

CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 9, 2009

SIXTIETH SESSION DAY

TWO HUNDRED FORTY-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 Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 9, 2009

The Assembly met at 9:39 a.m.

Hon. Lori Saldaña, Speaker pro Tempore 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—79:

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

Quorum present.

(*NOTE: For resignation of Assembly Member Duvall effective later this day, see Regular Session Assembly Journal for September 10, 2009. Journal page ____.)

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Majority Leader, Alberto Torrico, Twentieth Assembly District:

Let us pray.

God, We ask You this morning and the remainder of this week to grant us the wisdom to begin and to finalize our work in addressing the vast challenges before this great state of ours. We ask that You grant us the humility to seek Your will, as we try to find solutions that are good for all of California, not for any particular individual or group. Lord, we ask that You grant us the courage that You gave David as he faced Goliath because the challenges we face here in California are similar to that giant. Water, energy, and other impediments to progress, Lord, we ask that You remove them from the path and most of all, Lord, we ask You that You give us patience, and that You give us the strength to work through today and the rest of this week. In Your name, we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Speaker Bass 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 Hagman.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 9, 2009

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed the following membership to the Assembly Public Safety Committee for the 2009–10 Third Extraordinary Session:

Assemblymember Tom Ammiano, Chair
Assemblymember Curt Hagman, Vice Chair
Assemblymember Juan Arambula
Assemblymember Warren Furutani
Assemblymember Danny Gilmore
Assemblymember Jerry Hill
Assemblymember Fiona Ma

Sincerely,

KAREN BASS
Speaker of the Assembly

September 9, 2009

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Connie Conway to replace Assemblymember Jim Nielsen as Vice Chair of the Assembly Appropriations Committee for the 2009–10 Third Extraordinary Session. Assemblymember Nielsen will remain a member of the committee. Assemblymember Mike Duvall has been removed from the committee.

Sincerely,

KAREN BASS
Speaker of the Assembly

September 9, 2009

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Nathan Fletcher to replace Assemblymember Mike Duvall as Vice Chair of the Assembly Utilities and Commerce Committee for the 2009–10 Third Extraordinary Session.

Sincerely,

KAREN BASS
Speaker of the Assembly

September 9, 2009

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have established the Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee for the 2009–10 Third Extraordinary Session and I have appointed the following membership:

Assemblymember Mike Davis, Chair
Assemblymember Jim Silva, Vice Chair
Assemblymember Bob Blumenfield
Assemblymember Charles Calderon
Assemblymember Kevin de León
Assemblymember Ted Gaines
Assemblymember Ed Hernandez
Assemblymember Paul Krekorian
Assemblymember Audra Strickland

Sincerely,

KAREN BASS
Speaker of the Assembly

September 9, 2009

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Cameron Smyth to replace Assemblymember Nathan Fletcher as the Vice Chair of the Assembly Utilities and Commerce Committee for the 2009–10 Third Extraordinary Session. Assemblymember Fletcher will remain a member of the committee.

Sincerely,

KAREN BASS
 Speaker of the Assembly

MESSAGES FROM THE SENATE

September 9, 2009

The Honorable E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returned Senate Bills Nos. 12 and 13 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
 Secretary of the Senate

Above bills ordered held at Desk.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 81—Hall (Principal coauthor: Lieu) (Principal coauthor: Senator Price) (Coauthors: Adams, Bill Berryhill, Tom Berryhill, Charles Calderon, Conway, Cook, Davis, Emmerson, Galgiani, Hagman, Harkey, Hernandez, Logue, Mendoza, Miller, Nestande, Silva, Smyth, Solorio, and Torrico) (Coauthors: Senators Calderon, Dutton, and Wright). An act to add Section 65701 to the Government Code, relating to land use.

ASSEMBLY BILL NO. 82—Blakeslee and Solorio (Coauthors: Adams, Conway, Fletcher, Garrick, Gilmore, Hagman, Portantino, and Villines) (Coauthors: Senators Denham and Walters). An act to amend Section 7074.2 of the Government Code, and to amend Section 26003 of, and to add Section 26011.7 to, the Public Resources Code, relating to economic development.

REFERENCE OF BILLS

Assembly Member Torrico was granted unanimous consent that the following bill be referred as noted:

Assembly Bill No. 81 to the Committees on Arts, Entertainment, Sports, Tourism, and Internet Media and Appropriations.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Torrico announced that the following committees would meet as noted:

Arts, Entertainment, Sports, Tourism, and Internet Media—6:15 p.m., in Room 447;

Appropriations—6:45 p.m., in Room 444.

REPORTS OF STANDING COMMITTEES

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: September 9, 2009

Mme. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 81

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

DAVIS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: September 9, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 81

With the recommendation: Do pass.

DE LEÓN, Chair

Above bill ordered to second reading.

RECESS

By unanimous consent, at 5:41 p.m., Assistant Speaker pro Tempore Hall declared the Assembly recessed.

RECONVENED

At 8:39 p.m., the Assembly reconvened.

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

REQUEST TO RESCIND ACTIONS ON SENATE BILL NO. 12

Assembly Member Torrico requested unanimous consent to rescind the action whereby the Assembly, on February 14, 2009 passed Senate Bill No. 12, and whereby the bill was ordered transmitted to the Senate.

Assembly Member Hagman withheld unanimous consent.

ACTION RESCINDED ON SENATE BILL NO. 13

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, on February 14, 2009 (Assembly Journal, page 83), adopted the urgency clause and passed Senate Bill No. 13, and whereby the bill was ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

Assembly Member Torrico was granted unanimous consent that the following bill be re-referred as noted:

Senate Bill No. 13 to the Committees on Public Safety and Appropriations.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Torrico announced that the Committee on Appropriations would meet on Thursday, September 10, 2009, upon Call of the Chair, in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 8:45 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to reconvene Regular Session.

ADJOURNMENT

At 10 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

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