

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 22, 2009
FIFTEENTH SESSION DAY
FIFTY-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
Thursday, January 22, 2009

The Assembly met at 10:02 a.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 Duvall 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 10:21 a.m., Speaker pro Tempore Saldaña declared a quorum of
the Assembly present.

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

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

PRAYER

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

Lord, The way that leads to You, leads through the knowledge of oneself. Help us, Lord, to see not only our strengths, but also our weaknesses . . . our gifts as well as our shortcomings. When we become aware of our own true state, good and bad, we take the first step toward ourself and You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Chesbro 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 Huber.

On personal business, and waiving per diem: Assembly Members Blumenfield, Buchanan, De La Torre, Evans, Hernandez, Huffman, Portantino, and Smyth.

EXPLANATIONS OF ABSENCE

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

January 21, 2009

Speaker Karen Bass

*Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: Please allow me to be absent from session on January 22, 2009 for legislative purposes. I will be attending an event to increase parents' and students' awareness of Cal Grant programs.

Thank you for your understanding.

Sincerely,

ALYSON L. HUBER, Assembly Member
Tenth District

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

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

REQUEST FOR PHOTOGRAPHER

Assembly Member Anderson was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RECESS

By unanimous consent, at 10:24 a.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Skinner and Furutani introduced Susan Weinberg's 4th grade class from Hillcrest Elementary School in Oakland.

Assembly Member Anderson introduced Hon. Akiva Tor, Israel's Consul General in San Francisco.

RECONVENED

At 10:26 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Members Beall and Chesbro were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Roberts of Galt.

(Assembly Rule 45.5 suspended.)

At 10:29 a.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 Retired Marine Lt. Gen. Victor "Brute" Krulak of San Diego.

(Assembly Rule 45.5 suspended.)

At 10:36 a.m., Speaker pro Tempore Lori Saldaña, 76th District, presiding

ADJOURN IN MEMORY

Assembly Member De León was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roberto Lopez of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Gaines was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raymond "Larry" Reel, Jr. of Cameron Park.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Hill was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lahori Ram of Burlingame.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Knight was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carlene Lampela of Palmdale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lidia A. Saldana of Catalina Island.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Monning was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Reese Green of Monterey.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Harkey was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of her mother, June McGahey, of Surprise, Arizona.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Blakeslee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Amel La Salle of Atascadero.

(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 Michael Leavitt of Santa Monica.

Assembly Member Logue was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George Farris of Susanville.

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 Gloria Aurora Gutierrez Delaney of Pasadena.

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session schedule:

Monday, January 26, 2009, Floor Session, 12 noon;

Tuesday, January 27, 2009, Check-in Session, 7 a.m.–3 p.m.

Wednesday, January 28, 2009, Check-in Session, 7 a.m.–3 p.m.

Thursday, January 29, 2009, Floor Session, 9:30 a.m.

Assembly Member Torrico announced that Assembly Member Nielsen was inducted as a “Valley Great” into the San Joaquin Valley athletes hall of fame.

Speaker pro Tempore Saldaña 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 10:52 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 10:52 a.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. 141—Tran. An act to amend Section 510 of, and to add Section 511.5 to, the Labor Code, relating to employment.

ASSEMBLY BILL NO. 142—Hayashi. An act to amend Section 104113 of the Health and Safety Code, relating to health studios.

ASSEMBLY BILL NO. 143—Jeffries. An act to amend Section 2781 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 144—Ma. An act to amend Section 1465.6 of the Penal Code, and to amend Sections 22511.57 and 42001.13 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 145—De León. An act to add Section 34510.5 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 146—Mendoza. An act to amend Section 60061.5 of the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 147—Saldaña (Coauthors: Block, Chesbro, Huffman, Ma, and Nava). An act to amend Section 25214.10.1 of, and to add Section 25214.10.3 to, the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 148—Coto. An act relating to education.

ASSEMBLY BILL NO. 149—Jeffries. An act to add Section 720 to the Public Resources Code, relating to state government.

ASSEMBLY BILL NO. 150—Smyth. An act to add Section 6398 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Fuentes. Relative to decennial census.

ASSEMBLY JOINT RESOLUTION NO. 1—Blakeslee. Relative to natural catastrophes.

ASSEMBLY JOINT RESOLUTION NO. 2—Caballero (Coauthors: Arambula, Coto, De León, Fuentes, Hernandez, Mendoza, Nava, John A. Pérez, V. Manuel Pérez, Salas, Saldaña, Solorio, and Torres) (Coauthors: Senators Cedillo, Correa, Negrete McLeod, and Oropeza). Relative to Mexican braceros.

INTRODUCTION OF GUESTS

Assembly Member Niello, of the 5th Assembly District, introduced Mrs. Link and her 5th grade students from Stone Lake Elementary School in Elk Grove.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Torrico, the Assembly adjourned until 12 noon, Monday, January 26, 2009, out of respect to the memory of Donald Roberts, on motion of Assembly Members Beall and Chesbro; out of respect to the memory of Retired Marine Lt. Gen. Victor “Brute” Krulak, on motion of Assembly Member Saldaña; out of respect to the memory of Roberto Lopez, on motion of Assembly Member De León; out of respect to the memory of Raymond “Larry” Reel, Jr., on motion of Assembly Member Gaines; out of respect to the memory of Lahori Ram, on motion of Assembly Member Hill; out of respect to the memory of Carlene Lampela, on motion of Assembly Member Knight; out of respect to the memory of Lidia A. Saldana, on motion of Assembly Member Lowenthal; out of respect to the memory of Mary Reese Green, on motion of Assembly Member Monning; out of respect to the memory of June McGahey, on motion of Assembly Member Harkey; out of respect to the memory of Amel La Salle, on motion of Assembly Member Blakeslee; out of respect to the memory of Michael Leavitt, on motion of Assembly Member Brownley; out of respect to the memory of George Farris, on motion of Assembly Member Logue; and out of respect to the memory of Gloria Aurora Gutierrez Delaney, on motion of Assembly Member Portantino.

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

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