

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 23, 2010

**ONE HUNDRED FIFTY-NINTH SESSION DAY
FOUR HUNDRED FIFTIETH 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 23, 2010

The Assembly met at 3:30 p.m.
Hon. Isadore Hall III, Assistant Speaker pro Tempore of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Timothy Morland reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly.
Motion carried. Time, 3:31 p.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

At 3:50 p.m., Speaker Karen Bass, 47th District, presiding

Quorum Present

At 4:07 p.m., Speaker Bass declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—66:

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

PRAYER

Upon invitation of Speaker Bass, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, The Apostle Paul wrote to the Christians living in Corinth that we should walk by faith, not by sight. (2 Corinthians 5:7) In other words, we have to believe it before we ever see something. When we walk only by depending on the things we see, we can easily allow circumstances and fear to keep us from moving forward. Inspire us, Lord, to focus our minds higher and to listen to that inner prompting of Your Holy Spirit in our life.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Bass, 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 Ma, seconded by Assembly Member Garrick.

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 Blakeslee, Evans, Fuentes, Hernandez, and Torrico.

On personal business, and waiving per diem: Assembly Members Tom Berryhill, DeVore, and Lieu.

Because of illness: Assembly Members Blumenfield, Carter, Logue, and Saldaña.

Because of illness in his family: Assembly Member Coto.

EXPLANATIONS OF ABSENCE

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

February 23, 2010

The Honorable Karen Bass

Speaker

California State Assembly

State Capitol, Room 219

Sacramento, California

Dear Speaker Bass: The purpose of this letter is to respectfully request to be excused from session on Tuesday, February 23 due to legislative business.

Thank you for your consideration. Please contact me at (916) 319-2033 with any questions.

Sincerely,

SAM BLAKESLEE, Assembly Member
Thirty-third District

February 18, 2010

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

Dear Mme. Speaker: I respectfully request to be excused from Session on Tuesday, February 23, and Wednesday, February 24, 2010 for legislative business in my district. Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member
Seventh District

February 22, 2010

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

Dear Mme. Speaker: This letter is to respectfully request your approval to be excused from Session on Tuesday, February 23, 2010, for legislative business.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

FELIPE FUENTES, Assembly Member
Thirty-ninth District

February 23, 2010

*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 Tuesday, February 23, 2010. I will be attending to legislative business, outside the Capitol.

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 22, 2010

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

Dear Mme. Speaker: I am requesting to be excused from check-in session on legislative business on Tuesday, February 23, 2010. I have been invited to visit and speak to students at CSU Stanislaus in regards to my Assembly Bill 656.

Thank you in advance for your consideration. If you have any questions, I can be reached at (916) 319-2020.

Sincerely,

ALBERTO TORRICO, Assembly Member
Twentieth District

SPECIAL COMMITTEE MEETINGS

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

Environmental Safety and Toxic Materials, Thursday, March 18, 2010, upon adjournment of Floor Session.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 23, 2010

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1717

Assembly Bill No. 1719

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 23, 2010

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 117

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REQUEST FOR PHOTOGRAPHER

Speaker Bass was granted unanimous consent that a photographer be permitted on the Floor of the Assembly and in the Gallery of the Chamber.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker Bass was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber and at the Rostrum for the State of the Judiciary Address.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY JOINT RESOLUTION NO. 25—Relative to Filipino World War II veterans.

Resolution read; amendments proposed by the Committee on Judiciary read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

ASSEMBLY BILL NO. 1650—An act to add Chapter 2.7 (commencing with Section 2200) to Part 1 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Business and Professions.

ANNOUNCEMENTS

Speaker Bass announced the following session schedule:

Wednesday, February 24, 2010, Check-in Session, 7 a.m.–3 p.m.

Thursday, February 25, 2010, Floor Session, 9:30 a.m.

RECESS

By unanimous consent, at 4:11 p.m., Speaker Karen Bass declared the Regular Session of the Assembly recessed.

