

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 6, 2009**  
**TWENTY-FOURTH SESSION DAY**  
**SIXTY-EIGHTH 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  
Friday, February 6, 2009

The Assembly met at 6:30 a.m.

Hon. Bonnie Lowenthal, Assembly Member, 54th District,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—60:

Adams	De La Torre	Hayashi	Pérez, John
Ammiano	De León	Hill	Pérez, V. Manuel
Anderson	Duvall	Huber	Portantino
Arambula	Emmerson	Huffman	Ruskin
Berryhill, Bill	Fletcher	Jeffries	Salas
Block	Fong	Jones	Saldaña
Blumenfield	Fuentes	Logue	Silva
Brownley	Fuller	Lowenthal	Smyth
Buchanan	Furutani	Ma	Strickland
Caballero	Gaines	Mendoza	Swanson
Carter	Galgiani	Miller	Torlakson
Chesbro	Garrick	Monning	Tran
Conway	Gilmore	Nava	Villines
Coto	Hall	Niello	Yamada
Davis	Harkey	Nielsen	Mme. Speaker

Quorum present.

**At 9:30 a.m., Hon. Jared Huffman, 6th 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 Calderon, Cook, DeVore, Evans, Feuer, Hagman, Hernandez, Knight, Krekorian, Lieu, Nestande, Price, Skinner, Solorio, and Torres.*

*On personal business, and waiving per diem: Assembly Members Blakeslee, Eng, and Torrico.*

*Because of illness: Assembly Member Tom Berryhill.*

*Because of illness in his family: Assembly Member Beall.*

**EXPLANATIONS OF ABSENCE**

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

February 3, 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 session on Friday, February 6, 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

February 3, 2009

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

Dear Speaker Bass: I am respectfully requesting permission to miss check-in on Friday, February 6, 2009, due to legislative business.

I appreciate your consideration of this matter. If you have any questions, please contact Sam Cannon at (916) 319-2065. Thank you in advance for considering this request.

Sincerely,

PAUL COOK, Assembly Member  
Sixty-fifth District

February 4, 2009

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

Dear Speaker Bass: I am writing to request your approval to be excused from check-in session on Friday, February 6, 2009 on legislative business. Thank you for your consideration on this matter.

If you have any questions, please do not hesitate to contact my Chief of Staff Leisa Brug Kline at (949) 863-7070.

All the best,

CHUCK DE VORE, Assembly Member  
Seventieth District

February 2, 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, February 6, 2009 for legislative business.

Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member  
Seventh District

February 6, 2009

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

Dear Mme. Speaker: I would like to request permission to be excused from Check-in Session on Friday, February 6, 2009. I have district business to attend to.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at (916) 319-2042.

Sincerely,

MIKE FEUER, Assembly Member  
Forty-second District

January 5, 2009

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

Dear Mme. Speaker: I respectfully request to be excused from Session Friday, February 6, 2009 due to legislative business in my district office.

If you have any questions, please contact Lyndsay Roberts in my office at 916-319-2060. Thank you for your consideration of this request.

Sincerely,

CURT HAGMAN, Assembly Member  
Sixtieth District

February 3, 2009

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

Dear Speaker Bass: I am writing to respectfully request permission to be excused from Session on Friday, February 6, 2009. I will be attending to legislative business, in my district.

If you have any questions, please do not hesitate to contact Maria Lerma in my Capitol Office at (916) 319-2057. Your consideration of this request is greatly appreciated.

Sincerely,

ED HERNANDEZ, O.D., Assembly Member  
Fifty-seventh District

February 2, 2009

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

Dear Mme. Speaker,

On the morning of Friday, February 6, I respectfully request an excused absence so I may attend to legislative business in my district.

Thank you for your consideration.

Sincerely,

STEVE KNIGHT, Assembly Member  
Thirty-sixth District

February 2, 2009

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

Dear Mme. Speaker Bass: I am requesting an excused absence from session Friday, February 6, 2009, on legislative business. 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

February 4, 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 Friday, February 6, 2009 due to legislative business. If you have any questions or concerns, please contact Jeanette Garcia in my office at 319-2069.

Sincerely,

TED W. LIEU, Assembly Member  
Fifty-third District

January 20, 2009

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

Dear Mme. Speaker,

This letter is to respectfully request an excuse from session on Friday, February 6, 2009. I will be in my district on legislative business.

If you have any questions, please call me at (916) 319-2064.

Thank you for your prompt attention.

Sincerely,

BRIAN NESTANDE, Assembly Member  
Sixty-fourth District

January 21, 2009

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

Dear Mme. Speaker: I would like to request to be excused from Check-in Session, Friday, February 6, 2009 on legislative business.

Thank you for consideration.

Respectfully,

CURREN D. PRICE, JR., Assembly Member  
Fifty-first District

February 5, 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 Session on Friday, February 6, 2009 for legislative business.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

NANCY SKINNER, Assembly Member  
Fourteenth District

January 28, 2009

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

Dear Speaker Bass: I respectfully ask permission to be excused from session on Friday, February 6, 2009 due to previously scheduled legislative business in my district. If you have any questions or concerns, please contact Sharlene Carus in my office at 319-2069.

Sincerely,

JOSE SOLORIO, Assembly Member  
Sixty-ninth District

January 30, 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 Friday, February 6, 2009 to conduct legislative business in my district office.

Thank you for your consideration.

Sincerely,

NORMA J. TORRES, Assembly Member  
Sixty-first District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 6, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 83

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 6, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
House Resolution No. 5

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 235—Hayashi.** An act to amend Section 1317.1 of, and to add Section 1317.4a to, the Health and Safety Code, relating to emergency services.

**ASSEMBLY BILL NO. 236—Swanson.** An act to repeal Chapter 4 (commencing with Section 2067) of Part 8.5 of Division 2 of the Labor Code, relating to car washes.

**ASSEMBLY BILL NO. 237—Carter.** An act to amend Section 2810 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 238—Adams.** An act to amend Section 399.11 of the Public Utilities Code, relating to energy.

**ASSEMBLY BILL NO. 239—Brownley.** An act to amend Sections 44253.3, 44325, 44326, 44328, 44398, 44399, and 44830.3 of, and to repeal Sections 44329 and 44329.5 of, the Education Code, relating to teacher credentialing.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9—Huffman (Coauthors: Portantino, Salas, and Torlakson) (Coauthor: Senator Hancock).** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1 and 4 of Article XIII A thereof, by amending Section 2 of Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to local government finance.

#### RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 21—Yamada and Furutani (Coauthor: Torrico).** Relative to a Day of Remembrance.

**ASSEMBLY JOINT RESOLUTION NO. 5—Harkey.** Relative to Guantanamo Bay detainees.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned upon Call of the Speaker.

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KAREN BASS, Speaker

AMY LEACH, History Clerk