

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 11, 2009**  
**TWENTY-SIXTH SESSION DAY**  
**SEVENTY-THIRD 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  
Wednesday, February 11, 2009

The Assembly met at 7 a.m.

Hon. Tony Mendoza, Assembly Member, 56th 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—76:

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

Quorum present.

**At 1:15 p.m., Hon. Marty Block, 78th 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 and V. Manuel Pérez.*

*On personal business, and waiving per diem: Assembly Member DeVore.*

*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 10, 2009

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

Dear Mme. Speaker Bass,

I respectfully request your permission to be excused from Check In Session on Wednesday, February 11, 2009, due to 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

January 13, 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 February 11, 2009 to attend to legislative business.

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

Sincerely,

V. MANUEL PÉREZ, Assembly Member  
Eightieth District

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 10, 2009

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

RE: Appointment of Joan Buchanan  
to Early Learning Quality Improvement System  
Advisory Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Joan Buchanan to the Early Learning Quality Improvement System Advisory Commission. This is a pleasure appointment starting February 10, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

February 10, 2009

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

RE: Appointment of Yolie Flores Aguilar  
to Early Learning Quality Improvement System  
Advisory Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Yolie Flores Aguilar to the Early Learning Quality Improvement System Advisory Commission. This is a pleasure appointment starting February 10, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

February 10, 2009

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

RE: Appointment of Robin Hughes  
to Tax Credit Allocation Committee

Dear Mr. Wilson: Please be advised I have appointed Ms. Robin Hughes to the Tax Credit Allocation Committee. This is a pleasure appointment starting February 10, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 11, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 33

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

#### **SPECIAL COMMITTEE MEETINGS**

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

Human Services to hold a joint informational hearing with the Committees on Health and Local Government, on Friday, February 20, 2009, at 9 a.m.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 252—Carter (Principal coauthor: Senator Correa).** An act to add Section 2417.5 to the Business and Professions Code, relating to the practice of medicine.

**ASSEMBLY BILL NO. 253—Fuller.** An act relating to career technical education.

**ASSEMBLY BILL NO. 254—Jeffries.** An act to amend Section 21055 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 255—Anderson.** An act to add Chapter 22.3 (commencing with Section 22585) to Division 8 of the Business and Professions Code, relating to Internet security.

**ASSEMBLY BILL NO. 256—Bill Berryhill.** An act to amend Section 25503.5 of the Health and Safety Code, relating to hazardous materials.

**ASSEMBLY BILL NO. 257—Adams.** An act to amend Section 18403 of the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 258—Ma.** An act to amend Section 836 of the Penal Code, relating to domestic violence.

**ASSEMBLY BILL NO. 259—Skinner.** An act to amend Section 1367.695 of the Health and Safety Code, and to amend Section 10123.84 of the Insurance Code, relating to health care coverage.

**ASSEMBLY BILL NO. 260—Lieu, Bass, and Nava (Principal coauthor: Price) (Principal coauthor: Senator Wolk) (Coauthors: Carter, Chesbro, Coto, Eng, Furutani, Huffman, Jones, Krekorian, Bonnie Lowenthal, Ma, John A. Pérez, Ruskin, Salas, Saldaña, Swanson, and Yamada) (Coauthors: Senators DeSaulnier and Florez).** An act to amend Section 10177 of the Business and Professions Code, to add Section 2923.1 to the Civil Code, and to amend Section 50505 of, to add Sections 1242, 14961, and 22346 to, and to add Division 1.9 (commencing with Section 4995) to, the Financial Code, relating to lending.

**ASSEMBLY BILL NO. 261—Salas.** An act to amend Sections 49076 and 49076.5 of the Education Code, relating to pupil records.

**ASSEMBLY BILL NO. 262—Bass.** An act relating to energy.

**ASSEMBLY BILL NO. 263—Miller.** An act to add and repeal Section 130246 of the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 264—Cook.** An act to add Section 6715 to the Government Code, relating to state observances.

**ASSEMBLY BILL NO. 265—Cook.** An act to amend Section 3003 of the Government Code, relating to forfeiture of office.

**ASSEMBLY BILL NO. 266—Carter.** An act to add Section 14537 to the Government Code, relating to transportation.

**ASSEMBLY BILL NO. 267—Torlakson (Principal coauthor: Huffman).** An act to amend Section 50079 of the Government Code, relating to taxation.

**ASSEMBLY BILL NO. 268—Gaines (Principal coauthors: Logue and Nielsen) (Coauthors: Cook, Jeffries, and Niello).** An act to repeal Chapter 4.5 (commencing with Section 13290) of Division 7 of the Water Code, relating to water quality.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 10—Torlakson (Principal coauthor: Huffman).** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII A thereof, by amending Section 2 of Article XIII C thereof, and by amending Section 3 of Article XIII D thereof, relating to taxation.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 23—Swanson (Coauthors: Bass, Carter, Davis, Hall, and Price) (Coauthor: Senator Wright).** Relative to Black History Month.

**ASSEMBLY CONCURRENT RESOLUTION NO. 24—Carter.** Relative to the John Knabenbauer Fifth Street Bridge.

**ADJOURNMENT**

At 4 p.m., the Assembly adjourned until 7 a.m., Thursday, February 12, 2009 or upon Call of the Speaker.

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KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

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