

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 12, 2009

NINTH SESSION DAY

FORTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 12, 2009

The Assembly met at 1 p.m.
Hon. Lori Saldaña, 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 DeVore 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 1:15 p.m., Speaker pro Tempore Saldaña declared a quorum of the Assembly present.

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

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

PRAYER

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

Lord, When we boil a carrot in hot water, it becomes soft. When we boil an egg, the inside become hard, but when we boil coffee beans in water, the beans change the water. Lord, Your light shines on us, and the beauty of Your holiness and truth changes the world. Help us to take Your light of goodness, kindness and joy to shine it on others and to change the things around us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Buchanan 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 legislative business: Assembly Member Davis.

Because of illness: Assembly Member Calderon.

Because of a death in her family: Assembly Member Harkey.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 12, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: Please excuse me from Floor Session on Monday, January 12, 2009. I will be in my district office on legislative business.

Sincerely,

MIKE DAVIS, Assembly Member
Forty-eighth District

FIRST READING OF ASSEMBLY BILLS

The following bill was read the first time:

ASSEMBLY BILL NO. 105—Evans. 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.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker Bass was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at her desk in the Assembly Chamber.

REQUEST FOR PHOTOGRAPHER

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

RECESS

By unanimous consent, at 1:18 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 1:28 p.m., the Assembly reconvened.

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

RECESS

By unanimous consent, at 1:34 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of a special guest.

Speaker Bass introduced and presented a member's resolution to Tommy Ross.

RECONVENED

At 1:37 p.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Speaker Bass, Assembly Members Niello, Nielsen, Villines, and Galgiani were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Robert Monagan (Assembly Member from 1961 to 1973; Assembly Speaker from 1969 to 1970).

(Assembly Rule 45.5 suspended.)

At 1:49 p.m., Speaker Karen Bass, 47th District, presiding

ADJOURN IN MEMORY

Assembly Member Saldaña was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mayrant "Mac" McKeown of Long Beach and Edward Tyler Cramer of San Diego.

(Assembly Rule 45.5 suspended.)

At 1:54 p.m., Speaker pro Tempore Lori Saldaña, 76th District, presiding

ADJOURN IN MEMORY

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Linda Jo (Waite) Culver of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Yamada was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rosalinda Duran Moreno of Woodland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Yamada and Nielsen were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Dudley Holman of Woodland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Herb Katz of Santa Monica.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Fuentes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ida Kinney of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Jimmy Moorman of Torrance.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Bill Berryhill was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elizabeth "Liz" Ann Faria of Escalon.

Assembly Members Tom Berryhill and Bill Berryhill were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tom Mayfield of Hughson.

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 Clyde Smith of Santa Monica.

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 Patrick Burke O'Sullivan of Long Beach.

Assembly Members Price and Buchanan were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steve Van Sickle of Danville.

Assembly Member Torlakson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Private Benjamin B. Tollefson of Concord.

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session schedule:

Tuesday, January 13, 2009, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon Call of the Speaker;

Wednesday, January 14, 2009, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon Call of the Speaker;

Thursday, January 15, 2009, Floor Session, 9 a.m.

Friday, January 16, 2009, Check-in Session, 7 a.m.–3 p.m.

Monday, January 19, 2009, Martin Luther King, Jr. Holiday;

Tuesday, January 20, 2009, Check-in Session, 7 a.m.–3 p.m.

Thursday, January 22, 2009, Floor Session, 9:30 a.m.

MOTION TO ADJOURN

At 2:01 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 2:01 p.m., Speaker pro Tempore Saldaña declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 106—Price. An act to amend Sections 2102, 2142, 2150, 2162, and 2194 of, and to add Section 2101.5 to, the Elections Code, to amend Section 6254.4 of the Government Code, to add Section 19584.5 to the Revenue and Taxation Code, and to amend Section 12950.5 of, and to add Section 12500.5 to, the Vehicle Code, relating to elections.

ASSEMBLY BILL NO. 107—Galgiani and Conway. 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.

ASSEMBLY BILL NO. 108—Hayashi. An act to amend Section 1389.1 of, and to add Sections 1389.12 and 1389.21 to, the Health and Safety Code, and to amend Section 10291.5 of, and to add Sections 10384.15 and 10384.17 to, the Insurance Code, relating to health care coverage.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 8—Jeffries. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article I thereof, and by amending Section 7 of, and adding Section 7.3 to, Article IV thereof, relating to meetings of the Legislature.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 10—Anderson. Relative to support of Israel.

ADJOURNMENT

A 3 p.m., pursuant to the motion by Assembly Member Torrico the Assembly adjourned until 7 a.m., Tuesday, January 13, 2009, out of respect to the memory of Herb Katz, on motion of Assembly Member Brownley; out of respect to the memory of Ida Kinney, on motion of Assembly Member Fuentes; out of respect to the memory of Jimmy Moorman, on motion of Assembly Member Lieu; out of respect to the memory of Hon. Robert Monagan, on motion of Speaker Bass, Assembly Members Niello, Nielsen, Villines, and Galgiani; out of respect to the memory of Mayrant “Mac” McKeown and Edward Tyler Cramer, on motion of Assembly Member Saldaña; out of respect to the memory of Linda Jo (Waite) Culver, on motion of Assembly Member Niello; out of respect to the memory of Rosalinda Duran Moreno, on motion of Assembly Member Yamada; out of respect to the memory of Hon. Dudley Holman, on motion of Assembly Members Yamada and Nielsen; out of respect to the memory of Elizabeth “Liz” Ann Faria, on motion of Assembly Member Bill Berryhill; out of respect to the memory of Tom Mayfield, on motion of Assembly Members Tom Berryhill and Bill Berryhill; out of respect to the memory of Clyde Smith, on motion of Assembly Member Brownley; out of respect to the memory of Patrick Burke O’Sullivan, on motion of Assembly Member Furutani; out of respect to the memory of Steve Van Sickle, on motion of Assembly Members Price and Buchanan; and out of respect to the memory of Private Benjamin B. Tollefson, on motion of Assembly Member Torlakson.

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

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