

CALIFORNIA LEGISLATURE
2009–10 EIGHTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 9, 2010
TWENTY-THIRD SESSION DAY
FIFTY-NINTH 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, March 9, 2010

The Assembly met at 7 a.m.

Hon. Michael Villines, Assembly Member, 29th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

ROLL CALL

The following were placed upon the morning roll call—74:

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

Quorum present.

At 10:42 a.m., Hon. Chris Norby, 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 Members Bass and Fletcher.

On personal business, and waiving per diem: Assembly Members De La Torre and Tran.

Because of illness: Assembly Member Harkey.

(NOTE: For explanations of absence of Assembly Members Bass and Fletcher 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:

March 8, 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 Assemblymember Bill Monning to replace Assemblymember Kevin de León on the Assembly Natural Resources Committee in the 2009–10 Eighth Extraordinary Session for the Tuesday, March 9 hearing only.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Date of Hearing: March 9, 2010

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 26

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

CABALLERO, Chair

Above bill re-referred to the Committee on Natural Resources.

Committee on Natural Resources

Date of Hearing: March 9, 2010

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 26

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

SKINNER, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Water, Parks and Wildlife

Date of Hearing: March 9, 2010

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 34

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

HUFFMAN, Chair

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

Veto Message—Assembly Bill No. 2

Governor's Office, Sacramento
March 8, 2010

To the Members of the California State Assembly:

I am returning Assembly Bill X8 2 without my signature as it does not actually implement spending reductions and make progress to close our budget gap.

Delaying implementation of the spending reductions I proposed in January will require the Legislature to make even more difficult choices later this year. As the Legislative Analyst has said, "Many of the major expenditure reductions in this budget will require significant lead time for departments to implement. Accordingly, the Legislature and the Governor will need to agree to a framework to solve much of the budget problem by the end of March." The Legislative Analyst goes on to say that "The Governor's trigger cuts . . . are painful and in some cases draconian. Nevertheless, there is no way the Legislature can avoid making some similarly difficult decisions this year."

In addition, this bill contains certain savings assumptions that are unrealistic. When I proposed the deportation of undocumented felons last year, I said I would review each case individually and would not commute the sentence of any undocumented felon that had committed serious or violent crime. Based on this review, my January budget includes only \$19 million in estimated savings from the commutation and deportation of a select number of undocumented felons, not the \$182 million assumed in this legislation. As such, the savings level assumed by this bill will not be achieved.

The longer the Legislature delays action on real reductions, the more difficult the choices become. I encourage the Legislature to return to work in the Extraordinary Session and act on actual spending reductions that will address California's fiscal emergency.

Sincerely,

ARNOLD SCHWARZENEGGER

RECEIPT OF BILLS

I acknowledge receipt this 8th day of March at 5:44 p.m., of Assembly Bill 2 X8 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

SUE L. PARKER
Assistant Chief Clerk of the Assembly

The following message from the Governor was received and ordered printed in the Journal:

Governor’s Message—Assembly Bill No. 7

Governor’s Office, Sacramento

March 8, 2010

To the Members of the California State Assembly:

Assembly Bill X8 7 makes short term changes to the Beverage Container Recycling Program (Program) to help alleviate a portion of the financial burden faced by program participants during the 2009/10 Fiscal Year.

In January, I proposed a reasonable and progressive solution that addressed both the short-term fiscal concerns of the Beverage Container Recycling Fund (Fund) and made programmatic changes to ensure the long Fund’s long-term fiscal sustainability. Unfortunately, this bill does not make the necessary long-term changes to the Program that I recommended and, therefore, the Fund remains vulnerable to further program reductions beginning in the 2010–11 Fiscal Year.

In addition to technical flaws in this bill that need to be addressed, structural changes to the Program are essential before the next fiscal year begins in order to ensure that program participants do not see another loss in funding. I urge the Legislature to work with my Administration expeditiously to enact the long-term solutions I proposed in January.

Sincerely,

ARNOLD SCHWARZENEGGER

MESSAGES FROM THE SENATE

Senate Chamber, March 8, 2010

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

Senate Bill No. 29

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk