

CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 16, 2009
TWENTY-FIRST SESSION DAY
SEVENTY-FIRST 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, March 16, 2009

The Assembly met at 4:11 p.m.
Hon. Lori Saldaña, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Chief Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the afternoon roll call—80:

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

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by guest Chaplain, Rabbi Laurie Coskey:

In this moment of prayer and meditation today we lift up the sacred feminine. We celebrate women from every corner of this state—those who are here and those who toil unrecognized by this honor.

The women honored on this day in this awe inspiring sanctuary, touch the lives of others with gifts of spirit, mind, heart, energy, skill, and commitment. They reach out to create well-being and blessing in their communities, their counties, state, country, and throughout the world. We do so through the work of our hands so this morning let us bless that work through a moment of prayer.

Blessed be the works of your hands,
O Holy One.

Blessed be these hands that have touched life.

Blessed be these hands that have nurtured creativity.

Blessed be these hands that have held pain.

Blessed be these hands that have embraced with passion.

Blessed be these hands that have tended gardens.

Blessed be these hands that have closed in anger.

Blessed be these hands that have planted new seeds.

Blessed be these hands that have harvested ripe fields.

Blessed be these hands that have carried out endless tasks
contributing to communities throughout our state.

Blessed be these hands that are wrinkled and scarred
from doing justice.

Blessed be these hands that have reached out and been received.

Blessed be these hands that hold the promise of the future.

Blessed be the works of your hands.

O Holy One.

Amen, Amen, Halleluyah.

(Adapted from “In Praise of Hands” by Diann Neu)

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.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 9, on request of Assembly Member Torrico.

CAUCUS ANNOUNCEMENTS

At 4:13 p.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 4:13 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 5:20 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 23 (Coto)—An act to amend Sections 1275, 1277.5, 4003, and 4004 of, and to add Sections 1277.1 and 1329.5 to, the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Blakeslee

Assembly Member Blakeslee moved the adoption of amendments.

Amendments read.

Assembly Bill No. 23 Passed Temporarily

By unanimous consent, Assembly Bill No. 23 was passed temporarily.

RECESS

By unanimous consent, at 5:21 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 5:23 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 23 (Coto)—An act to amend Sections 1275, 1277.5, 4003, and 4004 of, and to add Sections 1277.1 and 1329.5 to, the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Assembly Rule 69(b) Suspended

Assembly Member Blakeslee was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Assembly Bill No. 23.

Motion to Amend by Assembly Member Blakeslee

Assembly Member Blakeslee moved the adoption of amendments.
Amendments read.

**Motion to Table Blakeslee Amendments
to Assembly Bill No. 23**

Assembly Member Torrico moved that the amendments offered by Assembly Member Blakeslee to Assembly Bill No. 23 be laid upon the table.

Assembly Member Krekorian seconded the motion.

Motion carried by the following vote:

AYES—49

Ammiano	De León	Huffman	Salas
Arambula	Eng	Jones	Saldaña
Bloch	Feuer	Krekorian	Skinner
Blumenfield	Fong	Lieu	Solorio
Brownley	Fuentes	Lowenthal	Swanson
Buchanan	Furutani	Ma	Torlakson
Caballero	Galgiani	Monning	Torres
Calderon	Gilmore	Nava	Torrico
Carter	Hall	Pérez, J.	Yamada
Chesbro	Hayashi	Pérez, V.M.	Mme. Speaker
Coto	Hernandez	Portantino	
Davis	Hill	Price	
De La Torre	Huber	Ruskin	

NOES—23

Adams	Cook	Jeffries	Silva
Anderson	DeVore	Knight	Smyth
Berryhill, B.	Emmerson	Logue	Strickland
Berryhill, T.	Fletcher	Nestande	Tran
Blakeslee	Gaines	Niello	Villines
Conway	Garrick	Nielsen	

Further Consideration of Assembly Bill No. 23

ASSEMBLY BILL NO. 23 (Coto)—An act to amend Sections 1275, 1277.5, 4003, and 4004 of, and to add Sections 1277.1 and 1329.5 to, the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 5:48 p.m.

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

CAUCUS ANNOUNCEMENTS

At 6:28 p.m., Assembly Member Villines was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 6:28 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 7:01 p.m., the Assembly reconvened.

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

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 23

At 7:04 p.m., on motion of Assembly Member Coto, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 23 refused adoption by the following vote:

AYES—52

Ammiano	De La Torre	Hill	Portantino
Arambula	De León	Huber	Price
Beall	Eng	Huffman	Ruskin
Block	Evans	Jones	Salas
Blumenfield	Feuer	Krekorian	Saldaña
Brownley	Fong	Lieu	Skinner
Buchanan	Fuentes	Lowenthal	Solorio
Caballero	Furutani	Ma	Swanson
Calderon	Galgiani	Mendoza	Torlakson
Carter	Gilmore	Monning	Torres
Chesbro	Hall	Nava	Torrico
Coto	Hayashi	Pérez, J.	Yamada
Davis	Hernandez	Pérez, V.M.	Mme. Speaker

NOES—10

Anderson	Emmerson	Knight	Villines
DeVore	Gaines	Logue	
Duvall	Hagman	Silva	

Assembly Bill No. 23 Reconsidered Immediately

Assembly Member Torrico was granted unanimous consent that the vote be immediately reconsidered whereby the urgency clause to Assembly Bill No. 23 was this day refused adoption.

