

CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 31, 2009

FIFTY-FIFTH SESSION DAY

TWO HUNDRED THIRTY-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
Monday, August 31, 2009

The Assembly met at 2:06 p.m.

Hon. Karen Bass, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

ROLL CALL

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

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

PRAYER

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

Lord, The Prophet Isaiah said, “And in an instant, suddenly, you shall be visited and delivered by the Lord of hosts.” (Isaiah 29:5–6)

Lord, You can change things immediately. In a split second, You can turn things around. One touch of Your power can heal, or solve a problem, or change our life for the better. Give us the strength, the faith and peace in our hearts today, to wait patiently for You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Hall, Assembly Member John A. Pérez 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 Member was granted leave of absence for the day:

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

REQUEST TO SUSPEND ASSEMBLY RULE 69(b)

Assembly Member Torrico requested unanimous consent to suspend Assembly Rule 69(b) to permit consideration of proposed amendments to Senate Bill No. 18.

Assembly Member Hagman withheld unanimous consent.

Motion to Suspend Assembly Rule 69(b)

Assembly Member Torrico moved that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 18.

Assembly Member Krekorian seconded the motion.

Motion carried by the following vote:

AYES—45

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

NOES—28

Adams	Duvall	Hagman	Niello
Anderson	Emmerson	Harkey	Nielsen
Berryhill, B.	Fletcher	Jeffries	Silva
Blakeslee	Fuller	Knight	Smyth
Conway	Gaines	Logue	Strickland
Cook	Garrick	Miller	Tran
DeVore	Gilmore	Nestande	Villines

Bill read third time.

Motion to Amend by Assembly Member Arambula

Assembly Member Arambula moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—42

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

NOES—30

Adams	DeVore	Hagman	Nielsen
Anderson	Duvall	Harkey	Silva
Berryhill, B.	Emmerson	Jeffries	Smyth
Berryhill, T.	Fletcher	Knight	Strickland
Blakeslee	Fuller	Logue	Tran
Caballero	Gaines	Miller	Villines
Conway	Garrick	Nestande	
Cook	Gilmore	Niello	

Vote Changes

By unanimous consent, the following vote change was permitted on the amendments offered by Assembly Member Arambula to Senate Bill No. 18: Assembly Member Block from “Aye” to “Not Voting”.

REQUEST TO SUSPEND ASSEMBLY RULE 69(d)

Assembly Member Torrico requested unanimous consent to suspend Assembly Rule 69(d) to permit consideration of Senate Bill No. 18.

Assembly Member Hagman withheld unanimous consent.

Motion to Suspend Assembly Rule 69(d)

Assembly Member Torrico moved that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 18.

Assembly Member Krekorian seconded the motion.

Motion for suspension of the rules carried by the following vote:

AYES—46

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

NOES—29

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

SENATE BILL NO. 18 (Ducheny)—An act to amend Sections 14491, 17550.19, and 21653 of the Business and Professions Code, to amend Section 5305 of the Financial Code, to amend Section 421 of the Military and Veterans Code, to amend Sections 154, 155, 337.4, 368, 422.7, 461, 463, 476a, 484b, 484g, 484h, 487, 487b, 487c, 487e, 487f, 487h, 496, 498, 500, 502, 537, 537e, 550, 551, 565, 566, 592, 594.4, 641.3, 2932, 2933, 2933.2, 2933.3, 2933.5, 2933.6, 2934, 2935, 3000, 4019, and 4600 of, to amend and renumber Section 2933.4 of, to add Sections 2933.05 and 3000.03 to, to add Article 2.3 (commencing with Section 3015) to Chapter 8 of Title 1 of Part 3 of, and to add and repeal Chapter 3 (commencing with Section 1228) of Title 8 of Part 2 of, the Penal Code, to amend Sections 14591 and 41955 of the Public Resources Code, to amend Sections 10851.5 and 42002.4 of the Vehicle Code, and to amend Sections 10980 and 15656 of the Welfare and Institutions Code, relating to corrections.

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

Parliamentary Inquiry

Assembly Member Arambula arose to the following parliamentary inquiry:

Is it appropriate to speak to issues not germane to the bill before the Body?

Reply by Speaker Bass

Speaker Bass replied that pursuant to Assembly Rule 10, Mason's Manual, Section 101, debate must be limited to the question before the Body.

Assembly Rule 112 Suspended

Assembly Member Yamada 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 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.

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

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—41

Ammiano	De La Torre	Hernandez	Skinner
Arambula	De León	Hill	Solorio
Beall	Eng	Huffman	Swanson
Blumenfield	Evans	Jones	Torlakson
Brownley	Feuer	Krekorian	Torres
Buchanan	Fong	Lowenthal	Torrico
Calderon	Fuentes	Monning	Yamada
Carter	Furutani	Pérez, J.	Mme. Speaker
Chesbro	Galgiani	Ruskin	
Coto	Hall	Salas	
Davis	Hayashi	Saldaña	

NOES—37

Adams	Duvall	Jeffries	Nielsen
Anderson	Emmerson	Knight	Pérez, V.M.
Berryhill, B.	Fletcher	Lieu	Silva
Berryhill, T.	Fuller	Logue	Smyth
Blakeslee	Gaines	Ma	Strickland
Block	Garrick	Mendoza	Tran
Caballero	Gilmore	Miller	Villines
Conway	Hagman	Nava	
Cook	Harkey	Nestande	
DeVore	Huber	Niello	

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 4:09 p.m., Assistant Speaker pro Tempore Hall declared the Assembly recessed to reconvene Regular Session.

VOTE ADDS

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

Torrico Motion to Suspend the Rules: Mendoza—Aye; Gaines, Logue, Nestande, and Villines—No.

Arambula Motion to Amend Senate Bill No. 18: Buchanan, Mendoza, and Torres—Aye; Caballero, Gaines, Logue, and Villines—No.

Torrico Motion to Suspend the Rules: Gaines and Logue—No.

Senate Bill No. 18: Block and Mendoza—No.

ADJOURNMENT

At 6 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 31, 2009**

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

SB RN

18 0922313

Daily Total: 1

Cumulative Total: 77

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