

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, March 17, 2009**

**FORTY-SECOND SESSION DAY**

**ONE HUNDRED SEVENTH 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, March 17, 2009

The Assembly met at 7 a.m.  
Hon. Wilmer Amina Carter, Assembly Member, 62nd District,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Amy Leach reading.

#### ROLL CALL

The following were placed upon the morning roll call—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

Quorum present.

**At 3:22 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.

**COMMUNICATIONS**

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

March 17, 2009

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

RE: Appointment of Tom Ammiano  
to Summer and Intersession Enrichment Task Force

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Tom Ammiano to the Summer and Intersession Enrichment Task Force. This is a pleasure appointment starting March 17, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

March 17, 2009

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

RE: Appointment of Edward Hernandez  
to California Task Force on Youth and Workplace Wellness

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Edward Hernandez to the California Task Force on Youth and Workplace Wellness. This is a pleasure appointment starting March 17, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 17, 2009

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

- |                       |                       |
|-----------------------|-----------------------|
| Assembly Bill No. 61  | Assembly Bill No. 154 |
| Assembly Bill No. 91  | Assembly Bill No. 162 |
| Assembly Bill No. 112 | Assembly Bill No. 400 |
| Assembly Bill No. 116 | Assembly Bill No. 440 |
| Assembly Bill No. 123 |                       |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 17, 2009

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

- Assembly Concurrent Resolution No. 17

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 44**—Relative to the federal decennial census.

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

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1572**—Committee on Elections and Redistricting (Assembly Members Fong (Chair), Adams (Vice Chair), Coto, Mendoza, Saldaña, and Swanson). An act to amend Section 1363.03 of the Civil Code, to amend Sections 354.5, 13107.3, 13307, and 14225 of the Elections Code, and to amend Section 22970.20 of the Water Code, relating to voting.

**ASSEMBLY BILL NO. 1573**—Committee on Elections and Redistricting (Assembly Members Fong (Chair), Adams (Vice Chair), Coto, Mendoza, Saldaña, and Swanson). An act to amend Sections 13314 and 15104 of the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 1574**—Committee on Elections and Redistricting (Assembly Members Fong (Chair), Coto, Mendoza, Saldaña, and Swanson). An act to amend Sections 9162, 9286, 10229, 14275, and 14293 of, and to repeal Sections 14225 and 14277 of, the Elections Code, and to amend Section 4716 of the Health and Safety Code, relating to elections.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 52**—Solorio (Principal coauthor: Ruskin) (Coauthors: Arambula, Beall, Block, Blumenfield, Buchanan, Caballero, Fong, Galgiani, Hill, Jeffries, Krekorian, Lieu, Ma, V. Manuel Pérez, Torlakson, and Torrico) (Coauthors: Senators DeSaulnier, Harman, and Maldonado). Relative to high technology.

**AUTHOR'S AMENDMENTS  
Committee on Education**

March 17, 2009

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

Assembly Bill No. 122

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 122**—An act to add and repeal Chapter 3.2 (commencing with Section 58530) of Part 31 of Division 4 of Title 2 of the Education Code, relating to small schools.

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 Utilities and Commerce**

March 17, 2009

Mme. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 42

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

FUENTES, Chair

**ASSEMBLY BILL NO. 42**—An act relating to electricity, 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 Elections and Redistricting**

March 17, 2009

Mme. Speaker: The Chair of your Committee on Elections and Redistricting reports:  
Assembly Bill No. 18

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

FONG, Chair

**ASSEMBLY BILL NO. 18**—An act to amend Section 36512 of the Government Code, relating to local government.

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 Arts, Entertainment, Sports, Tourism, and Internet Media**

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Concurrent Resolution No. 26

With the recommendation: Be adopted.

DAVIS, Chair

Above resolution ordered to third reading.

##### **Committee on Judiciary**

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 121

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

FEUER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 73

With the recommendation: Do pass.

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 170

Assembly Bill No. 176

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 bills be placed on the Consent Calendar.

FEUER, Chair

Above bills ordered to second reading.

**Committee on Business and Professions**

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 20

Assembly Bill No. 26

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

HAYASHI, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 107

Assembly Bill No. 117

Assembly Bill No. 240

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

HAYASHI, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 63

Assembly Bill No. 158

With the recommendation: Do pass.

HAYASHI, Chair

Above bills ordered to second reading.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 124

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.

HAYASHI, Chair

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 114

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

SOLORIO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 27

Assembly Bill No. 169

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

SOLORIO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 258

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.

SOLORIO, Chair

Above bill ordered to second reading.

**ADJOURNMENT**

At 3:30 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 18, 2009.

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KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 17, 2009**

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

**AB RN**

18 0909803  
42 0910085  
122 0909865

**ACR RN**

44 0910050

**Daily Total: 4**

**Cumulative Total: 60**

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