

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, October 30, 2009

ONE HUNDRED TWENTY-SIXTH SESSION DAY

THREE HUNDRED THIRTY-FOURTH 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, October 30, 2009

The Assembly met at 6:30 a.m.

Hon. Martin Garrick, Assembly Member, 74th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

ROLL CALL

The following were placed upon the morning roll call—46:

Adams	Davis	Hayashi	Pérez, John
Anderson	De La Torre	Hernandez	Salas
Beall	DeVore	Huber	Silva
Berryhill, Bill	Emmerson	Huffman	Skinner
Block	Eng	Knight	Solorio
Blumenfield	Feuer	Logue	Strickland
Bradford	Fong	Ma	Swanson
Buchanan	Fuentes	Miller	Torrico
Carter	Galgiani	Monning	Tran
Chesbro	Garrick	Nestande	Yamada
Cook	Gilmore	Niello	
Coto	Hagman	Nielsen	

Quorum present.

At 3:38 p.m., Hon. Dan Logue, 3rd District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

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 Members Ammiano, Arambula, Bass, Blakeslee, Brownley, Caballero, Calderon, De León, Evans, Fletcher, Fuller, Furutani, Hill, Krekorian, Lowenthal, Mendoza, Nava, Portantino, Ruskin, Saldaña, Smyth, Torres, and Villines.

On legislative business, and waiving per diem: Assembly Members Gaines and Lieu.

On legislative business, per diem waived for the 2009–2010 Session (See Assembly Journal, pages 59 and 78): Assembly Member Jones.

On personal business, and waiving per diem: Assembly Members Conway, Hall, Harkey, Jeffries, V. Manuel Pérez, and Torlakson.

Because of illness: Assembly Member Tom Berryhill.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

October 28, 2009

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I write to request permission to be excused from Check-In Session on Friday, October 30, 2009.

I have urgent matters to attend to in my district. Further, with the current closure of the Bay Bridge, my travel back and forth is particularly difficult.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or my Chief of Staff, Tara Mesick, at (916) 319-2013.

Sincerely,

TOM AMMIANO, Assembly Member
Thirteenth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I would like to respectfully request to be excused from Assembly Check-In Session on Friday, October 30, 2009 due to a speaking commitment in my District.

Thank you for your attention to this matter. If you have any questions, please feel free to contact Jalene Molina at (916) 319-2031.

Sincerely,

JUAN ARAMBULA, Assembly Member
Thirty-first District

October 29, 2009

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

Dear Dotson: This is to advise you that I will not be in attendance for Check-in Session on Friday, October 30, 2009 due to legislative business.

Sincerely,

KAREN BASS
Speaker of the Assembly

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker,

This letter is to respectfully request an excuse from check-in session on Friday, October 30, 2009 due to legislative business. I have a speaking engagement.

If you have any questions, please feel free to contact Karrie Watson at 319-2033.

Sincerely,

SAM BLAKESLEE, Assembly Member
Thirty-third District

October 29, 2009

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

Dear Speaker Bass: This note is to request that I be excused from check-in session on October 30, 2009, for legislative business in my district. I have a speaking engagement that I committed to some time ago that would be an embarrassment to cancel at such a late date.

I respectfully request to be excused from session on October 30, 2009.

Sincerely,

JULIA BROWNLEY, Assembly Member
Forty-first District

October 28, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I, respectfully, request to be excused from Check-in Session on Friday, October 30, 2009, due to legislative business in my district.

Please feel free to contact my chief of staff, Willie Armstrong, at (916) 319-2028, should you have any questions regarding this request.

Sincerely,

ANNA M. CABALLERO, Assembly Member
Twenty-eighth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I respectfully request to be excused from check-in session on Friday, October 30, 2009 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHARLES M. CALDERON, Assembly Member
Fifty-eighth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from check-in session on Friday, October 30, 2009. I will be in my district on legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2045.

Sincerely,

KEVIN DE LEÓN, Assembly Member
Forty-fifth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I request to be excused from Session on Friday, October 30, 2009 for legislative business. Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member
Seventh District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Office 219*

Speaker Bass: I respectfully request an excuse from session check-in on Friday, October 30, 2009, due to legislative business in my district. If there are any questions regarding this request please contact my Capitol Office at (916) 319-2075.

Thank you for your prompt attention to this request.

Sincerely,

NATHAN FLETCHER, Assembly Member
Seventy-fifth District

October 28, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Speaker Bass,

Please consider this correspondence a formal request to be excused, due to legislative business in my District, from check in session on Friday, October 30, 2009.

Should you have any further questions, please contact Madeline Hoe in my Capitol office at (916) 319-2032.

Thank you for your consideration in this matter.

Sincerely,

JEAN FULLER, Assembly Member
Thirty-second District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I respectfully request permission to be excused from Check-in Session on Friday, October 30, 2009, in order that I may speak at the California Legislative Latino Caucus Green Jobs Summit in Los Angeles.

Thank you for your consideration of this request.

Sincerely,

WARREN T. FURUTANI, Assembly Member
Fifty-fifth District

October 30, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I respectfully request to be excused from Check-In Session today, October 30, 2009, due to legislative business in my district.

I am also requesting that my per diem be waived for the day.

