

CALIFORNIA LEGISLATURE
2009–10 FIFTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 5, 2010

EIGHTH SESSION DAY

ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 5, 2010

The Assembly met at 6:27 p.m.
Hon. Isadore Hall III, Assistant Speaker pro Tempore of the
Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Timothy Morland reading.

ROLL CALL

The roll was called, and the following answered to their names—71:

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

Quorum present.

PRAYER

Upon invitation of Assistant Speaker pro Tempore Hall, the following prayer was offered by Assembly Member Cathleen Galgiani, 17th Assembly District:

Father, For this new day with its promise and potential, we thank You. May our part in this day be full of meaning and hope for others. May our efforts and our words be characterized by kindness and give expression to the good will and truth that is within us. May they also be the key which unlocks the good and truth in others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Hall, Assembly Member Emmerson 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 Strickland.

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 Hernandez and Villines.

Because of illness: Assembly Members Anderson and Carter.

Because of illness in her family: Assembly Member Huber.

Because of deaths in their families: Assembly Members Fletcher and Saldaña.

COMMUNICATIONS

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

January 4, 2010

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 Jared Huffman and Jerry Hill to replace Assemblymembers Wilmer Carter and Mike Eng on the Assembly Education Committee in the 2009–10 Fifth Extraordinary Session for the Tuesday, January 5 hearing only.

Sincerely,

KAREN BASS
Speaker of the Assembly

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

January 4, 2010

*The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol, First Floor
Sacramento, California*

Dear Governor Schwarzenegger: Pursuant to the Government Code and on behalf of the Speaker of the Assembly, the Honorable Karen Bass, I am forwarding a letter of resignation from Assembly Member Paul Krekorian effective upon his taking the oath of office for the Los Angeles City Council on January 5, 2010.

Sincerely,

E. DOTSON WILSON
Chief Clerk

(Note: For letter of resignation of Assembly Member Krekorian, 43rd Assembly District, see the Regular Session Assembly Journal for January 4, 2010, page 3648.)

**REPORTS OF STANDING COMMITTEES
Committee on Education**

Date of Hearing: January 5, 2010

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 1
Senate Bill No. 4

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

BROWNLEY, Chair

Above bills re-referred to the Committee on Appropriations.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Senate Bill No. 4 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—59

Adams	Davis	Hall	Portantino
Ammiano	De La Torre	Hayashi	Ruskin
Arambula	Emmerson	Hill	Salas
Beall	Eng	Huffman	Silva
Berryhill, B.	Evans	Jones	Skinner
Blakeslee	Feuer	Lieu	Smyth
Block	Fong	Logue	Solorio
Blumenfield	Fuentes	Lowenthal	Strickland
Bradford	Fuller	Ma	Torlakson
Brownley	Furutani	Mendoza	Torres
Caballero	Gaines	Monning	Torrico
Calderon	Galgiani	Niello	Tran
Chesbro	Garrick	Nielsen	Yamada
Cook	Gilmore	Pérez, J.	Mme. Speaker
Coto	Hagman	Pérez, V.M.	

NOES—None

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

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: January 5, 2010

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 4

With the recommendation: Do pass.

DE LEÓN, Chair

Above bill ordered to second reading.

Second Reading of Senate Bill No. 4

SENATE BILL NO. 4—An act to add Article 10 (commencing with Section 48350) to Chapter 2 of Part 27 of Division 4 of Title 2 of, and to add Article 3 (commencing with Section 53300) to Chapter 18 of Part 28 of Division 4 of Title 2 of, the Education Code, relating to public schools.

Bill read second time.

CONSIDERATION OF SENATE BILL NO. 4 BY UNANIMOUS CONSENT

Assembly Member Arambula was granted unanimous consent to take up Senate Bill No. 4, without reference to file, for purpose of consideration at this time.

