

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 8, 2010

**ONE HUNDRED SIXTY-SIXTH SESSION DAY
FOUR HUNDRED SIXTY-THIRD 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
Monday, March 8, 2010

The Assembly met at 11 a.m.
Hon. Lori Saldaña, 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

At 11:02 a.m., Speaker pro Tempore Saldaña placed a quorum call upon the Assembly.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 11:13 a.m., Speaker pro Tempore Saldaña declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

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

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Speaker Emeritus Karen Bass, of the 47th Assembly District:

Dear God, As we honor and celebrate the outstanding women joining us here today I am reminded of a poem by Emily Dickinson:

If I can stop one heart from breaking,
I shall not live in vain;
If I can ease one life from aching,
Or cool one pain,
Or help one fainting robin
Unto his nest again,
I shall not live in vain.

Thank you God for bringing these women into our lives and into the lives of all those whose pain they cool, whose aches they ease and whose hearts they make whole.

If, as President John F. Kennedy once said, here on Earth God's work must truly be our own, these amazing women we honor today show that your work is in very good hands indeed.—AMEN.

**PRESENTATION OF COLORS
AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The Presentation of Colors by the Governor's and Adjutant General's own Color Guard from the California National Guard was followed by the Pledge of Allegiance to the Flag, led by Assembly Member Strickland.

MOTION TO DISPENSE WITH READING OF JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Torrico, seconded by Assembly Member Garrick.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 8, 2010

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

Assembly Bill No. 1596

Assembly Bill No. 1736

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 8, 2010

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

Assembly Concurrent Resolution No. 107

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 220, on request of Assembly Member Torrico.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker pro Tempore of the Assembly and Chair of the California Legislative Women's Caucus, Hon. Lori Saldaña, 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 ceremony today honoring the Assembly Women of the Year and in recognition of March as Women's History Month.

**RECESS FOR CEREMONY HONORING
WOMEN OF THE YEAR**

By unanimous consent, at 11:19 a.m., Speaker pro Tempore Lori Saldaña declared the Assembly recessed to permit the introduction of guests and honorees in today's ceremony honoring the Assembly Women of the Year.

REMARKS BY SPEAKER PRO TEMPORE LORI SALDAÑA

Speaker pro Tempore and Chair of the California Legislative Women's Caucus, Hon. Lori Saldaña, addressed the assemblage and welcomed each of the honorees from throughout the State of California. The honorees were recognized for the outstanding contributions they have made in their communities, distinguishing each of them as "Women of the Year". Speaker pro Tempore Saldaña was joined by the Members of the Assembly in extending congratulations and celebrating the inspiration that each of the women honored today has been.

**At 11:24 a.m., Assistant Speaker pro Tempore Isadore Hall III,
52nd District, presiding**

RESOLUTIONS PRESENTED TO WOMEN OF THE YEAR HONOREES

The following women were introduced and each was escorted to the front of the Assembly Chamber by her Assembly Member, whereupon each was greeted by Speaker Pérez, Speaker pro Tempore Saldaña, and Minority Leader Garrick, and presented with a resolution. Each honoree was then escorted to her Member's desk on the Assembly Floor and invited to remain seated for the remainder of today's ceremony.

2010 Women of the Year Honorees:

Betty Chinn, escorted by Assembly Member Chesbro; Becky Quigley, escorted by Assembly Member Nielsen; Dottie Ray Souter, escorted by Assembly Member Logue; Amber Pilcher, escorted by Assembly Member Gaines; Marcy Friedman, escorted by Assembly Member Niello; Ramona Nicholson, escorted by Assembly Member Huffman; Lilibeth Pinpin, escorted by Assembly Member Evans; Rose Conroy, escorted by Assembly Member Yamada; Cristina Mora, escorted by Assembly Member Jones; Rachel Michelin, escorted by Assembly Member Huber; Gloria Omania, escorted by Assembly Member Torlakson; Marian Mann, escorted by Assembly Member Ma; Esta Soler, escorted by Assembly Member Ammiano; Mable F. Yee, escorted by Assembly Member Skinner; Cindy Gershen, escorted by Assembly Member Buchanan; Sharmin Bock, escorted by Assembly Member Swanson; Leslie Baranco Martin, escorted by Assembly Member Galgiani; Hon. Rosa "Rosie" Rios, escorted by Assembly Member Hayashi; Josefina R. Enriquez, M.D., escorted by Assembly Member Hill; Alison Wiscombe, escorted by Assembly Member Torrico; Faye McNair-Knox, Ph.D, escorted by Assembly Member Ruskin; Dolly Sandoval, escorted by Assembly Member Fong;