IN JOINT CONVENTION

At 4:11 p.m., the Senate and Assembly met in Joint Convention. Hon. Karen Bass, Speaker of the Assembly, presiding.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker Bass appointed Assembly Members Ammiano, Feuer, Hagman, and Tran and Senators Dutton, Harman, Leno, Corbett, and Price as a Joint Committee on Escort to escort the Honorable Ronald M. George, Chief Justice of California, to the Rostrum.

INTRODUCTION OF SPECIAL GUESTS

Speaker Bass introduced Frederick K. Ohlrich, Clerk of the Supreme Court and William Vickrey, Administrative Director of the Courts.

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Speaker Bass then presented the Honorable Darrell Steinberg, President pro Tempore of the Senate.

PRESENTATION OF THE ASSOCIATE JUSTICES OF THE SUPREME COURT

Senate President pro Tempore Steinberg introduced the following Associate Justices of the Supreme Court: Hon. Kathryn M. Werdeger, Hon. Ming Chin, and Hon. Carol A. Corrigan.

PRESENTATION OF THE HONORABLE RONALD M. GEORGE

Senate President pro Tempore Steinberg then presented the Honorable Ronald M. George, Chief Justice of California, to the Joint Convention.

INTRODUCTION OF SPECIAL GUESTS

Chief Justice Ronald M. George introduced the Members of the Judicial Council of California, William Vickrey, Administrative Director of the Court, Ron Overholt, Director of the Office of Governmental Affairs, and Curt Child, Administrative Office of the Courts.

ADDRESS BY THE HONORABLE RONALD M. GEORGE

Chief Justice Ronald M. George then delivered the “State of the Judiciary” address to the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 4:43 p.m., there being no further business, Speaker Bass declared the Joint Convention adjourned, *sine die*.

IN ASSEMBLY

At 4:44 p.m., the Assembly reconvened.

Hon. Karen Bass, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker Bass was granted unanimous consent that the “State of the Judiciary” address by Chief Justice Ronald M. George be printed as a separate appendix to the Assembly Journal.

RECESS

By unanimous consent, at 4:47 p.m., Speaker Bass declared the Assembly recessed to convene Eighth Extraordinary Session.

RECONVENED

At 4:49 p.m., the Assembly reconvened.

Hon. Karen Bass, Speaker of the Assembly, presiding.

MOTION TO ADJOURN

At 4:49 p.m., Assembly Member Hagman moved that the Assembly do now adjourn.

Assembly Member De León seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:50 p.m., Speaker Bass declared the quorum call of the Assembly dispensed with.

AUTHOR’S AMENDMENTS
Committee on Public Safety

February 23, 2010

Mme. Speaker: The Chair of your Committee on Public Safety reports:

Senate Bill No. 282

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

AMMIANO, Chair

SENATE BILL NO. 282—An act to amend Section 186.22a of the Penal Code, relating to gangs.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

February 23, 2010

Mme. Speaker: The Chair of your Committee on Agriculture reports:

Senate Bill No. 362

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

GALGIANI, Chair

SENATE BILL NO. 362—An act to amend Section 62722 of the Food and Agricultural Code, relating to milk.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2761—Committee on Natural Resources (Assembly Members Skinner (Chair), Gilmore (Vice Chair), Brownley, Chesbro, De León, Hill, Huffman, and Logue). An act to amend Section 2205 of, and to repeal Section 3102 of, the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2762—Committee on Housing and Community Development (Assembly Members Torres (Chair), Harkey (Vice Chair), Bradford, Eng, Ma, and Saldaña). An act to amend Sections 65583 and 65589.5 of the Government Code, and to amend Sections 33334.3, 33440, 33449, 50517.10, 50705, and 53545 of, to amend and renumber the heading of Chapter 8.5 (commencing with Section 50705) of Part 2 of Division 31 of, and to repeal Section 50802.1 of, the Health and Safety Code, relating to housing, and making an appropriation therefor.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 138—Nava. Relative to the California Community Colleges.

ADJOURNMENT

At 6 p.m., pursuant to the motion by Assembly Member Hagman, the Assembly adjourned until 7 a.m., Wednesday, February 24, 2010.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 23, 2010**

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

AB RN
1650 1006451

AJR RN
25 1006422

SB RN
282 1006258
362 1006029

Daily Total: 4
Cumulative Total: 2626

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