

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 23, 2009

FORTY-FIFTH SESSION DAY

ONE HUNDRED THIRTEENTH 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
Monday, March 23, 2009

The Assembly met at 12 noon.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Chief Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

At 12:10 p.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 12:18 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—78:

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

PRAYER

Upon invitation of Speaker pro Tempore Saldaña, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, You have said, "No city or house divided against itself will stand." (Matthew 12:25) The same holds true for our own life. When we constantly try to hide who we really are, we can't devote ourselves completely to others, to our work, or to You. Help us to understand, Lord, that it takes less time and less effort to be honest and genuine. Teach us that we cannot hold on to false things with one hand and to You with the other, for if we do, we will enjoy neither those things nor You.—AMEN.

MOMENT OF SILENCE OBSERVED

The Assembly observed a moment of silence out of respect to the memory of Oakland Police Officers Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Dan Sakai, and Officer John Hege, who died in the line of duty.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Saldaña, Assembly Member Conway 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 Torrico, seconded by Assembly Member Blakeslee.

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 Member Price.

On personal business, and waiving per diem: Assembly Member Davis.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 11, 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 Session on Monday, March 23, 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 23, 2009

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Mike Feuer to replace Assemblymember Noreen Evans on the Assembly Banking and Finance Committee for today's hearing only.

Sincerely,

KAREN BASS
 Speaker of the Assembly

March 23, 2009

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

Dear Dotson: Please be advised that I have appointed Assemblymember Juan Arambula to replace Assemblymember Mary Hayashi as a member of the Assembly Local Government Committee for the remainder of the 2009–10 Regular Session.

Sincerely,

KAREN BASS
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 20, 2009

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

Assembly Bill No. 23

Assembly Bill No. 306

Assembly Bill No. 168

Assembly Bill No. 527

Assembly Bill No. 215

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 23, 2009

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

Assembly Bill No. 1

Assembly Bill No. 66

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
223	Ed.
312	Pub. S.
351	Ed.
453	Nat. Res.
615	Ins.
617	B. & P.
618	B. & P.
619	Trans.
620	B. & P.
622	Agri. and E.S. & T.M.
623	B. & P.
625	B. & P.
627	Hum. S.
628	Trans.
629	Ed. and E.S. & T.M.
630	Jud.
631	Hum. S.
632	A.,E.,S.,T., & I.M. and Jud.
633	Pub. S.
634	Jud.
636	U. & C. and Trans.
640	Pub. S.
643	Hum. S.
644	L. Gov.
645	B. & P.
646	B. & P. and Health
647	Trans.
648	Health and B. & P.
652	Trans.
654	P.E.,R. & S.S.
655	B. & P. and Jud.
656	Rev. & Tax. and Higher Ed.
657	Health and L. & E.
658	E.S. & T.M.
659	Rev. & Tax.
660	G.O. and B. & P.
661	Ed.
662	G.O.
663	Jud.
664	Ins.
666	L. Gov.
667	Health
668	Pub. S.
669	Higher Ed.
670	Trans.
673	Ed.
674	Pub. S.
675	Rev. & Tax.
676	Rev. & Tax.

679	-----	Ins.
681	-----	Health and Jud.
682	-----	Hum. S.
683	-----	Ed.
684	-----	Health
685	-----	Ed.
686	-----	E. & R.
688	-----	Pub. S.
690	-----	Higher Ed.
693	-----	Rev. & Tax.
694	-----	Nat. Res. and L. Gov.
698	-----	U. & C. and Nat. Res.
699	-----	J., E.D., & E.
700	-----	A.,E.,S.,T., & I.M. and Rev. & Tax.
701	-----	Ed.
704	-----	P.E.,R. & S.S.
706	-----	Hum. S.
708	-----	W., P. & W.
712	-----	Jud.
713	-----	Pub. S.
714	-----	Pub. S.
715	-----	L. Gov.
716	-----	V.A.
717	-----	Ed.
719	-----	Hum. S.
720	-----	L. Gov. and H. & C.D.
721	-----	B. & P.
724	-----	Jud.
725	-----	Ins.
726	-----	Trans.
727	-----	B. & P.
728	-----	Health
731	-----	Pub. S.
732	-----	Trans.
733	-----	Trans.
734	-----	G.O.
735	-----	Agri.
736	-----	Ed.
741	-----	E. & R.
744	-----	Trans.
749	-----	P.E.,R. & S.S.
750	-----	Pub. S.
751	-----	Pub. S.
753	-----	E. & R.
754	-----	Health
755	-----	P.E.,R. & S.S.
757	-----	Rev. & Tax.
763	-----	G.O.
765	-----	Rev. & Tax.
766	-----	Trans.
767	-----	Hum. S.
769	-----	Ed.
770	-----	Hum. S.
771	-----	U. & C.