Hermelinda Sapien, escorted by Assembly Member Coto; Cynthia Chang, escorted by Assembly Member Beall; Melinda Fleming, escorted by Assembly Member Tom Berryhill; Rima Barkett, escorted by Assembly Member Bill Berryhill; Regina Mason, escorted by Assembly Member Monning; Kay Filice, escorted by Assembly Member Caballero; Sally L. Frazier, Ed.D., escorted by Assembly Member Villines; Maxine Bennett, escorted by Assembly Member Gilmore; Amy (Amelia) Arambula, escorted by Assembly Member Arambula; Judith Tuttle McCarthy, escorted by Assembly Member Fuller; Marylud Baldwin, escorted by Assembly Member Blakeslee; Susan Shannon, escorted by Assembly Member Conway; Bonnie Sanabia, escorted by Assembly Member Nava; Jennifer Nelson, escorted by Assembly Member Knight; Vicki Murphy, escorted by Assembly Member Strickland; Linda White, escorted by Assembly Member Smyth; Carolyn Rose, escorted by Assembly Member Fuentes; Nancy Greenstein, escorted by Assembly Member Brownley; Joyce Kleifield, escorted by Assembly Member Feuer; Pat Anderson, escorted by Assembly Member Portantino; Maria Lou Calanche, escorted by Assembly Member De León; Bettye Anderson, escorted by Speaker Emeritus Bass; OV Smith, escorted by Assembly Member Davis; Jeanette Chavez, escorted by Assembly Member Eng; Mary Stauffer, M.D., escorted by Assembly Member De La Torre; Wanza Tolliver, escorted by Assembly Member Bradford; Brenda Olmos, escorted by Assembly Member Hall; Liz West Odabashian, escorted by Assembly Member Lieu; Lisa Tonson, escorted by Assembly Member Lowenthal; Roselyn E. Ibanez, escorted by Assembly Member Furutani; Rosa Cueva, escorted by Assembly Member Mendoza; Barbara Dickerson, Ph.D., escorted by Assembly Member Hernandez; Janet Henke, escorted by Assembly Member Calderon; Debbie McGee, escorted by Assembly Member Adams; Gayle Pacheco, escorted by Assembly Member Hagman; Peggy Banas, escorted by Assembly Member Torres; Mary Ruth Townsend, escorted by Assembly Member Carter; Virginia Blumenthal, escorted by Assembly Member Emmerson; Peggy Cravens, escorted by Assembly Member Nestande; Shannon Luckino, escorted by Assembly Member Cook; Lynne Craig, escorted by Assembly Member Jeffries; Janie Anderson, escorted by Assembly Member Silva; Kris Murray, escorted by Assembly Member Tran; Martha Baker, escorted by Assembly Member Solorio; Clara Honea, escorted by Assembly Member DeVore; Sally Carlson, escorted by Assembly Member Miller; Freydel Bushala, escorted by Assembly Member Norby; Ellen Stotmeister, escorted by Assembly Member Harkey; Tiffany Lynch, escorted by Assembly Member Fletcher; Jillian Hanson-Cox, escorted by Assembly Member Anderson; Arlie Ricasa, escorted by Assembly Member Block; Grace Kojima, escorted by Assembly Member Salas; Rosanna Bayon Moore, escorted by Assembly Member V. Manuel Pérez; Christie Elam-Manry, escorted by Assembly Member Garrick; and Patricia Zarate, escorted by Speaker Pérez.

Anne Kinzle, Woman of the Year honoree for the 40th District, was acknowledged. She was unable to attend today's ceremony.

IN MEMORIAM

Virginia Saldaña, Woman of the Year for District 76, and mother of Speaker pro Tempore Lori Saldaña, was honored posthumously.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Speaker pro Tempore Saldaña appointed Assembly Members Conway, Huber, Buchanan, and Torres as a Select Committee on Escort to escort Brigadier General Mary J. Kight to the Rostrum.

