

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 9, 2010

ONE HUNDRED FIFTY-FIRST SESSION DAY

FOUR HUNDRED THIRTY-SIXTH 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
Tuesday, February 9, 2010

The Assembly met at 7 a.m.

Hon. Alberto Torrico, Assembly Member, 20th 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—72:

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

Quorum present.

At 2:49 p.m., Hon. Danny D. Gilmore, 30th 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 Tom Berryhill, Fletcher, Fuller, Salas, Tran, and Villines.

Because of illness: Assembly Member Carter.

EXPLANATIONS OF ABSENCE

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

February 8, 2010

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

Dear Speaker Bass,

I respectfully request your permission to be excused from Check In Session on Tuesday, February 9, 2010, as I will be in my district for legislative business.

Please contact my office with any questions. Thank you in advance for your consideration of my request.

Sincerely,

TOM BERRYHILL, Assembly Member
Twenty-fifth District

February 9, 2010

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

Speaker Bass: I respectfully request an excuse from session check-in on Tuesday, February 9 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

February 8, 2010

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

Mme. Speaker,

Please excuse me from Check-in Session on Tuesday, February 9, 2010, as I will be attending to legislative business in the greater 32nd Assembly District area.

Thank you for your consideration in this matter.

Sincerely,

JEAN FULLER, Assembly Member
Thirty-second District

February 5, 2010

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

Dear Mme. Speaker: I respectfully request your approval to be excused from Check-In Session on Tuesday, February 9, 2010 due to legislative business.

Your attention to the matter is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully,

MARY SALAS, Assembly Member
Seventy-ninth District

February 8, 2010

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

Dear Speaker Bass,

This letter is a request to be excused from Check-In Session on Tuesday, February 9, 2010, for legislative business.

Thank you for your consideration of this matter.

Sincerely,

VAN TRAN, Assembly Member
Sixty-eighth District

February 9, 2010

*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 February 9 and February 10 for legislative business in my District. 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 Chief Clerk, and ordered printed in the Journal:

February 9, 2010

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

Dear Mr. Wilson: Please be advised that the Assembly Committee on Rules met on February 9, 2010, and voted to move to the Assembly Floor without a recommendation the Governor's nomination of Senator Abel Maldonado to the office of Lieutenant Governor (11-0). The roll call is enclosed.

Sincerely,

TED W. LIEU
Chair, Assembly Rules Committee

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1762—Hayashi. An act to amend Section 10026 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 1763—Lieu. An act to amend Sections 12301.6 and 12305.86 of, and to add Section 12305.87 to, the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1764—Portantino (Coauthors: Block, Caballero, De La Torre, Huffman, and Smyth). An act to add and repeal Section 18005 of the Government Code, relating to state employment.

ASSEMBLY BILL NO. 1765—Solorio (Principal coauthor: Arambula) (Coauthors: Bradford, Charles Calderon, Coto, Feuer, Hayashi, Nava, and Torres). An act to add Section 19851.5 to the Government Code, relating to public employment.

ASSEMBLY BILL NO. 1766—Gaines. An act to amend Section 8686 of the Government Code, relating to disaster assistance.

ASSEMBLY BILL NO. 1767—Hill. An act to add Section 2316 to the Business and Professions Code, relating to physicians and surgeons.

ASSEMBLY BILL NO. 1768—Solorio. An act to amend Section 15820.917 of the Government Code, relating to county jails.

ASSEMBLY BILL NO. 1769—Tran. An act relating to elections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1770—Galgiani. An act to add Section 103626.5 to the Health and Safety Code, relating to vital records.

ASSEMBLY BILL NO. 1771—Mendoza (Principal coauthor: Senator Dutton). An act to amend Section 2807 of the Penal Code, relating to public contracts.

ASSEMBLY BILL NO. 1772—Mendoza. An act to add Section 35559 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1773—Mendoza. An act to add Sections 12606.1, 13188.4, and 13197.6 to the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 1774—Saldaña. An act to amend Section 13552.2 of, and to add Section 13552.3 to, the Water Code, relating to water.

ASSEMBLY BILL NO. 1775—Furutani. An act to amend Section 33120 of the Education Code, relating to public education.

ASSEMBLY BILL NO. 1776—Anderson. An act relating to health facilities.

ASSEMBLY BILL NO. 1777—Portantino (Coauthors: Senators DeSaulnier and Liu). An act to add Chapter 9.1 (commencing with Section 8758) to Division 1 of Title 2 of the Government Code, and to add Section 7101.2 to the Revenue and Taxation Code, relating to the arts.

ASSEMBLY BILL NO. 1778—Lieu. An act to add Chapter 1.7 (commencing with Section 6096) to Division 7 of the Government Code, relating to state promotions.

ASSEMBLY BILL NO. 1779—Niello. An act to amend Section 17144.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1780—Yamada. An act to amend Section 85225.25 of the Water Code, relating to the Delta Stewardship Council.

ASSEMBLY BILL NO. 1781—Villines. An act to add Chapter 7.1 (commencing with Section 1964) to Division 2.5 of the Streets and Highways Code, and to amend Sections 21251 and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

ASSEMBLY BILL NO. 1782—Harkey. An act to amend Section 16418 of the Government Code, to amend Section 218 of, and to add Chapter 7 (commencing with Section 199) to Part 1 of Division 1 of, the Revenue and Taxation Code, relating to disaster relief, and making an appropriation therefor.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 120—Mendoza. Relative to Read Across America Day.

HOUSE RESOLUTION NO. 24—Galgiani. Relative to Teen Driving Safety Week.

**AUTHOR’S AMENDMENTS
Committee on Transportation**

February 9, 2010

Mme. Speaker: The Chair of your Committee on Transportation reports:
Assembly Concurrent Resolution No. 106

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

ENG, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 106—Relative to the CDF Firefighter Matt Will Memorial Highway.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 10, 2010.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 9, 2010**

The following measure was amended in the Assembly on this day:

ACR RN

106 1005496

Daily Total: 1

Cumulative Total: 2611

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