

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 17, 2009**

**THIRTIETH SESSION DAY**

**SEVENTY-NINTH 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, February 17, 2009

The Assembly met at 1:03 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.

#### Quorum Call of the Assembly

Assembly Member Krekorian moved a quorum call of the Assembly.  
Motion carried.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 1:18 p.m., Speaker pro Tempore Saldaña declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—80:

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

**RECESS**

By unanimous consent, at 1:20 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Villines introduced students from Bud Rank Elementary School of Clovis.

Speaker Bass and Assembly Member Buchanan introduced and presented a Member's resolution to Captain Chesley Sullenberger in recognition of his brave efforts and heroic actions that saved the lives of 155 passengers and crew during the emergency landing of the U.S. Airways flight on the Hudson River.

Assembly Member Villines announced that Assembly Member Hagman pulled two people from a burning car yesterday, saving their lives.

**RECONVENED**

At 1:30 p.m., the Assembly reconvened.

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

**PRAYER**

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Hon. Isadore Hall, III, Assembly Member, District 52:

*Father*, During these difficult times, give us the ability and the will to act with rightful purpose. Let us remember that it is our duty to serve not only our State's residents but to also serve our God in a manner that does us honor individually and as a body.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Without objection and upon request of Speaker pro Tempore Saldaña, Captain Chesley Sullenberger then led the Assembly in the pledge of allegiance to the Flag.

**ADJOURN IN MEMORY**

Assembly Member Bill Berryhill was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Leland William Perkins of Manteca.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Transportation to hold an informational hearing, on Monday, February 23, 2009, at 1:30 p.m., in Room 437.

**REPORTS OF STANDING COMMITTEES****Committee on Judiciary**

Date of Hearing: February 17, 2009

Mme. Speaker: Your Committee on Judiciary reports:

House Resolution No. 5

With the recommendation: Be adopted.

FEUER, Chair

Above resolution ordered to third reading.

**RECESS**

By unanimous consent, at 1:35 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

**RECONVENED**

At 3 p.m., the Assembly reconvened.

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

**MOTION TO ADJOURN**

At 3:02 p.m., Assembly Member Evans moved that the Assembly do now adjourn.

Assembly Member Huffman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 3:03 p.m., Speaker pro Tempore Saldaña declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 294—Anderson.** An act relating to corporations.

**ASSEMBLY BILL NO. 295—Ammiano.** An act to amend Sections 18250, 18251, 18253, 18253.5, 18254, 18255, 18256, and 18256.5 of, and to amend the heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of, the Welfare and Institutions Code, relating to public social services.

**ASSEMBLY BILL NO. 296—Solorio.** An act relating to supplemental education services.

**ASSEMBLY BILL NO. 297—Solorio.** An act to amend Section 11105 of, and to add Section 11105.06 to, the Penal Code, relating to criminal history information.

**ASSEMBLY BILL NO. 298—Tran.** An act to amend Section 904.1 of the Code of Civil Procedure, relating to appeals.

**ASSEMBLY BILL NO. 299—Committee on Insurance (Assembly Members Coto (Chair), Garrick (Vice Chair), Blakeslee, Carter, Feuer, Hayashi, Nava, Niello, and Torres).** An act to amend Sections 706.7, 730, 735.5, 736, 900.2, 942, 1170, 1182, 1197, and 11580.011 of, and to amend and renumber Section 10123.83 of, the Insurance Code, relating to insurance.

**ASSEMBLY BILL NO. 300—Caballero.** An act to amend, repeal, and add Section 66473.7 of the Government Code, and to amend, repeal, and add Section 10910 of the Water Code, relating to subdivision map approvals.

**ASSEMBLY BILL NO. 301—Fuentes.** An act to amend Section 111130 of, and to add Section 111131 to, the Health and Safety Code, relating to vended water.

**ASSEMBLY BILL NO. 302—Beall.** An act to amend Section 4434 of the Welfare and Institutions Code, relating to developmental services.

**ASSEMBLY BILL NO. 303—Beall.** An act to add Section 14085.57 to the Welfare and Institutions Code, relating to Medi-Cal.

**ASSEMBLY BILL NO. 304—Price.** An act to amend Sections 8223 and 8224 of the Education Code, relating to child care and development.

**ASSEMBLY BILL NO. 305—Nava.** An act to amend Section 338.1 of the Code of Civil Procedure, and to amend Section 25515 of the Health and Safety Code, relating to hazardous materials.

**ASSEMBLY BILL NO. 306—Fuller.** An act to add Section 13318 to the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 307—Cook.** An act to add Sections 16005 and 16106 to the Business and Professions Code, and to amend Section 9002 of the Penal Code, relating to business licenses.

**ASSEMBLY BILL NO. 308—Cook.** An act to add Section 3312 to the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 309—Price.** An act to add Section 14838.8 to the Government Code, relating to public contracts.

**ASSEMBLY BILL NO. 310—Price.** An act relating to employment.

**ASSEMBLY BILL NO. 311—Ma.** An act to amend Sections 401.17, 441, and 1153.5 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 312—Ammiano (Principal coauthor: Senator Yee).** An act to add Section 28767.7 to the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 313—Fletcher.** An act to add Section 1366.4 to the Civil Code, relating to common interest developments.

**ASSEMBLY BILL NO. 314—Brownley.** An act to amend Sections 60200, 60204, 60421, and 60422 of the Education Code, relating to instructional materials.

#### RESOLUTIONS

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 25—Miller.** Relative to Mitochondrial Disease Awareness Week.

#### ADJOURNMENT

At 3:03 p.m., pursuant to the motion by Assembly Member Evans, the Assembly adjourned upon Call of the Speaker, out of respect to the memory of Leland William Perkins, on motion of Assembly Member Bill Berryhill.

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KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk