PENDING

Assembly Bills Nos. 9 and 10.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk



Volume 6

# Journal of the Assembly

Legislature of the State of California  
2007–08 Fourth Extraordinary Session  
November 6, 2008 to November 30, 2008



HON. KAREN BASS  
Speaker

HON. SALLY J. LEIBER  
Speaker pro Tempore

HON. LORI SALDANA  
Assistant Speaker pro Tempore

HON. ALBERTO TORRICO  
Majority Floor Leader

HON. MICHAEL VILLINES  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

SUE PARKER  
Minute Clerk

CALIFORNIA LEGISLATURE  
2007-08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, November 6, 2008**

**FIRST SESSION DAY**

**FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, November 6, 2008

At 11:04 a.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Arnold Schwarzenegger, Governor of the State of California, dated November 6, 2008, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2007–08 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk, Sue Parker, Minute Clerk, and Ronald Pane, Chief Sergeant-at-Arms.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly for the 2007–08 Regular Session, presiding.

Assistant Clerk Elizabeth Potter, reading.

#### ROLL CALL

The roll was called, and the following answered to their names—72:

Adams	Duvall	Huffman	Núñez
Anderson	Dymally	Jeffries	Plescia
Arambula	Emmerson	Jones	Portantino
Beall	Eng	Karnette	Price
Benoit	Evans	Keene	Runner
Berg	Feuer	Krekorian	Salas
Berryhill	Fuentes	La Malfa	Saldaña
Blakeslee	Fuller	Laird	Smyth
Brownley	Furutani	Leno	Solorio
Caballero	Gaines	Lieber	Spitzer
Carter	Galgiani	Lieu	Strickland
Cook	Garcia	Ma	Swanson
Coto	Garrick	Maze	Torrico
Davis	Hancock	Mendoza	Tran
De La Torre	Hayashi	Mullin	Villines
De León	Hernandez	Nakanishi	Walters
DeSaulnier	Horton	Nava	Wolk
DeVore	Houston	Niello	Mme. Speaker



**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, Our lives are completely transparent before You. You know our thoughts and our words even before they are spoken (Psalm 139:1–4). Yet, You respect our freedom and will not intrude. Help us to lay our doubts and questions before You, Lord, and guide our footsteps along the path that leads to You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Laird then led the Assembly in the pledge of allegiance to the Flag.

**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 Members Aghazarian, Huff, Levine, Ruskin, and Silva.*

*Because of illness: Assembly Members Calderon and Soto.*

*Due to travel delays: Assembly Member Parra.*

**PROCLAMATION FROM THE GOVERNOR**

Speaker pro Tempore Lieber directed the Clerk to read the following Proclamation from the Governor convening the Legislature in extraordinary session:

**A PROCLAMATION****BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me by Section 3(b) Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California on the 6th day of November 2008, at a time to be determined, for the following purpose and to legislate upon the following subjects:

1. To consider and act upon legislation to address fiscal and budget-related matters.
2. To consider and act upon legislation to address the economy, including but not limited to efforts to stimulate California's economy and create and retain jobs.
3. To consider and act upon legislation to address the housing mortgage crisis.
4. To consider and act upon legislation to address the solvency of the Unemployment Insurance Fund.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed  
6th day of November, 2008.

ARNOLD SCHWARZENEGGER  
Governor of California

ATTEST:

DEBRA BOWEN  
Secretary of State



Receipt

I acknowledge receipt this 6th day of November 2008 at 9:55 a.m., of a proclamation by the Governor regarding an extraordinary session delivered to me personally by Jacque Roberts.

E. DOTSON WILSON  
Chief Clerk of the Assembly

**ELECTION OF SPEAKER**

Assembly Member Torrico moved that the voice vote election of Speaker Karen Bass on February 28, 2008, to the Office of Speaker of the Assembly for the 2007–08 Regular Session, and the Oath of Office administered on May 13, 2008 (Assembly Journal, page 5103), be substituted in the Fourth Extraordinary Session.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**ADOPTION OF STANDING RULES**

Assembly Member Torrico moved that the Permanent Standing Rules of the Assembly for the 2007–08 Regular Session and the organization of Standing Committees be adopted in the Fourth Extraordinary Session.

(NOTE: For the text of the Assembly Standing Rules, see Assembly Daily Journal for December 4, 2006, Regular Session, page 11.)

Assembly Member Blakeslee seconded the motion.

