

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sunday, August 17, 2008

**TWO HUNDRED TWENTY-EIGHTH SESSION DAY
SIX HUNDRED TWENTY-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
Sunday, August 17, 2008

The Assembly met at 3:14 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 Villines 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.

CAUCUS ANNOUNCEMENTS

At 3:19 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 3:19 p.m., Speaker pro Tempore Lieber
declared the Assembly recessed.

RECONVENED

At 4:06 p.m., the Assembly reconvened.
Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

Quorum Present

At 4:08 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	Duvall	Jeffries	Plescia
Aghazarian	Dymally	Jones	Portantino
Anderson	Emmerson	Karnette	Price
Arambula	Eng	Keene	Ruskin
Beall	Evans	Krekorian	Salas
Benoit	Feuer	La Malfa	Saldaña
Berg	Fuentes	Laird	Silva
Berryhill	Fuller	Leno	Smyth
Blakeslee	Furutani	Levine	Solorio
Brownley	Gaines	Lieber	Spitzer
Caballero	Galgiani	Lieu	Strickland
Calderon	Garcia	Ma	Swanson
Carter	Garrick	Maze	Tran
Cook	Hancock	Mendoza	Villines
Coto	Hayashi	Mullin	Walters
Davis	Hernandez	Nakanishi	Wolk
De La Torre	Horton	Nava	Mme. Speaker
De León	Houston	Niello	
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Hon. Mark Leno, Assembly Member, District 13:

Creator, For this day with its promise and potential, we thank You. May our part in this day be full of meaning and hope for others. May our efforts and our words be characterized by kindness and give expression to the good will and truth that is within us. May they also be the key which unlocks the good and truth in others.

Baruch atah adonoi, eloheyenu melech ha'olom, sh'hecheyanu, v'Keyamanu v'hegeyanu laz'man hazeh.

Blessed are you, Creator of the Universe, who has given us life, sustained us and brought us to this time and place.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Lieber, Assembly Member Benoit 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 De León, 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:

Because of illness: Assembly Members Runner and Soto.

Due to travel delays: Assembly Member Torrico.

JOINT RULE 62(a) WAIVED

Assembly Member De León was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 31 and Senate Bill No. 27 for hearing in the Committee on Water, Parks and Wildlife on Monday, August 18, 2008.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1678—An act to add Division 21 (commencing with Section 60000) to the Financial Code, relating to debt, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted, bill ordered reprinted and to be returned to the second reading file.

UNFINISHED BUSINESS**CONFERENCE COMMITTEE REPORTS**

ASSEMBLY BILL NO. 1781 (As proposed by the Conference Committee)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Laird.
Report read.

Urgency Clause

Urgency clause read.

Assembly Rule 112 Suspended

Assembly Member Niello was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

Assembly Member Ma was granted unanimous consent that Assembly Rule 112 be suspended to permit her to read a paper on the Floor of the Assembly.

Assembly Member Garcia was granted unanimous consent that Assembly Rule 112 be suspended to permit her to read a paper on the Floor of the Assembly.

Assembly Member Garrick was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

**Further Consideration of Assembly Bill No. 1781
Conference Committee Report**

The roll was opened.

The Conference Committee Report on Assembly Bill No. 1781, which adds an urgency clause, refused adoption by the following vote:

AYES—45

Arambula	Dymally	Karnette	Portantino
Beall	Eng	Krekorian	Price
Berg	Evans	Laird	Ruskin
Brownley	Feuer	Leno	Salas
Caballero	Fuentes	Levine	Saldaña
Calderon	Furutani	Lieber	Solorio
Carter	Galgiani	Lieu	Swanson
Coto	Hancock	Ma	Wolk
Davis	Hayashi	Mendoza	Mme. Speaker
De La Torre	Hernandez	Mullin	
De León	Huffman	Nava	
DeSaulnier	Jones	Núñez	

NOES—30

Adams	Emmerson	Jeffries	Smyth
Anderson	Fuller	Keene	Spitzer
Benoit	Gaines	La Malfa	Strickland
Berryhill	Garcia	Maze	Tran
Blakeslee	Garrick	Nakanishi	Villines
Cook	Horton	Niello	Walters
DeVore	Houston	Plescia	
Duvall	Huff	Silva	

**Conference Committee Report on Assembly Bill No. 1781
Reconsidered Immediately**

Assembly Member De León was granted unanimous consent that the vote be immediately reconsidered whereby the Conference Committee Report on Assembly Bill No. 1781 was this day refused adoption; and that the bill be passed on file, to retain its place on file.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—
Conference Committee Report on Assembly Bill No. 1781**

August 17, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Speaker Bass: Due to extenuating circumstances relating to travel delay beyond my control, I respectfully ask to be excused from the Assembly Session for August 17, 2008.

If I had been present today, I would have cast an affirmative aye on AB 1781.

Thank you for your consideration.

Sincerely,

ALBERTO O. TORRICO, Assembly Member
Twentieth District

ANNOUNCEMENTS

Speaker pro Tempore Lieber announced the following session schedule:

Monday, August 18, 2008, Floor Session, 11 a.m.
Tuesday, August 19, 2008, Floor Session, 9 a.m.
Wednesday, August 20, 2008, Floor Session, 9 a.m.
Thursday, August 21, 2008, Floor Session, 9 a.m.
Friday, August 22, 2008, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Estela Murguia, of Garden Grove.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Geraldine "Gerri" Burns, of Pescadero.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bill No. 110, Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, and Senate Bill No. 1118 were continued until the next legislative day.

MOTION TO ADJOURN

At 8:17 p.m., Assembly Member Benoit moved that the Assembly do now adjourn.

Assembly Member Levine seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 8:18 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 8:18 p.m., pursuant to the motion by Assembly Member Benoit, the Assembly adjourned until 11 a.m., Monday, August 18, 2008, out of respect to the memory of Estela Murguia, on motion of Assembly Member Berg; and out of respect to the memory of Geraldine "Gerri" Burns, on motion of Assembly Member Mullin.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 17, 2008**

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

SB RN

1678 0825608

Daily Total: 1

Cumulative Total: 5675

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