

CALIFORNIA LEGISLATURE
2009–10 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, December 16, 2008

SECOND SESSION DAY

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
Sue Parker, Minute Clerk: Phone 319-2360)

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1x-JUNE (1-5)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, December 16, 2008

The Assembly met at 3:39 p.m.

Hon. Lori Saldaña, 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—78:

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

PRAYER

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

Lord, It is hard to remember what Christmas presents we received in 2001 or what the family dinner was like in 1998. But this holiday season can be remembered for the love, joy and peace that was shared by our family and friends. Lord, help us to make this year unique for the things that matter. For the fruit of the Spirit is love, joy, peace, kindness, goodness, faithfulness, gentleness and self-control, against such there is no law (Galatians 5:22-23).—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, 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 Villines.

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 Member Smyth.

Because of illness: Assembly Member Cook.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Evans.

Resolved, That Senate Bills Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 present cases 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 bills be read on three separate days in each house is hereby dispensed with, and is ordered that the bills be placed upon their passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—71

Adams	De León	Hernandez	Pérez, J.
Ammiano	DeVore	Hill	Pérez, V.M.
Anderson	Duvall	Huber	Portantino
Arambula	Emmerson	Huffman	Price
Beall	Eng	Jones	Ruskin
Berryhill, B.	Evans	Knight	Salas
Berryhill, T.	Feuer	Krekorian	Saldaña
Blakeslee	Fletcher	Lieu	Silva
Block	Fong	Logue	Skinner
Blumenfield	Fuller	Lowenthal	Solorio
Brownley	Furutani	Ma	Swanson
Buchanan	Galgiani	Mendoza	Torlakson
Caballero	Garrick	Miller	Torres
Carter	Gilmore	Monning	Torrico
Chesbro	Hagman	Nava	Tran
Conway	Hall	Nestande	Yamada
Davis	Harkey	Niello	Mme. Speaker
De La Torre	Hayashi	Nielsen	

NOES—None

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

RECESS

By unanimous consent, at 4:12 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Coto introduced Hon. Henry T. Perea, Fresno City Council Member.

Assembly Member Adams introduced Consul General Gao Zhansheng of China.

RECONVENED

At 4:14 p.m., the Assembly reconvened.

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

**CONSIDERATION OF SENATE BILL NO. 12
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 12 without reference to committee or file, for purpose of amendment.

SENATE BILL NO. 12—An act relating to the Budget Act of 2008.

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

**CONSIDERATION OF SENATE BILL NO. 12
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 12 without reference to file, for purpose of consideration.

SENATE BILL NO. 12 (Ducheny)—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, 3480-001-0001, 3480-001-3046, 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, and presented by Assembly Member Evans.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 4:52 p.m.

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

**CONSIDERATION OF SENATE BILL NO. 1
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 1 without reference to committee or file, for purpose of amendment.

SENATE BILL NO. 1—An act relating to the Budget Act of 2008.

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

**CONSIDERATION OF SENATE BILL NO. 1
BY UNANIMOUS CONSENT**

Assembly Member Evans was granted unanimous consent to take up Senate Bill No. 1 without reference to file, for purpose of consideration.

SENATE BILL NO. 1 (Ducheny)—An act to add Sections 6051.7 and 6201.7 to, to add Chapter 5.8 (commencing with Section 32231) to Part 14 of, and to add Part 21 (commencing with Section 42001) to, Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:12 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 12**

At 10:39 p.m., on motion of Assembly Member Evans, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 12 refused adoption by the following vote:

AYES—None

NOES—26

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1**

At 10:41 p.m., on motion of Assembly Member Evans, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1 refused passage by the following vote:

AYES—1

Price

NOES—27

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

VOTE ADDS

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

Resolution to Invoke Constitution: Beall, Hayashi, and Lieu—Aye.

ADJOURNMENT

At 10:43 p.m., the Assembly adjourned upon Call of the Speaker.

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON DECEMBER 16, 2008**

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

SB RN

1 0900850

12 0900759

Daily Total: 2

Cumulative Total: 2

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