Motion carried by the following vote:

**AYES—64**

Anderson	DeVore	Jeffries	Plescia
Arambula	Dymally	Jones	Portantino
Beall	Emmerson	Karnette	Price
Benoit	Eng	Keene	Runner
Berg	Evans	La Malfa	Salas
Berryhill	Feuer	Laird	Saldaña
Blakeslee	Fuller	Leno	Smyth
Brownley	Furutani	Lieber	Solorio
Caballero	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	Huffman	Núñez	Mme. Speaker

**NOES—2**

Adams                      Spitzer

**MOTION RELATIVE TO ORGANIZATION OF THE ASSEMBLY**

Assembly Member Torrico moved that the provisions of House Resolution No. 3 in the 2007–08 Regular Session relative to the payment of Members and distribution of Weekly Histories be substituted in the 2007–08 Fourth Extraordinary Session.

(NOTE: For the text of House Resolution No. 3, see Assembly Daily Journal for December 4, 2006, 2007–08 Regular Session, page 57.)

Assembly Member Blakeslee seconded the motion.

Without objection, the motion carried.

**ANNOUNCEMENT**

Speaker pro Tempore Lieber announced that the Speaker pro Tempore, Democratic and Republican Leadership, and Rules Committee members for the 2007–08 Regular Session will be appointed for these positions in the Fourth Extraordinary Session.

**ELECTION OF OFFICERS OF THE ASSEMBLY**

Assembly Member Torrico moved that the non-member officers in the 2007–08 Regular Session be deemed the Non-Member Officers in the Fourth Extraordinary Session (Chief Clerk, Chief Sergeant-at-Arms, Chaplain, and Alternate Chaplain) and that their respective oaths in the Regular Session be substituted in the Fourth Extraordinary Session.

(NOTE: For the oaths of office for the non-member officers for the 2007–08 Regular Session, see Assembly Daily Journal for December 4, 2006, page 56.)

Assembly Member Blakeslee seconded the motion.

Without objection, the motion carried.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

November 6, 2008

*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 the following Democratic Leadership for the 2007–08 Fourth Extraordinary Session:

Speaker pro Tempore	Hon. Sally Lieber
Assistant Speaker pro Tempore	Hon. Lori Saldaña
Majority Floor Leader	Hon. Alberto Torrico
Assistant Majority Floor Leader	Hon. Kevin de León
Majority Whip	Hon. Fiona Ma
Democratic Caucus Chair	Hon. Noreen Evans
Rules Committee Chair	Hon. Ted Lieu

Sincerely,

KAREN BASS  
Speaker of the Assembly

November 6, 2008

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: This is to advise you that I have made appointments to the following Assembly Standing Committees in the 2007–08 Fourth Extraordinary Session:

*Budget*

I have appointed Assemblymember John Laird as Chair and Assemblymember Roger Niello as Vice Chair.

*Rules*

I have appointed Assemblymember Ted Lieu as Chair and Assemblymember Sam Blakeslee as Vice Chair.

Sincerely,

KAREN BASS  
Speaker of the Assembly

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

**Per Diem**

October 23, 2008

*Dotson Wilson*  
*Assembly Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Chief Clerk Wilson: This letter is to officially notify you of my intention to decline the per diem increase that was approved by The Victim Compensation and Government Claims Board effective October 1, 2008. Please withhold this per diem increase from my per diem checks from the effective date until further notice.

Please do not hesitate to contact me or my Chief of Staff, Steve Davey, at 319-2004 should you have any questions regarding this request.

Sincerely,

TED GAINES, Assembly Member  
Fourth District

**Per Diem**

October 23, 2008

*Mr. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson,

I respectfully waive the increase in per diem offered to members this year. I appreciate your attention to this matter.

Should you have any questions, please contact Rachel Francis in my office at 916-319-2012.

In Peace and Friendship,

FIONA MA, Assembly Member  
Twelfth District

**Per Diem**

October 23, 2008

*Mr. E. Dotson Wilson*  
*Chief Clerk, California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: In light of our state's ongoing budget crisis, I will not be accepting the per diem increase that was approved today by the Victim Compensation and Government Claims Board.

Sincerely,

ANTHONY J. PORTANTINO, Assembly Member  
Forty-fourth District

**Per Diem**

October 24, 2008

*Dotson Wilson*  
*Assembly Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This correspondence is to let you know that I wish to decline the \$3.00 increase in the per diem rate, which became effective October 1, 2008.

Should you have any questions regarding this matter, you are welcome to contact me or my chief of staff, Megan Taylor, at (916) 319-2028.

