

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 4, 2009
THIRTY-FIFTH SESSION DAY
NINETY-FOURTH 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.

(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, March 4, 2009

The Assembly met at 7 a.m.

Hon. Anthony Adams, Assembly Member, 59th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Jacquelyn Delight reading.

ROLL CALL

The following were placed upon the morning roll call—73:

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

Quorum present.

At 4:05 p.m., Hon. Roger Niello, 5th 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, Huffman, John Pérez, and Price.

On personal business, and waiving per diem: Assembly Members Chesbro, Hernandez, and Villines.

EXPLANATIONS OF ABSENCE

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

March 2, 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 Session tomorrow, Wednesday, March 4, 2009, due to legislative business. Thank you for your consideration of this request.

Sincerely,

CHARLES M. CALDERON, Assembly Member
Fifty-eighth 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 from Wednesday, March 4, 2009 through Thursday, March 5, 2009 due to legislative business in Washington D.C. to talk with Congress and the administration about delta and water policy.

Sincerely,

JARED HUFFMAN, Assembly Member
Sixth District

March 2, 2009

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

Dear Mme. Speaker: I respectfully request to be excused from check in session on March 4, 2009 and March 5, 2009 for legislative business in my District.

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

Sincerely,

JOHN A. PÉREZ, Assembly Member
Forty-sixth District

March 4, 2009

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 319
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from check-in session on Wednesday, March 4, 2009 due to legislative business in my district.

Thank you for consideration.

Sincerely,

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

COMMUNICATIONS

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

March 4, 2009

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

RE: Appointment of Mike Davis
to Los Angeles Memorial Coliseum Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Mike Davis to the Los Angeles Memorial Coliseum Commission. This is a pleasure appointment starting March 4, 2009.

Sincerely,

KAREN BASS
Speaker of the Assembly

March 4, 2009

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

RE: Reappointment of Nathaniel Trives
to Commission on Judicial Performance

Dear Mr. Wilson: Please be advised I have reappointed Mr. Nathaniel Trives to the Commission on Judicial Performance. This is a term appointment starting March 4, 2009 and the expiration date is March 1, 2013.

Sincerely,

KAREN BASS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Business and Professions to hold an informational hearing on Wednesday, March 11, 2009, at 12 noon, in Room 447;

Health to hold an informational hearing on Tuesday, March 17, 2009, in Room 4202;

Jobs, Economic Development, and the Economy to hold an informational hearing on Tuesday, March 17, 2009, at 9 a.m., in Room 126;

Public Safety to hold a joint informational hearing with the Senate Committee on Public Safety on Tuesday, March 10, 2009, in Room 4203; and

Joint Legislative Audit Committee to hold a hearing on Wednesday, March 11, 2009, at 2 p.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 4, 2009

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

Assembly Bill No. 144

Assembly Bill No. 157

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Relative to the Dalai Lama and Tibet Awareness Day.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1540—Committee on Health (Assembly Members Jones (Chair), Adams, Ammiano, Block, Carter, De La Torre, Hall, Hayashi, Hernandez, Bonnie Lowenthal, Nava, V. Manuel Pérez, and Salas). An act to amend Section 6276.24 of the Government Code, to amend Sections 1367.46, 116283, 116286, 116380, 116540, 116650, 116725, 127662, 127664, 127665, 128730, and 128745 of the Health and Safety Code, to amend Section 10123.91 of the Insurance Code, and to amend Sections 14043.26, 14043.28, 14043.29, and 14115 of the Welfare and Institutions Code, relating to health.

ASSEMBLY BILL NO. 1541—Committee on Health (Assembly Members Jones (Chair), Ammiano, Block, Carter, De La Torre, De León, Hall, Hayashi, Hernandez, Bonnie Lowenthal, Nava, V. Manuel Pérez, and Salas). An act relating to children's health care.

ASSEMBLY BILL NO. 1542—Committee on Health (Assembly Members Jones (Chair), Adams, Ammiano, Block, Carter, De La Torre, De León, Hayashi, Hernandez, Bonnie Lowenthal, Nava, V. Manuel Pérez, and Salas). An act to add Part 3.6 (commencing with Section 15950) to Division 9 of the Welfare and Institutions Code, relating to health care services.

ASSEMBLY BILL NO. 1543—Committee on Health (Assembly Members Jones (Chair), Fletcher (Vice Chair), Adams, Ammiano, Block, Carter, Conway, De La Torre, Emmerson, Hall, Hayashi, Hernandez, Bonnie Lowenthal, Nava, V. Manuel Pérez, Salas, and Audra Strickland). An act to amend Sections 785, 10192.4, 10192.6, 10192.8, 10192.9, 10192.11, 10192.12, 10192.13, 10192.17, 10192.18, 10192.20 of, and to add Sections 10192.81, 10192.91, and 10192.24 to, the Insurance Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1544—Committee on Health (Assembly Members Jones (Chair), Fletcher (Vice Chair), Adams, Ammiano, Block, Carter, Conway, De La Torre, Emmerson, Hayashi, Hernandez, Bonnie Lowenthal, Nava, V. Manuel Pérez, Salas, and Audra Strickland). An act to add Section 1253.6 to the Health and Safety Code, relating to health facilities.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 45—Ruskin and Feuer (Coauthors: Anderson, Bill Berryhill, Block, Blumenfield, Brownley, Caballero, De León, DeVore, Fletcher, Garrick, Gilmore, Hall, Hayashi, Huffman, Jeffries, Lieu, Ma, Mendoza, Monning, Nava, Niello, Portantino, Price, John A. Pérez, V. Manuel Pérez, Salas, Saldaña, Silva, Smyth, Solorio, Torlakson, and Yamada) (Coauthors: Senators Cox, De Saulnier, Florez, and Runner). Relative to California Holocaust Memorial Week.

