

CALIFORNIA LEGISLATURE
2007-08 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 12, 2008
SEVENTEENTH 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
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.

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.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 12, 2008**

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

AB	RN
9	0808378

Daily Total:	1
Cumulative Total:	25

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