SENATE BILL NO. 4 (Romero)—An act to add Article 10 (commencing with Section 48350) to Chapter 2 of Part 27 of Division 4 of Title 2 of, and to add Article 3 (commencing with Section 53300) to Chapter 18 of Part 28 of Division 4 of Title 2 of, the Education Code, relating to public schools.

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

Assembly Rule 112 Suspended

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:59 p.m.

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

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: January 5, 2010

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1

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

DE LEÓN, Chair

Above bill ordered to second reading.

**SENATE BILL NO. 1 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

Assembly Member Brownley was granted unanimous consent to take up Senate Bill No. 1 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

SENATE BILL NO. 1—An act to amend Sections 52052.5, 60601, 60603, 60604, 60605.6, 60606, 60640, 60643, 60643.1, and 60900 of, to add Sections 10601.6, 10802.5, 10807, 49079.7, 44227.2, 60604.5, 60605.7, 60605.8, and 60605.9 to, and to add Chapter 18 (commencing with Section 53100) to Part 28 of Division 4 of Title 2 of, the Education Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to public schools.

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

CONSIDERATION OF SENATE BILL NO. 1 BY UNANIMOUS CONSENT

Assembly Member Brownley was granted unanimous consent to take up Senate Bill No. 1, without reference to print or file, for purpose of consideration at this time.

SENATE BILL NO. 1 (Steinberg)—An act to amend Sections 52052.5, 60601, 60603, 60604, 60605.6, 60606, 60640, 60643, 60643.1, and 60900 of, to add Sections 10601.6, 10802.5, 10807, 49079.7, 44227.2, 60604.5, 60605.7, 60605.8, and 60605.9 to, and to add Chapter 18 (commencing with Section 53100) to Part 28 of Division 4 of Title 2 of, the Education Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to public schools.

Bill read third time, and passed by the following vote:

AYES—45

Adams	Coto	Gilmore	Portantino
Arambula	Davis	Hagman	Ruskin
Berryhill, B.	De León	Hall	Silva
Berryhill, T.	Emmerson	Hill	Skinner
Blakeslee	Eng	Huffman	Smyth
Block	Feuer	Lowenthal	Solorio
Blumenfield	Fong	Ma	Strickland
Bradford	Fuller	Monning	Tran
Brownley	Furutani	Nestande	Mme. Speaker
Calderon	Gaines	Niello	
Conway	Galgiani	Nielsen	
Cook	Garrick	Pérez, J.	

NOES—17

Ammiano	Evans	Mendoza	Torrico
Beall	Fuentes	Nava	Yamada
Caballero	Hayashi	Pérez, V.M.	
Chesbro	Jones	Swanson	
De La Torre	Lieu	Torlakson	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 4**

At 7:13 p.m., on motion of Assembly Member Arambula, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 4 passed by the following vote:

AYES—41

Adams	Emmerson	Hill	Ruskin
Arambula	Feuer	Huffman	Silva.
Berryhill, B.	Fong	Jeffries	Skinner
Berryhill, T.	Fuller	Knight	Smyth
Blakeslee	Gaines	Logue	Solorio
Calderon	Galgiani	Miller	Strickland
Conway	Garrick	Nestande	Tran
Cook	Gilmore	Niello	Mme. Speaker
Coto	Hagman	Nielsen	
Davis	Hall	Pérez, J.	
DeVore	Harkey	Portantino	

NOES—27

Ammiano	De León	Lieu	Salas
Beall	Eng	Lowenthal	Swanson
Bradford	Evans	Ma	Torlakson
Brownley	Fuentes	Mendoza	Torres
Caballero	Furutani	Monning	Torrico
Chesbro	Hayashi	Nava	Yamada
De La Torre	Jones	Perez, V.M.	

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):

Invoke Constitution: Gaines and Hayashi—Aye.

Senate Bill No. 1: Gaines—Aye.

ADJOURNMENT

At 7:19 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 5, 2010**

The following measure was amended in the Assembly on this day:

SB RN

1 1000213

Daily Total: 1

Cumulative Total: 8

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