

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 8, 2008**

**TWO HUNDRED FORTY-FIRST SESSION DAY  
SIX HUNDRED FORTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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, September 8, 2008

The Assembly met at 12:01 p.m.  
Hon. Sally J. Lieber, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Gregory Vellines 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.

#### Quorum Present

At 12:20 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—74:

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

**PRAYER**

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

*Lord, You are the Giver of all that is good, true, and noble. We offer thanks to You for the great gift of liberty and the fruits of freedom that we enjoy today. Guide the work of this Assembly, Lord, and bless its members and staff with wisdom and strength as they contribute to the progress and prosperity of our state. For You are the source of these great blessings and we give glory to You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Feuer 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 personal business, and waiving per diem: Assembly Members Caballero, DeSaulnier, Hernandez, and Plescia.*

*Because of illness: Assembly Member Soto.*

*Due to travel delays: Assembly Member Hancock.*

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Select Committee on Procurement on Friday, September 19, 2008, at 10 a.m.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 5, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 21  
 Assembly Concurrent Resolution No. 145  
 Assembly Joint Resolution No. 21  
 Assembly Joint Resolution No. 37  
 Assembly Joint Resolution No. 39  
 Assembly Joint Resolution No. 42  
 Assembly Joint Resolution No. 57  
 Assembly Joint Resolution No. 65

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 143  
 Assembly Concurrent Resolution No. 144

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 65  
 Assembly Concurrent Resolution No. 120  
 Assembly Concurrent Resolution No. 139  
 Assembly Concurrent Resolution No. 141  
 Assembly Concurrent Resolution No. 149  
 Assembly Concurrent Resolution No. 152  
 Assembly Concurrent Resolution No. 154

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2008, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

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

**SENATE BILL NO. 1072 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2008.

Bill read third time.

**Motion to Amend**

Assembly Member Laird moved the adoption of amendments.

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

**ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced the following session schedule:

Tuesday, September 9, 2008, Floor Session, at 10 a.m.

**ADJOURN IN MEMORY**

Assembly Members Wolk and Evans were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Councilman Matthew T. Garcia, of Fairfield.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Speaker Bass was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jazzmin Davis, of Antioch.

Assembly Members Aghazarian and Galgiani were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard A. Sealy, Jr., of Stockton.

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 Peter Lewis, of Arcata.

Assembly Member Furutani was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Sanford Todd, of Lakewood.

Assembly Member Lieu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gene Drevno, of Torrance.

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

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, and Assembly Constitutional Amendment No. 15 were continued until the next legislative day.

**CAUCUS ANNOUNCEMENTS**

Speaker pro Tempore Lieber announced that the Democratic Caucus would meet in the Assembly Lounge and the Republican Caucus would meet in the Tom Bane Rules Committee Room, upon adjournment of Floor session.

**MOTION TO ADJOURN**

At 12:34 p.m., Assembly Member Torrico moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:35 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Torrico the Assembly adjourned until 10 a.m., Tuesday, September 9, 2008, out of respect to the memory of Councilman Matthew T. Garcia, on motion of Assembly Members Wolk and Evans; out of respect to the memory of Jazzmin Davis, on motion of Speaker Bass; out of respect to the memory of Richard A. Sealy, Jr., on motion of Assembly Members Aghazarian and Galgiani; out of respect to the memory of Peter Lewis, on motion of Assembly Member Berg; out of respect to the memory of John Sanford Todd, on motion of Assembly Member Furutani; and out of respect to the memory of Gene Drevno, on motion of Assembly Member Lieu.

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KAREN BASS, Speaker

TRESHA PETIT-PHAR, Assistant Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON SEPTEMBER 8, 2008**

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

<b>SB</b>	<b>RN</b>	
1072	0827651	
<b>Daily Total:</b>		<b>1</b>
<b>Cumulative Total:</b>		<b>5760</b>

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