

CALIFORNIA LEGISLATURE  
2007-08 FOURTH EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, November 25, 2008**  
**THIRD SESSION DAY**  
**TWENTIETH 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  
Tuesday, November 25, 2008

The Assembly met at 3:54 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, and the following answered to their names—74:

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

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

*O Eternal and Dependable God,* In this season of thanksgiving we bow our heads in gratefulness for your continued showers of blessings. We thank You for the times of sowing and reaping, color and fragrance, and the ability to reap the benefit from what has been truly toiled for.

Today, bless our lawmakers, and give each of them a deep sense of gratitude and thankfulness for your opened doors, and opportunities to make a difference in the lives of our citizens. As they continue to deliberate today give them hope against hopelessness, fortitude in the sight of failure, and determination against all odds. Help them, O God, to surpass all supposed expectations. We do lean on You and trust in You, and it is in your bountiful Name we pray—AMEN!

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Lieber, Assembly Member Dymally 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 Benoit.

**At 3:55 p.m., Speaker Karen Bass, 47th District, presiding**

**FIRST READING OF ASSEMBLY BILLS**

The following bills were read the first time:

**ASSEMBLY BILL NO. 5—Plescia.** An act to add and repeal Sections 8880.4.1, 8880.63.1, and 8880.64.1 of the Government Code, relating to the California State Lottery, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 6—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 7—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 8—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 9—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 10—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 11—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 12—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 13—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 14—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 15—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 16—Laird.** An act relating to the Budget Act of 2008.

**ASSEMBLY BILL NO. 17—Laird.** An act relating to the Budget Act of 2008.

**CONSIDERATION OF ASSEMBLY BILL NO. 7  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 7 without reference to committee or print for the purpose of considering amendments, and that the same be considered engrossed.

**ASSEMBLY BILL NO. 7**—An act relating to the Budget Act of 2008.

Bill read second time; amendments read and adopted; bill ordered reprinted.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Laird.

*Resolved*, That Assembly Bill No. 7 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**CONSIDERATION OF ASSEMBLY BILL NO. 7  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 7 without reference to file for the purpose of consideration.

**ASSEMBLY BILL NO. 7 (Laird)**—An act to amend Items 3910-004-0226, 3910-004-0281, and 3910-007-0387 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), and to amend Items 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0690-102-0001, 0690-102-0597, 0690-113-0001, 1870-012-0214, 2640-101-0046, 2740-001-0044, 2740-001-0064, 3790-001-0001, 3790-001-6051, 4300-101-0001, 5180-111-0001, 5225-101-0001, 6440-001-0001, 6600-001-0001, 6610-001-0001, 6610-002-0001, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9100-101-0001, 9210-101-0001, and 9210-105-0001 of, to add Item 0250-012-0159 to, and to repeal Item 0690-102-0214 of, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to add Section 3.90 to the Budget Act of 2008, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Torrico moved a call of the Assembly.

Motion carried. Time, 4:24 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF ASSEMBLY BILL NO. 6  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 6 without reference to committee or print for the purpose of considering amendments and that the same be considered engrossed.

**ASSEMBLY BILL NO. 6**—An act relating to the Budget Act of 2008.

Bill read second time; amendments read and adopted; bill ordered reprinted.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Laird.

*Resolved*, That Assembly Bill No. 6 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**CONSIDERATION OF ASSEMBLY BILL NO. 6  
WITHOUT REFERENCE TO FILE**

Assembly Member Laird was granted unanimous consent to take up Assembly Bill No. 6 without reference to file for the purpose of consideration.

**ASSEMBLY BILL NO. 6 (Laird)**—An act to amend Sections 10752, 10752.1, 17041, 17062, and 17077 of, and to add Section 17054.8 to, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read.

**At 4:54 p.m., Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**Request for Use of Visual Aids**

Assembly Member Villines was granted unanimous consent to use visual aids on the Floor to assist in debate.

The roll was opened.

The urgency clause to Assembly Bill No. 6 refused adoption by the following vote:

**AYES—41**

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

**NOES—31**

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 7**

At 5:17 p.m., on motion of Assembly Member Torrico, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 7 refused adoption by the following vote:

**AYES—41**

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

**NOES—30**

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

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following item:

**Assembly Bill No. 7 and Urgency:** Núñez—Aye.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 18—Charles Calderon.** An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 19—Price (Principal coauthor: Senator Ridley-Thomas).** An act relating to elections, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 5:17 p.m., the Assembly adjourned upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk



**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON NOVEMBER 25, 2008**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>	
6	0829896	
7	0829895	
<b>Daily Total:</b>		<b>2</b>
<b>Cumulative Total:</b>		<b>2</b>

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