773 ----- Health
774 ----- Higher Ed.
776 ----- V.A.
777 ----- Pub. S.
779 ----- P.E.,R. & S.S.
780 ----- E. & R.
783 ----- B. & P.
785 ----- Pub. S.
786 ----- Health
789 ----- Pub. S.
790 ----- P.E.,R. & S.S.
792 ----- B. & P.
793 ----- Jud.
794 ----- Ed.
796 ----- Ed.
798 ----- Trans.
800 ----- Ins.
802 ----- Ins.
805 ----- Trans.
806 ----- Pub. S.
807 ----- Pub. S.
812 ----- Ins.
813 ----- G.O.
814 ----- Pub. S.
817 ----- L. Gov. and Jud.
818 ----- Health
819 ----- Pub. S.
820 ----- P.E.,R. & S.S.
822 ----- Health
823 ----- Trans.
824 ----- Rev. & Tax.
826 ----- Ed.
830 ----- Health
832 ----- Health
836 ----- Ed.
837 ----- Ed.
838 ----- L. & E.
845 ----- Pub. S.
849 ----- L. & E.
851 ----- Ed.
852 ----- Rev. & Tax.
853 ----- L. Gov.
858 ----- Pub. S.
859 ----- Trans.
866 ----- Ins.
868 ----- Ed.
870 ----- Pub. S.
871 ----- Ed.
873 ----- Trans.
874 ----- Jud.
878 ----- L. Gov.
879 ----- Ins.
882 ----- Trans.
886 ----- Pub. S.

888	-----	G.O.
890	-----	E.S. & T.M.
891	-----	Pub. S.
894	-----	E. & R.
895	-----	E. & R.
896	-----	Health
964	-----	P.E.,R. & S.S.

Assembly Concurrent

<i>Resolution No.</i>		<i>Committee</i>
45	-----	Rls.
47	-----	Rls.
48	-----	Trans.

House

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

Senate Concurrent

<i>Resolution No.</i>		<i>Committee</i>
16	-----	Rls.
22	-----	Rls.

CAUCUS ANNOUNCEMENTS

At 12:21 p.m., Speaker pro Tempore Saldaña was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 12:22 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 12:34 p.m., the Assembly reconvened.
Hon. Lori Saldaña, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR PHOTOGRAPHER

Assembly Members Ma and Huffman were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Anderson was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his daughter, Mary Anderson, United States Air Force Academy Cadet.

RE-REFERENCE OF BILLS

Assembly Member Torrico was granted unanimous consent that the following bill be re-referred as noted:

Assembly Bill No. 89 from the Committee on Revenue and Taxation to the Committee on Governmental Organization and to be returned to the Committee on Revenue and Taxation.

RECESS

By unanimous consent, at 12:35 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 12:36 p.m., the Assembly reconvened.

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

RECESS

By unanimous consent, at 12:38 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Lieu introduced Hon. Takanori Okuda, outgoing Consul General of Japan and Nagaoka Takamichi, incoming Consul of Japan.

RECONVENED

At 12:40 p.m., the Assembly reconvened.

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

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

ASSEMBLY BILL NO. 1—An act to amend Section 44277 of the Education Code, relating to teachers.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 66—An act to amend Section 49110 of the Education Code, relating to schools.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 44 (Fuentes)—Relative to the federal decennial census.

Resolution read.

(NOTE: Later today, the action was rescinded whereby Assembly Concurrent Resolution No. 44 was adopted and the resolution ordered transmitted to the Senate. See page 624. Pursuant to a subsequent request, the record was expunged whereby a roll call vote was taken earlier this day on Assembly Concurrent Resolution No. 44. See page 626.)

ASSEMBLY BILL NO. 158 (Mendoza)—An act to amend Section 21628 of the Business and Professions Code, relating to secondhand goods.

Bill read third time, and passed by the following vote:

AYES—76

Adams	De La Torre	Hayashi	Nielsen
Ammiano	De León	Hernandez	Pérez, J.
Anderson	DeVore	Hill	Pérez, V.M.
Arambula	Duvall	Huber	Portantino
Beall	Emmerson	Huffman	Ruskin
Berryhill, B.	Eng	Jeffries	Salas
Berryhill, T.	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	Galgiani	Mendoza	Torlakson
Carter	Garrick	Miller	Torres
Chesbro	Gilmore	Monning	Torrico
Conway	Hagman	Nava	Tran
Cook	Hall	Nestande	Villines
Coto	Harkey	Niello	Yamada

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 63 (Mendoza)—An act to add Section 1794.45 to the Civil Code, relating to service contracts.

Bill read third time, and passed by the following vote:

AYES—50

Ammiano	De La Torre	Huffman	Salas
Arambula	De León	Jones	Saldaña
Beall	Eng	Krekorian	Skinner
Blakeslee	Evans	Lieu	Solorio
Block	Feuer	Lowenthal	Strickland
Blumenfield	Fong	Ma	Swanson
Brownley	Fuentes	Mendoza	Torlakson
Buchanan	Furutani	Monning	Torres
Caballero	Galgiani	Nava	Torrico
Calderon	Hall	Pérez, J.	Yamada
Carter	Hayashi	Pérez, V.M.	Mme. Speaker
Chesbro	Hernandez	Portantino	
Coto	Hill	Ruskin	

NOES—28

Adams	Duvall	Hagman	Nestande
Anderson	Emmerson	Harkey	Niello
Berryhill, B.	Fletcher	Huber	Nielsen
Berryhill, T.	Fuller	Jeffries	Silva
Conway	Gaines	Knight	Smyth
Cook	Garrick	Logue	Tran
DeVore	Gilmore	Miller	Villines

Bill ordered transmitted to the Senate.