Assembly Rule 69(b) Suspended

Assembly Member Coto was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Assembly Bill No. 23.

Motion to Amend

Assembly Member Coto moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—54

Ammiano	Coto	Hill	Price
Arambula	De La Torre	Huber	Ruskin
Beall	De León	Huffman	Salas
Berryhill, B.	Eng	Jones	Saldaña
Berryhill, T.	Evans	Krekorian	Skinner
Blakeslee	Feuer	Lieu	Solorio
Block	Fong	Lowenthal	Swanson
Blumenfield	Fuentes	Ma	Torlakson
Brownley	Furutani	Mendoza	Torres
Buchanan	Galgiani	Monning	Torrico
Caballero	Gilmore	Nava	Yamada
Calderon	Hall	Pérez, J.	Mme. Speaker
Carter	Hayashi	Pérez, V.M.	
Chesbro	Hernandez	Portantino	

NOES—12

Anderson	Duvall	Hagman	Logue
Conway	Emmerson	Jeffries	Miller
DeVore	Gaines	Knight	Silva

Bill ordered reprinted.

Consideration of Assembly Bill No. 23, as Amended, by Unanimous Consent

Assembly Member Coto was granted unanimous consent to take up Assembly Bill No. 23, as amended, without reference to file, for purpose of consideration.

ASSEMBLY BILL NO. 23 (Coto)—An act to amend Sections 4003 and 4004 of the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7:47 p.m.

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

SENATE BILL NO. 3 (Ducheny)—An act relating to the Budget Act of 2008.

Bill read third time.

Assembly Rule 69(b) Suspended

Assembly Member Arambula was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 3.

Motion to Amend

Assembly Member Arambula moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

Request to Suspend Assembly Rule 69(d)

Assembly Member Arambula requested unanimous consent to suspend Assembly Rule 69(d) to permit consideration of Senate Bill No. 3.

Consideration of Senate Bill No. 3, as Amended, by Unanimous Consent

Assembly Member Arambula was granted unanimous consent to take up Senate Bill No. 3, as amended, without reference to file, for purpose of consideration.

SENATE BILL NO. 3 (DeSaulnier)—An act to amend Sections 1275 and 1277.5 of, and to add Sections 1277.1 and 1329.5 to, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—53

Ammiano	De La Torre	Huber	Ruskin
Arambula	De León	Huffman	Salas
Beall	Eng	Jones	Saldaña
Blakeslee	Evans	Krekorian	Skinner
Block	Feuer	Lieu	Solorio
Blumenfield	Fong	Lowenthal	Swanson
Brownley	Fuentes	Ma	Torlakson
Buchanan	Furutani	Mendoza	Torres
Caballero	Galgiani	Monning	Torrico
Calderon	Gilmore	Nava	Yamada
Carter	Hall	Pérez, J.	Mme. Speaker
Chesbro	Hayashi	Pérez, V.M.	
Coto	Hernandez	Portantino	
Davis	Hill	Price	

NOES—11

Anderson	Gaines	Knight	Silva
DeVore	Garrick	Logue	Villines
Duvall	Hagman	Miller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 23**

At 7:56 p.m., on motion of Assembly Member Coto, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 23 refused adoption by the following vote:

AYES—53

Ammiano	De La Torre	Huber	Ruskin
Arambula	De León	Huffman	Salas
Beall	Eng	Jones	Saldaña
Blakeslee	Evans	Krekorian	Skinner
Block	Feuer	Lieu	Solorio
Blumenfield	Fong	Lowenthal	Swanson
Brownley	Fuentes	Ma	Torlakson
Buchanan	Furutani	Mendoza	Torres
Caballero	Galgiani	Monning	Torrico
Calderon	Gilmore	Nava	Yamada
Carter	Hall	Pérez, J.	Mme. Speaker
Chesbro	Hayashi	Pérez, V.M.	
Coto	Hernandez	Portantino	
Davis	Hill	Price	

NOES—9

Anderson	Gaines	Logue
DeVore	Garrick	Miller
Duvall	Hagman	Silva

**Motion to Reconsider Assembly Bill No. 23
on Next Legislative Day**

Assembly Member Coto moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 23 was this day refused adoption.

Assembly Bill No. 23 ordered to the unfinished business file.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 23, Torrico Motion to Table Blakeslee Amendments: Anderson—No.

Senate Bill No. 3: Blakeslee—Aye.

ADJOURNMENT

At 8:02 p.m., the Assembly adjourned upon Call of the Speaker.

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 16, 2009**

The following measures were amended in the Assembly on this day:

AB RN
23 0910080

SB RN
3 0910062

Daily Total: 2
Cumulative Total: 59

Amendments were considered by the Assembly, but not adopted, to the following measure:

AB
23 (Blakeslee amendments—Set 1, RN0910082, laid upon the table)

O