Regards,

ANNA M. CABALLERO, Assembly Member  
 Twenty-eighth District

**Per Diem**

October 28, 2008

*Mr. E. Dotson Wilson, Chief Clerk*  
*California State Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: I am hereby requesting that my raise in per diem effective October 1, 2008 not be increased.

Please contact my Chief of Staff, Nancy Taffet, with any questions. Thank you.

Sincerely,

SHIRLEY HORTON, Assembly Member  
 Seventy-eighth District

**Per Diem**

October 28, 2008

*E. Dotson Wilson, Assembly Chief Clerk*  
*Capitol Building, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: Please use this letter as notification that I am electing not to take the increase in per diem effective October 1, 2008.

Thank you and should you have any questions or concerns, please feel free to contact me at my office at (909) 466-9096.

Sincerely,

BILL EMMERSON, Assembly Member  
 Sixty-third District

**Per Diem**

October 29, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am declining the per diem increase, effective October 1, 2008.

Sincerely,

KAREN BASS  
 Speaker of the Assembly

November 6, 2008

*E. Dotson Wilson, Chief Clerk*  
*California State Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: This is to advise you that I've appointed the following members to the Republican Leadership Team for the 2007/2008 Fourth Extraordinary Session:

Assemblyman Michael N. Villines	Assembly Republican Leader
Assemblyman Bob Huff	2 <sup>nd</sup> Ranking Republican Leader/ Caucus Chair
Assemblyman Roger Niello	Assembly Budget Committee Vice Chair and Assistant Republican Leader
Assemblywoman Mimi Walters	Assembly Appropriations Committee Vice Chair and Assistant Republican Leader
Assemblyman Bill Emmerson	Assistant Republican Leader
Assemblyman Rick Keene	Assistant Republican Leader
Assemblyman Van Tran	Assistant Republican Leader
Assemblyman John J. Benoit	Chief Republican Whip
Assemblyman Doug La Malfa	Chief Republican Whip
Assemblyman Todd Spitzer	Chief Republican Whip
Assemblyman Chuck DeVore	Republican Whip
Assemblyman Anthony Adams	Republican Whip
Assemblywoman Jean Fuller	Republican Whip
Assemblyman Ted Gaines	Republican Whip

If you have any questions regarding this letter, please contact Ivan Altamura at 319-2029.

It is an honor working with you in the California State Assembly.

Sincerely,

MICHAEL N. VILLINES  
 Assembly Republican Leader

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Torrico Motion to Adopt Standing Rules:** DeVore and Strickland—Aye.

**MESSAGES FROM THE SENATE**

Senate Chamber, November 6, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the Joint Rules for the 2007–08 Fourth Extraordinary Session.

**ADJOURNMENT**

At 5 p.m., the Assembly recessed upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk



CALIFORNIA LEGISLATURE

2007–08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

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RECESS UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Wednesday, November 12, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Fourth Extraordinary Session was printed while the Assembly was in Recess:

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

November 12, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have created the Assembly Appropriations Committee for the 2007–08 Fourth Extraordinary Session. I have appointed Assemblymember Kevin de León as chair.

Sincerely,

KAREN BASS  
Speaker of the Assembly

**INTRODUCTION OF ASSEMBLY BILLS**

The following bills were introduced:

**ASSEMBLY BILL NO. 1—Benoit.** An act to repeal and add Sections 45103.1, 45103.5, 88003.1, and 88004.5 of the Education Code, and to add Section 3562.3 to the Government Code, relating to public education.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1—Plescia.** 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, by amending Section 3 of Article XIII A thereof, and by amending Section 6 of Article XIII B thereof, relating to state finances.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE

2007–08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

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RECESS UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Thursday, November 13, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Fourth Extraordinary Session was printed while the Assembly was in Recess.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

November 13, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have made appointments to the following Assembly Standing Committees for the 2007–08 Fourth Extraordinary Session:

*Budget*

Assemblymember John Laird, Chair  
Assemblymember Roger Niello, Vice Chair  
Assemblymember Juan Arambula  
Assemblymember Jim Beall  
Assemblymember Patty Berg  
Assemblymember Sam Blakeslee  
Assemblymember Julia Brownley  
Assemblymember Paul Cook  
Assemblymember Hector De La Torre  
Assemblymember Chuck DeVore  
Assemblymember Mike Duvall  
Assemblymember Bill Emmerson  
Assemblymember Noreen Evans

