

CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 23, 2009
TWENTY-THIRD SESSION DAY
SEVENTY-EIGHTH 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 23, 2009

The Assembly met at 12:35 p.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Chief Clerk Brian Ebbert reading.

ROLL CALL

The roll was called, and the following answered to their names—78:

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

Quorum present.

PRAYER

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

Lord, You have said, “No city or house divided against itself will stand.” (Matthew 12:25) The same holds true for our own life. When we constantly try to hide who we really are, we can’t devote ourselves completely to others, to our work, or to You. Help us to understand, Lord, that it takes less time and less effort to be honest and genuine. Teach us that we cannot hold on to false things with one hand and to You with the other, for if we do, we will enjoy neither those things nor You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Conway 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 Price.

On personal business, and waiving per diem: Assembly Member Davis.

(NOTE: For explanation of absence of Assembly Member Price on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 29—Coto and Garrick. An act to amend Sections 1032.5, 1329, and 1951 of the Unemployment Insurance Code, relating to unemployment insurance.

REFERRAL OF ASSEMBLY BILL NO. 29

Assembly Member Torrico was granted unanimous consent to refer Assembly Bill No. 29 to the Committee on Insurance.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Torrico announced that the Committee on Insurance would meet immediately in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 12:36 p.m., by unanimous consent, the members of the Committee on Insurance were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room and without objection, the House was permitted to continue in Floor session.

RECESS

By unanimous consent, at 12:36 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 12:59 p.m., the Assembly reconvened.

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

REPORTS OF STANDING COMMITTEES**Committee on Insurance**

Date of Hearing: March 23, 2009

Mme. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 29

With the recommendation: Do pass.

COTO, Chair

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Torrico.

Resolved, That Assembly Bill No. 29 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—65

Adams	De La Torre	Hill	Salas
Ammiano	De León	Huber	Saldaña
Anderson	Emmerson	Huffman	Skinner
Arambula	Eng	Krekorian	Smyth
Beall	Evans	Lieu	Solorio
Berryhill, B.	Feuer	Logue	Strickland
Blakeslee	Fletcher	Lowenthal	Swanson
Block	Fong	Ma	Torlakson
Blumenfield	Fuentes	Mendoza	Torres
Brownley	Fuller	Monning	Torrico
Buchanan	Furutani	Nava	Tran
Caballero	Galgiani	Nestande	Villines
Calderon	Gilmore	Niello	Yamada
Carter	Hagman	Pérez, J.	Mme. Speaker
Chesbro	Hall	Pérez, V.M.	
Conway	Hayashi	Portantino	
Coto	Hernandez	Ruskin	

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Assembly Bill No. 29

ASSEMBLY BILL NO. 29—An act to amend Sections 1032.5, 1329, and 1951 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Assembly Bill No. 29
by Unanimous Consent**

Assembly Member Garrick was granted unanimous consent to take up Assembly Bill No. 29 without reference to file, for purpose of consideration.

ASSEMBLY BILL NO. 29 (Coto)—An act to amend Sections 1032.5, 1329, and 1951 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:03 p.m.

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

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
ASSEMBLY BILL NO. 23 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Coto was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Assembly Bill No. 23 was refused adoption.

THIRD READING OF ASSEMBLY BILLS

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.

Motion to Amend

Assembly Member Coto moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**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, 4004, and 4552 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, and adopted by the following vote:

AYES—77

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 29

At 1:12 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 29 passed by the following vote:

AYES—78

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

NOES—None

Bill ordered transmitted to the Senate.

VOTE ADDS

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

Invoke Constitution: Anderson—Aye.

Assembly Bill No. 23 and Urgency: Anderson—Aye.

MOTION TO ADJOURN

At 1:13 p.m., Assembly Member Krekorian moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

MESSAGES FROM THE SENATE

Senate Chamber, March 23, 2009

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 20

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 23, 2009

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 24
Senate Bill No. 27

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 24—An act to amend Section 14005.25 of, and to repeal Section 14011.18 of, the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 27—An act to add Section 116760.45 to the Health and Safety Code, and to amend Sections 10631.5, 13476, and 13480 of the Water Code, relating to drinking water, making an appropriation, therefor, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 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 23, 2009**

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

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23 0910433

Daily Total: 1

Cumulative Total: 60

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