Thank you for your consideration of this request.

Sincerely,

TED GAINES, Assembly Member
Fourth District

October 29, 2009

*Assembly Speaker Karen Bass
State Capitol, Room 219
Sacramento, California*

Speaker Bass,

Please excuse me from Check-In Session on Friday, October 30, 2009. I will be conducting legislative business in my district.

Thank you,

JERRY HILL, Assembly Member
Nineteenth District

October 30, 2009

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request permission to be excused from Check-in on Friday, October 30, 2009, on legislative business.

Thank you for your assistance. Please contact Janice Rocco or Erica Myers, of my staff if you have any questions.

Sincerely,

DAVE JONES, Assembly Member
Ninth District

October 29, 2009

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I am requesting an excused absence from check-in session Friday, October 30, 2009. I have a district office commitment that I must attend. I greatly appreciate your understanding.

If you have any questions or concerns please contact Veronica Ortiz-Torres in my Capitol Office at 916-319-2043.

Sincerely,

PAUL KREKORIAN, Assembly Member
Forty-third District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I respectfully request permission to be excused from check-in session on Friday, October 30, 2009 for legislative business and waive per diem.

If you have any questions regarding this request, please contact Sheri Pemberton at 319-2053.

Sincerely,

TED W. LIEU, Assembly Member
Fifty-third District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request permission to be excused from Check-in on Friday, October 30, 2009, for legislative business in my district.

Thank you for your consideration of my request. Should you have any questions please contact my office.

Sincerely,

BONNIE LOWENTHAL, Assembly Member
Fifty-fourth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I am respectfully requesting permission to be excused from Check-In Session tomorrow October 30, 2009 for a district event.

I want to thank you in advance for your consideration of this request.

Sincerely,

TONY MENDOZA, Assembly Member
Fifty-sixth District

October 29, 2009

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from Check in Session on October 30, 2009 in order to attend events in my district. Please contact Jenna von Esmarch in my Capitol Office with any questions or concerns. Thank you for your consideration of this request.

Sincerely,

PEDRO NAVA, Assembly Member
Thirty-fifth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from Legislative Check in Session on Friday, October 30, 2009 to District meetings.

Thank you for your consideration of this request.

Sincerely,

ANTHONY J. PORTANTINO, Assembly Member
Forty-fourth District

October 30, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I respectfully request to be excused from Session on Friday, October 30, 2009 for legislative business in my district. Thank you for your assistance on this matter.

Respectfully,

IRA RUSKIN, Assembly Member
Twenty-first District

October 30, 2009

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: This letter is to request that I be excused from Check-In Session on Friday, October 30, 2009, due to legislative business in my district.

Should you have any questions, please do not hesitate to contact me, or Lucy Krohn of my staff, at 319-2076.

Thank you.

Sincerely,

LORI SALDAÑA, Assembly Member
Seventy-sixth District

October 29, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: Please excuse me from check-in session on Friday, October 30, 2009, due to legislative business in my district.

Should you have any questions, please contact Donda Scholl in my office at 319-2038.

Thank you for your attention to this matter.

Sincerely,

CAMERON M. SMYTH, Assembly Member
Thirty-eighth District

October 29, 2009

*Assembly Speaker Karen Bass
California State Assembly
State Capitol
Sacramento, California*

Dear Speaker Bass: Your consideration is respectfully requested to be excused from Check-In Session on October 30, 2009 on legislative business.

Thank you for your consideration.

Sincerely,

NORMA J. TORRES, Assembly Member
Sixty-first District

October 29, 2009

*Hon. Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from check-in Session on October 30, 2009 for legislative business outside the Capitol. Your consideration of this request is greatly appreciated. If you have any questions please do not hesitate to contact me.

Most Sincerely,

MICHAEL N. VILLINES, Assembly Member
Twenty-ninth District

COMMUNICATIONS

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

Per Diem

October 30, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to waive per diem for Friday, October 30, 2009. Thank you for your prompt attention to this matter.

Should you have any questions regarding this request, please contact Bernice Jimenez in my Capitol office at 319-2063.

Sincerely,

BILL EMMERSON, Assembly Member
Sixty-third District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, October 27, 2009

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

Assembly Bill No. 317

Assembly Bill No. 558

Assembly Bill No. 639

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, October 27, 2009

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

Assembly Bill No. 188

And reports the same correctly enrolled, and presented to the Governor on the 27th day of October, 2009, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, October 29, 2009

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

Assembly Bill No. 187

Assembly Bill No. 1009

Assembly Bill No. 813

Assembly Bill No. 1575

And reports the same correctly enrolled, and presented to the Governor on the 29th day of October, 2009, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Select Committee on Improving State Government, to hold a joint hearing with the Senate on Thursday, November 12, 2009, at 2 p.m.; and

Select Committee on 9-1-1 Service, to hold an informational hearing on Thursday, November 12, 2009, at 1:30 p.m., in Room 127.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 28—Villines. Relative to health care coverage.

CONSIDERATION OF DAILY FILE

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 68, ordered to third reading.

ADJOURNMENT

At 4 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

ALBERTO TORRICO, Majority Floor Leader

SUE PARKER, Assistant Chief Clerk