Assemblymember Mike Feuer  
 Assemblymember Jean Fuller  
 Assemblymember Mary Hayashi  
 Assemblymember Ed Hernandez  
 Assemblymember Bob Huff  
 Assemblymember Kevin Jeffries  
 Assemblymember Dave Jones  
 Assemblymember Paul Krekorian  
 Assemblymember Bill Maze  
 Assemblymember Gene Mullin  
 Assemblymember Ira Ruskin  
 Assemblymember Jim Silva  
 Assemblymember Sandré Swanson  
 Assemblymember Lois Wolk

*Rules*

Assemblymember Ted Lieu, Chair  
 Assemblymember Sam Blakeslee, Vice Chair  
 Assemblymember Anthony Adams  
 Assemblymember Greg Aghazarian  
 Assemblymember John Benoit  
 Assemblymember Wilmer Carter  
 Assemblymember Mike Davis  
 Assemblymember Felipe Fuentes  
 Assemblymember Paul Krekorian  
 Assemblymember Tony Mendoza  
 Assemblymember Loni Hancock, Democratic Alternate  
 Assemblymember Todd Spitzer, Republican Alternate  
 One Democratic Vacancy

Sincerely,

KAREN BASS  
 Speaker of the Assembly

November 13, 2008

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
 State Capitol, Room 3196  
 Sacramento, California*

Dear Dotson: This is to advise you that I have created the Assembly Appropriations Committee for the 2007–08 Fourth Extraordinary Session and I have appointed the following membership:

Assemblymember Kevin de León, Chair  
 Assemblymember Mimi Walters, Vice Chair  
 Assemblymember Anna Caballero  
 Assemblymember Mike Davis  
 Assemblymember Mark DeSaulnier  
 Assemblymember Bill Emmerson  
 Assemblymember Warren Furutani  
 Assemblymember Jared Huffman  
 Assemblymember Betty Karnette  
 Assemblymember Paul Krekorian  
 Assemblymember Doug La Malfa

Assemblymember Ted Lieu  
Assemblymember Fiona Ma  
Assemblymember Alan Nakanishi  
Assemblymember Pedro Nava  
Assemblymember Sharon Runner  
Assemblymember Jose Solorio

Sincerely,

KAREN BASS  
Speaker of the Assembly

**INTRODUCTION OF ASSEMBLY BILLS**

The following bills were introduced:

**ASSEMBLY BILL NO. 2—Anderson, DeSaulnier, and Jones.** An act to amend Sections 703.150 and 704.730 of the Code of Civil Procedure, relating to judgments.

**ASSEMBLY BILL NO. 3—Villines.** An act to amend Section 6 of Chapter 761 of the Statutes of 2008, relating to state property.

**ASSEMBLY BILL NO. 4—Lieu, De León, and Lieber (Coauthors: Bass and Galgiani).** An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52 and 2923.53 of, the Civil Code, relating to residential mortgage loans.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE

2007–08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 3

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RECESS UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Friday, November 14, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Fourth Extraordinary Session was printed while the Assembly was in Recess.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

November 14, 2008

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that I have created the Assembly Banking and Finance Committee for the 2007–08 Fourth Extraordinary Session and I have appointed the following membership:

Assemblymember Pedro Nava, Chair  
Assemblymember Ted Gaines, Vice Chair  
Assemblymember Julia Brownley  
Assemblymember Noreen Evans  
Assemblymember Dave Jones  
Assemblymember Paul Krekorian  
Assemblymember Sally Lieber  
Assemblymember Roger Niello  
Assemblymember Sandré Swanson  
Assemblymember Alberto Torrico  
Assemblymember Mimi Walters

Sincerely,

KAREN BASS  
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

**Per Diem**

November 12, 2008

*Dotson Wilson  
Assembly Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: I write to you today to respectfully decline the increase in the per diem rate that was effective October 1, 2008. I will to maintain the per diem rate established prior to this date. I request this to be effective October 1, 2008.

Sincerely,

VAN TRAN, Assembly Member  
Sixty-eighth District

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)



CALIFORNIA LEGISLATURE  
2007-08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, November 17, 2008**  
**SECOND SESSION DAY**  
**TWELFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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, November 17, 2008

The Assembly met at 8 a.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly, presiding.

Hon. Wilmer Amina Carter, Assembly Member, 62nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—44:

Aghazarian	Evans	Karnette	Nava
Anderson	Feuer	Krekorian	Niello
Arambula	Fuentes	La Malfa	Núñez
Benoit	Gaines	Laird	Portantino
Blakeslee	Galgiani	Leno	Saldaña
Brownley	Garcia	Levine	Solorio
Carter	Hernandez	Lieber	Swanson
De León	Horton	Lieu	Torrigo
DeSaulnier	Huffman	Mendoza	Villines
Duvall	Jeffries	Mullin	Walters
Emmerson	Jones	Nakanishi	Mme. Speaker

Quorum present.

**At 2:20 p.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Beall, Berg, Calderon, De La Torre, DeVore, Eng, Houston, Keene, Maze, Price, Smyth, Spitzer, and Strickland.*

*Because of illness, per diem waived for the 2007–2008 Session (See Assembly Journal, pages 63 and 64): Assembly Member Wolk.*

*On personal business, and waiving per diem: Assembly Members Adams, Berryhill, Cook, Coto, Davis, Fuller, Garrick, Hancock, Huff, Ma, Parra, Plescia, Ruskin, Silva, and Tran.*

*Because of illness: Assembly Members Dymally, Furutani, Hayashi, Runner, Salas, and Soto.*

*Because of illness in her family: Assembly Member Caballero.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

November 13, 2008

*Speaker Karen Bass  
California State Assembly  
Room 219, State Capitol  
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from the Assembly Check-In Session on Monday, November 17, 2008. I will be in my district during this time attending to legislative business.

Thank you for your attention to this request.

Sincerely,

JIM BEALL, JR., Assembly Member  
Twenty-fourth District

November 14, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: I respectfully request permission to be excused on Monday, November 17, as I will be en route from a legislative conference. I will, however, be in Sacramento for Session on November 19, 2008.

Sincerely,

PATTY BERG, Assembly Member  
First District

November 14, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from check-in session Monday, November 17, 2008 for legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHARLES M. CALDERON, Assembly Member  
Fifty-eighth District

November 13, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: The purpose of this letter is to respectfully request to be excused from check-in session for legislative business, on Monday, November 17, 2008.

I am thanking you in advance for your consideration of this request. If you have any questions or require additional information, please do not hesitate to contact my Chief of Staff, Juan Carlos Torres, at (916) 319-2050.

Sincerely,

HECTOR DE LA TORRE, Assembly Member  
Fiftieth District

November 17, 2008

*Assemblywoman Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Bass: I am writing to request your approval to be excused, for legislative business, from check-in session on Monday, November 17, 2008. I have prior commitments in my district that day that will conflict with my traveling to Sacramento for check-in. I feel tending to my prior commitments is important to my constituents. Thank you for your consideration on this matter.

If you have any questions, please do not hesitate to contact my Chief of Staff Leisa Brug Kline at (949) 863-7070.

All the best,

CHUCK DE VORE, Assembly Member  
Seventieth District

November 13, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Bass: I, respectfully, request to be excused from Check-In Session on Monday, November 17, 2008, so that I may be in my district on legislative business.

Thank you for your consideration of this matter. Should you have any questions or concerns regarding this request, please feel free to contact either myself or my chief of staff, Julio Martinez, at 916-319-2049.

Kind regards,

MIKE ENG, Assembly Member  
Forty-ninth District

November 17, 2008

*The Honorable Karen Bass  
Speaker, California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: It is my understanding that Monday, November 17 is currently scheduled to be a Check-In Session. So that I may conduct legislative business in my district, I respectfully request to be excused from Session that day.

If you have any questions, please contact Keith Ochwat in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member  
Fifteenth District

November 14, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219*

Dear Mme. Speaker: I respectfully request to be excused from Check-In session on Monday, November 17 due to legislative business in my district.

Please contact Johannes Escudero in my Capitol office with any questions or concerns. Thank you for your consideration of this request.

Sincerely,

RICK KEENE, Assembly Member  
Third District

November 13, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
Room 219, State Capitol  
Sacramento, California*

Dear Speaker Bass: I am requesting to be excused from check-in session on Monday, November 17, 2008 due to legislative business. I will be attending a highway dedication ceremony in conjunction with my Assembly Concurrent Resolution 147.

Thank you for your assistance in this matter.

Sincerely,

BILL MAZE, Assembly Member  
Thirty-fourth District

November 13, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: I would like to request to be excused from Check-in Session, Monday, November 17, 2008, on legislative business.

Thank you for consideration.