GUEST SPEAKER PRESENTED

Speaker pro Tempore Saldaña presented Brigadier General Mary J. Kight, Adjutant General of the California National Guard. Brigadier General Kight introduced Army National Guard General Officer, Brigadier General Charlotte Miller, and delivered an address to the Members of the Assembly and Women of the Year honorees.

RECESS

By unanimous consent, at 12:39 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to convene Eighth Extraordinary Session.

RECONVENED

At 1:15 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE**THIRD READING OF SENATE BILLS**

SENATE BILL NO. 205 (Hancock)—An act to amend the heading of Article 1 (commencing with Section 12000) of Chapter 1 of Part 8 of Division 1 of Title 1 of, and to add Section 12001.5 to, the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Brownley

Assembly Member Brownley moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session schedule:

Tuesday, March 9, 2010, Check-in Session, 7 a.m.–3 p.m.

Wednesday, March 10, 2010, Check-in Session, 7 a.m.–3 p.m.

Thursday, March 11, 2010, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Smyth was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Philip James “PJ” O’Neill of Santa Rosa.

MOTION TO ADJOURN

At 1:16 p.m., Assembly Member Hagman moved that the Assembly do now adjourn.

Assembly Member Swanson seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:16 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. 2783—Committee on Veterans Affairs (Assembly Members Salas (Chair), Gilmore, Lieu, V. Manuel Pérez, and Yamada). An act to amend Section 35 of the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 2784—Committee on Veterans Affairs (Assembly Members Salas (Chair), Gilmore, Lieu, V. Manuel Pérez, and Yamada). An act to amend Sections 65, 66, 66.5, and 84 of, and to add Section 90 to, the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 2785—Committee on Veterans Affairs (Assembly Members Salas (Chair), Gilmore, Lieu, V. Manuel Pérez, and Yamada). An act to add Section 87 to the Military and Veterans Code, relating to veterans.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 142—Solorio and Mendoza (Coauthors: Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Steinberg, Wiggins, Wolk, Wright, and Yee). Relative to César Chávez Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 143—Hagman. Relative to pollution.

**AUTHOR’S AMENDMENTS
Committee on Rules**

March 8, 2010

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Bill No. 830

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

LIEU, Chair

SENATE BILL NO. 830—An act to amend Section 19401 of the Business and Professions Code, relating to horse racing.

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 Health**

March 8, 2010

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 732

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

JONES, Chair

SENATE BILL NO. 732—An act to amend Section 1324.23 of the Health and Safety Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

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 Health

March 8, 2010

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1694

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

JONES, Chair

ASSEMBLY BILL NO. 1694—An act to add Division 10.56 (commencing with Section 11972.10) to the Health and Safety Code, relating to alcohol abuse programs, and making an appropriation therefor.

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 Transportation

March 8, 2010

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1725

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

ENG, Chair

ASSEMBLY BILL NO. 1725—An act to add Section 5007.7 to the Public Resources Code, relating to the state park system.

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 Public Safety

March 8, 2010

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Senate Bill No. 525

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

AMMIANO, Chair

SENATE BILL NO. 525—An act to add Section 4576 to the Penal Code, relating to correctional facilities.

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 Insurance

March 8, 2010

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 1597

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

SOLORIO, Chair

ASSEMBLY BILL NO. 1597—An act to amend Section 11629.84 of the Insurance Code, relating to automobile insurance.

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 Business and Professions

March 8, 2010

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 350

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

HAYASHI, Chair

SENATE BILL NO. 350—An act to repeal Chapter 20.1 (commencing with Section 9875) of Division 3 of the Business and Professions Code, and to add Section 790.20 to the Insurance Code, relating to motor vehicle insurance.

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 Revenue and Taxation

March 8, 2010

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1705

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

CALDERON, Chair

ASSEMBLY BILL NO. 1705—An act to add Sections 17131.3, 24303, and 23456.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 OF GUESTS

Speaker pro Tempore Saldaña, of the 76th Assembly District, introduced Robert Pacheco, former member of the Assembly from 1998–2004.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Hagman, the Assembly adjourned until 7 a.m., Tuesday, March 9, 2010, out of respect to the memory of Philip James “PJ” O’Neill, on motion of Assembly Member Smyth.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 8, 2010**

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

AB RN

1597 1007139
1694 1006958
1705 1007046
1725 1005871

SB RN

205 1007153
350 1006903
525 1006989
732 1002569
830 1006979

Daily Total:	9
Cumulative Total:	2654

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