HOUSE RESOLUTION NO. 11—Ruskin. Relative to drinking water treated with chloramine.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

March 4, 2009

Mme. Speaker: The Chair of your Committee on Business and Professions reports: Assembly Bill No. 117

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

HAYASHI, Chair

ASSEMBLY BILL NO. 117—An act to amend Section 5028 of the Business and Professions Code, relating to accountants.

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.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: March 3, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 83

With amendments with the recommendation: Amend, and do pass, as amended.

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: March 3, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 5

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

FEUER, Chair

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: March 3, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 78

With the recommendation: Do pass, and be re-referred to the Committee on Education.

PORTANTINO, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: March 3, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 2

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

PORTANTINO, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: March 3, 2009

Mme. Speaker: Your Committee on Higher Education reports:

House Resolution No. 4

With the recommendation: Be adopted.

PORTANTINO, Chair

Above resolution ordered to third reading.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

90	-----	Jud.
103	-----	Rev. & Tax.
109	-----	Jud. and G.O.
112	-----	Trans.
116	-----	L. Gov.
126	-----	Nat. Res.
133	-----	L. Gov.
150	-----	Rev. & Tax.
160	-----	B. & P. and Health
169	-----	Pub. S.
170	-----	Jud.
171	-----	B. & P. and Jud.
172	-----	G.O.
174	-----	Ed. and Nat. Res.
175	-----	Health and B. & P.
176	-----	Jud.
178	-----	Rev. & Tax.
210	-----	B. & P. and Nat. Res.
211	-----	Ed.
212	-----	Nat. Res.
213	-----	Trans.
214	-----	Health
215	-----	Health
216	-----	B. & P. and Jud.
217	-----	Health
218	-----	Higher Ed.
219	-----	Agri.

221	-----	B. & P. and Health
224	-----	Higher Ed.
226	-----	Nat. Res. and Jud.
227	-----	L. & E.
228	-----	U. & C. and Nat. Res.
231	-----	Nat. Res.
232	-----	P.E.,R. & S.S.
233	-----	Rev. & Tax.
235	-----	Health
236	-----	L. & E.
239	-----	Ed.
240	-----	B. & P.
244	-----	Health
246	-----	G.O.
247	-----	Pub. S.
248	-----	E.S. & T.M.
249	-----	Health
250	-----	Pub. S.
252	-----	B. & P.
254	-----	Trans.
255	-----	A.,E.,S.,T., & I.M. and Pub. S.
256	-----	E.S. & T.M.
258	-----	Pub. S.
260	-----	B. & F. and Jud.
261	-----	Ed. and Jud.
263	-----	Trans.
264	-----	G.O.
266	-----	Trans.
267	-----	Rev. & Tax.
268	-----	E.S. & T.M.
269	-----	E. & R.
270	-----	Hum. S. and Jud.
271	-----	L. & E.
273	-----	Rev. & Tax.
274	-----	Nat. Res.
275	-----	Pub. S.
279	-----	Rev. & Tax.
280	-----	Ins.
281	-----	Agri.
282	-----	Trans.
284	-----	Ed. and Higher Ed.
285	-----	B & F. and Jud.
286	-----	L. Gov. and Trans.
288	-----	L. Gov.
291	-----	Nat. Res.
292	-----	Rev. & Tax.
293	-----	G.O.
295	-----	Hum. S.
297	-----	Pub. S.
298	-----	Jud.
299	-----	Ins.
300	-----	L. Gov. and W.,P. & W.
301	-----	E.S. & T.M.
302	-----	Hum. S.

303	-----	Health
306	-----	E. & R.
307	-----	B. & P.
308	-----	E. & R.
311	-----	Rev. & Tax.
314	-----	Ed.
316	-----	Pub. S.
318	-----	Trans. and B. & P.
319	-----	E. & R.
320	-----	Pub. S.
321	-----	Rev. & Tax.
322	-----	Pub. S.
323	-----	B. & P.
326	-----	Rev. & Tax.
327	-----	Rev. & Tax.
330	-----	E. & R.
332	-----	Ed.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>	
30	-----	Trans.
31	-----	Higher Ed.
32	-----	Jud.
33	-----	Trans.
34	-----	Trans.

House

<i>Resolution No.</i>	<i>Committee</i>	
10	-----	E.S. & T.M.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>	
15	-----	Rls.

ADJOURNMENT

At 4:30 p.m., the Assembly adjourned until 6:30 a.m., Thursday, March 5, 2009.

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 4, 2009**

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

AB RN

117 0908621

ACR RN

6 0909479

Daily Total: 2

Cumulative Total: 21

O