Respectfully,

CURREN D. PRICE, JR., Assembly Member  
Fifty-first District

November 14, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219*

Dear Mme. Speaker: I respectfully request to be excused from Check-in Session on Monday, November 17, 2008 due to legislative business in my district.

Thank you for your attention to this request. Should you have any questions, please contact Donda Scholl in my Capitol Office at 916-319-2038.

Sincerely,

CAMERON M. SMYTH, Assembly Member  
Thirty-eighth District

November 14, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
Room 219, State Capitol Building  
Sacramento, California*

Dear Mme. Speaker: I would like to be excused from check-in session on Monday, November 17, 2008 for legislative business in my district.

Thank you for your consideration. If you have any questions please contact my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member  
Seventy-first District

November 13, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: I respectfully request a legislative excuse for Monday, November 17, 2008. Due to legislative business in the 37th Assembly District, I will be unable to check-in.

If you have any questions, please call Sam Chung at 319-2037.

Sincerely,

AUDRA STRICKLAND, Assembly Member  
Thirty-seventh District

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

November 13, 2008

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Bill Emmerson to replace Assemblymember Anthony Adams on the Assembly Rules Committee for the Monday, November 17 hearing only.

Sincerely,

**KAREN BASS**  
Speaker of the Assembly

**FIRST READING OF ASSEMBLY BILLS**

The following bills were read the first time:

**ASSEMBLY BILL NO. 1—Benoit.** An act to repeal and add Sections 45103.1, 45103.5, 88003.1, and 88004.5 of the Education Code, and to add Section 3562.3 to the Government Code, relating to public education.

**ASSEMBLY BILL NO. 2—Anderson, DeSaulnier, and Jones.** An act to amend Sections 703.150 and 704.730 of the Code of Civil Procedure, relating to judgments.

**ASSEMBLY BILL NO. 3—Villines.** An act to amend Section 6 of Chapter 761 of the Statutes of 2008, relating to state property.

**ASSEMBLY BILL NO. 4—Lieu, De León, and Lieber (Coauthors: Bass and Galgiani).** An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52 and 2923.53 of, the Civil Code, relating to residential mortgage loans.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1—Plescía.** 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, by amending Section 3 of Article XIII A thereof, and by amending Section 6 of Article XIII B thereof, relating to state finances.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bill was referred to committee:

<i>Assembly</i>	<i>Committee</i>
<i>Bill No.</i>	<i>B. &amp; F.</i>
4 -----	

**ADJOURNMENT**

At 3:05 p.m., the Assembly adjourned upon Call of the Speaker.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)





CALIFORNIA LEGISLATURE

2007–08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 4

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UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Wednesday, November 19, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Fourth Extraordinary Session was printed while the Assembly was in Recess.

**INTRODUCTION OF ASSEMBLY BILLS**

The following bill was introduced:

**ASSEMBLY BILL NO. 5—Pleiscia.** An act to add and repeal Sections 8880.4.1, 8880.63.1, and 8880.64.1 of the Government Code, relating to the California State Lottery, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)



## CALIFORNIA LEGISLATURE

2007–08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 5

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## RECESS UPON CALL OF THE SPEAKER

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Assembly Chamber, Sacramento  
Thursday, November 20, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Fourth Extraordinary Session was printed while the Assembly was in Recess.

### COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

#### Per Diem

November 18, 2008

*Jon Waldie, Chief Administrative Office  
Assembly Rules Committee, Room 3016  
Sacramento, California*

Dear Mr. Waldie: I respectfully request to decline my per diem increase effective October 1, 2008. I will resume collecting per diem, but choose not to accept the recent increase. If you have any questions or concerns please contact Jeanette Garcia in my office at 319-2053.

Sincerely,

TED W. LIEU, Assembly Member  
Fifty-third District

### INTRODUCTION OF ASSEMBLY BILLS

The following bills were introduced:

**ASSEMBLY BILL NO. 6—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 7—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 8—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 9—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 10—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 11—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 12—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 13—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 14—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 15—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 16—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 17—Laird.** An act relating to the Budget Act of 2008.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)

CALIFORNIA LEGISLATURE  
2007–08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, November 25, 2008**

**THIRD SESSION DAY**

**TWENTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, November 25, 2008

The Assembly met at 3:54 p.m.

Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called, and the following answered to their names—74:

Adams	Duvall	Karnette	Portantino
Aghazarian	Dymally	Keene	Price
Anderson	Emmerson	Krekorian	Runner
Arambula	Evans	La Malfa	Ruskin
Beall	Feuer	Laird	Salas
Benoit	Fuentes	Leno	Saldaña
Berg	Fuller	Levine	Silva
Berryhill	Furutani	Lieber	Smyth
Blakeslee	Gaines	Lieu	Solorio
Caballero	Galgiani	Ma	Strickland
Calderon	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrco
Cook	Hayashi	Mullin	Tran
Coto	Hernandez	Nakanishi	Villines
Davis	Horton	Nava	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Núñez	Mme. Speaker
DeSaulnier	Jeffries	Parra	
DeVore	Jones	Plescia	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

*O Eternal and Dependable God,* In this season of thanksgiving we bow our heads in gratefulness for your continued showers of blessings. We thank You for the times of sowing and reaping, color and fragrance, and the ability to reap the benefit from what has been truly toiled for.

Today, bless our lawmakers, and give each of them a deep sense of gratitude and thankfulness for your opened doors, and opportunities to make a difference in the lives of our citizens. As they continue to deliberate today give them hope against hopelessness, fortitude in the sight of failure, and determination against all odds. Help them, O God, to surpass all supposed expectations. We do lean on You and trust in You, and it is in your bountiful Name we pray—AMEN!

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Dymally then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Torrico, seconded by Assembly Member Benoit.

**At 3:55 p.m., Speaker Karen Bass, 47th District, presiding**

**FIRST READING OF ASSEMBLY BILLS**

The following bills were read the first time:

**ASSEMBLY BILL NO. 5—Plescia.** An act to add and repeal Sections 8880.4.1, 8880.63.1, and 8880.64.1 of the Government Code, relating to the California State Lottery, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 6—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 7—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 8—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 9—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 10—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 11—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 12—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 13—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 14—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 15—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 16—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 17—Laird.** An act relating to the Budget Act of 2008.

**CONSIDERATION OF ASSEMBLY BILL NO. 7  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 7 without reference to committee or print for the purpose of considering amendments, and that the same be considered engrossed.

**ASSEMBLY BILL NO. 7**—An act relating to the Budget Act of 2008.

Bill read **second** time; amendments read and adopted; bill ordered reprinted.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Laird.

*Resolved*, That Assembly 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—74**

Adams	Duvall	Karnette	Portantino
Aghazarian	Dymally	Keene	Price
Anderson	Emmerson	Krekorian	Runner
Arambula	Evans	La Malfa	Ruskin
Beall	Feuer	Laird	Salas
Benoit	Fuentes	Leno	Saldaña
Berg	Fuller	Levine	Silva
Berryhill	Furutani	Lieber	Smyth
Blakeslee	Gaines	Lieu	Solorio
Caballero	Galgiani	Ma	Strickland
Calderon	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrico
Cook	Hayashi	Mullin	Tran
Coto	Hernandez	Nakanishi	Villines
Davis	Horton	Nava	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Núñez	Mme. Speaker
DeSaulnier	Jeffries	Parra	
DeVore	Jones	Plescia	

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.



**CONSIDERATION OF ASSEMBLY BILL NO. 7  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 7 without reference to file for the purpose of consideration.

**ASSEMBLY BILL NO. 7 (Laird)**—An act to amend Items 3910-004-0226, 3910-004-0281, and 3910-007-0387 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), and to amend Items 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0690-102-0001, 0690-102-0597, 0690-113-0001, 1870-012-0214, 2640-101-0046, 2740-001-0044, 2740-001-0064, 3790-001-0001, 3790-001-6051, 4300-101-0001, 5180-111-0001, 5225-101-0001, 6440-001-0001, 6600-001-0001, 6610-001-0001, 6610-002-0001, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9100-101-0001, 9210-101-0001, and 9210-105-0001 of, to add Item 0250-012-0159 to, and to repeal Item 0690-102-0214 of, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to add Section 3.90 to the Budget Act of 2008, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read.  
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, 4:24 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF ASSEMBLY BILL NO. 6  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 6 without reference to committee or print for the purpose of considering amendments and that the same be considered engrossed.

**ASSEMBLY BILL NO. 6**—An act relating to the Budget Act of 2008.

Bill read second time; amendments read and adopted; bill ordered reprinted.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Laird.

*Resolved*, That Assembly 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—74**

Adams	Duvall	Karnette	Portantino
Aghazarian	Dymally	Keene	Price
Anderson	Emmerson	Krekorian	Runner
Arambula	Evans	La Malfa	Ruskin
Beall	Feuer	Laird	Salas
Benoit	Fuentes	Leno	Saldaña
Berg	Fuller	Levine	Silva
Berryhill	Furutani	Lieber	Smyth
Blakeslee	Gaines	Lieu	Solorio
Caballero	Galgiani	Ma	Strickland
Calderon	Garcia	Maze	Swanson
Carter	Garrick	Mendoza	Torrico
Cook	Hayashi	Mullin	Tran
Coto	Hernandez	Nakanishi	Villines
Davis	Horton	Nava	Walters
De La Torre	Houston	Niello	Wolk
De León	Huff	Núñez	Mme. Speaker
DeSaulnier	Jeffries	Parra	
DeVore	Jones	Plescia	

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**CONSIDERATION OF ASSEMBLY BILL NO. 6  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 6 without reference to file for the purpose of consideration.

**ASSEMBLY BILL NO. 6 (Laird)**—An act to amend Sections 10752, 10752.1, 17041, 17062, and 17077 of, and to add Section 17054.8 to, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read.

**At 4:54 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**Request for Use of Visual Aids**

Assembly Member Villines was granted unanimous consent to use visual aids on the Floor to assist in debate.

The roll was opened.

The urgency clause to Assembly Bill No. 6 refused adoption by the following vote:

**AYES—41**

Arambula	Evans	Leno	Ruskin
Beall	Feuer	Levine	Salas
Berg	Fuentes	Lieber	Saldaña
Caballero	Furutani	Lieu	Solorio
Carter	Galgiani	Ma	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Wolk
De La Torre	Jones	Nava	Mme. Speaker
De León	Karnette	Núñez	
DeSaulnier	Krekorian	Portantino	
Dymally	Laird	Price	

**NOES—31**

Adams	Duvall	Jeffries	Runner
Aghazarian	Emmerson	Keene	Silva
Anderson	Fuller	La Malfa	Smyth
Benoit	Gaines	Maze	Strickland
Berryhill	Garrick	Nakanishi	Tran
Blakeslee	Horton	Niello	Villines
Cook	Houston	Parra	Walters
DeVore	Huff	Plescia	

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 7**

At 5:17 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 7 refused adoption by the following vote:

**AYES—41**

Arambula	Evans	Leno	Ruskin
Beall	Feuer	Levine	Salas
Berg	Fuentes	Lieber	Saldaña
Caballero	Furutani	Lieu	Solorio
Carter	Galgiani	Ma	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Wolk
De La Torre	Jones	Nava	Mme. Speaker
De León	Karnette	Núñez	
DeSaulnier	Krekorian	Portantino	
Dymally	Laird	Price	

**NOES—30**

Adams	Duvall	Keene	Silva
Aghazarian	Emmerson	La Malfa	Smyth
Anderson	Fuller	Maze	Strickland
Benoit	Gaines	Nakanishi	Tran
Berryhill	Garrick	Niello	Villines
Blakeslee	Houston	Parra	Walters
Cook	Huff	Plescia	
DeVore	Jeffries	Runner	

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Assembly Bill No. 7 and Urgency:** Núñez—Aye.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 18—Charles Calderon.** An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 19—Price (Principal coauthor: Senator Ridley-Thomas).** An act relating to elections, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 5:17 p.m., the Assembly adjourned upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON NOVEMBER 25, 2008**

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The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>	
6	0829896	
7	0829895	
<b>Daily Total:</b>		<b>2</b>
<b>Cumulative Total:</b>		<b>2</b>



CALIFORNIA LEGISLATURE

2007-08 FOURTH EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 6

FINAL RECESS

Assembly Chamber, Sacramento  
Sunday, November 30, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007-08 Fourth Extraordinary Session was printed while the Assembly was in Final Recess.

REPORTS OF STANDING COMMITTEES  
Committee on Banking and Finance

November 30, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:  
Assembly Bill No. 4

Without action.

NAVA, Chair

MEASURES WHICH DIED AT DESK

Assembly Bills Nos. 1, 2, 3, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19.

Assembly Constitutional Amendment No. 1.

Senate Concurrent Resolution No. 1.

ADJOURNMENT

At 12 midnight, November 30, 2008, pursuant to the provisions of Article IV, Section 3(a) of the Constitution and Joint Rule 51, the 2007-08 Fourth Extraordinary Session of the Legislature adjourned *sine die*.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

(NOTE: The proclamation by the Governor convening the Legislature in extraordinary session was printed Thursday, November 6, 2008. See Assembly Journal, page 4.)