**ACTION RESCINDED ON
ASSEMBLY CONCURRENT RESOLUTION NO. 44**

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, earlier today (Assembly Journal, page 623), adopted Assembly Concurrent Resolution No. 44, and whereby the resolution was ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY CONCURRENT RESOLUTION NO. 44 (Fuentes)—Relative to the federal decennial census.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 44**

Assembly Member Fuentes was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 44.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Ammiano, Arambula, Bass, Beall, Bill Berryhill, Block, Blumenfield, Brownley, Buchanan, Caballero, Calderon, Carter, Coto, De La Torre, De León, Eng, Evans, Feuer, Fong, Furutani, Gilmore, Hall, Hernandez, Hill, Huffman, Jones, Krekorian, Lieu, Lowenthal, Ma, Mendoza, Monning, Nava, Nielsen, John Pérez, V. Manuel Pérez, Portantino, Ruskin, Salas, Saldaña, Skinner, Solorio, Strickland, Swanson, Torlakson, Torres, Torrico, and Yamada.

Request for Unanimous Consent

Assembly Member Fuentes was granted unanimous consent to take up Assembly Concurrent Resolution No. 44, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 44, as Amended

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

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 15 (Wiggins)—Relative to Earth Hour.

Resolution read, presented by Assembly Member Huffman, and adopted.

Resolution ordered transmitted to the Senate.

RECESS

By unanimous consent, at 12:57 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Huffman introduced Brenna Thigpen of Santa Rosa.

RECONVENED

At 12:58 p.m., the Assembly reconvened.

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

RECESS

By unanimous consent, at 12:58 p.m., Speaker pro Tempore Saldaña declared the Assembly recessed.

RECONVENED

At 1:13 p.m., the Assembly reconvened.

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

RECORD EXPUNGED ON ASSEMBLY CONCURRENT RESOLUTION NO. 44

Assembly Member Blakeslee was granted unanimous consent that the record be expunged whereby a roll call vote was taken on this day on Assembly Concurrent Resolution No. 44.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY CONCURRENT RESOLUTION NO. 17 (Saldaña)—Relative to American Heart Month and Wear Red Day.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 170 (Mendoza)—An act to amend, repeal, and add Section 273 of the Code of Civil Procedure, relating to court reporters.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 176 (Silva)—An act to amend Sections 2293, 3635, 4846.5, 8027, 17539.55, 19513, 19576, 19861, 19870, 21701.1, and 25658.4 of the Business and Professions Code, to amend Sections 916, 922, 1799.3, and 3344.1 of the Civil Code, to amend Sections 129, 1033.5, and 2025.560 of the Code of Civil Procedure, to amend Sections 8971, 17002, 18032, 19323, 32255, 49091.10, 52740, 52742, 52743, 56341.1, and 60204 of the Education Code, to amend Sections 2052, 2053, 9082.5, and 18541 of the Elections Code, to amend Sections 795, 1118, and 1294 of the Evidence Code, to amend Sections 3170, 7572, 10005, and 20034 of the Family Code, to amend Sections 8880.30, 11124.1, 11130, 12811.3, 14999.31, 26202.6, 26206.7, 26206.8, 27491.47, 34090.6, 34090.7, 34090.8, 50028, 53160, 53161, 53162, 54953.5, 54960, and 68151 of the Government Code, to amend Sections 1569.69, 1736.5, 7158.3, 13220, 13221, 25201.11, 40828, 100171, and 127240 of the Health and Safety Code, to amend Sections 1758.97 and 2071.1 of the Insurance Code, to amend Sections 298.1, 599aa, 868.7, and 1203.098 of the Penal Code, to amend Section 4423.1 of the Public Resources Code, to amend Section 1611 of the Revenue and Taxation Code, and to amend Section 19639 of the Welfare and Institutions Code, relating to the maintenance of the codes.

Bill read third time, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 124 (Galgiani)—An act to add Section 9723.3 to the Business and Professions Code, relating to cemeteries, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 258 (Ma)—An act to amend Section 836 of the Penal Code, relating to domestic violence.

Bill read third time, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—77

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

NOES—None

ANNOUNCEMENTS

Speaker pro Tempore Saldaña announced the following session schedule:

Tuesday, March 24, 2009, Check-in Session, 7 a.m.–3 p.m.

Wednesday, March 25, 2009, Check-in Session, 7 a.m.–3 p.m.

Thursday, March 26, 2009, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Members Swanson, Hayashi, Buchanan, Torlakson, Galgiani, and Skinner were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory and brave service of Oakland Police Officers Sergeant Mark Dunakin of Tracy, Sergeant Ervin Romans of Danville, Sergeant Dan Sakai of Castro Valley, and Officer John Hege of Concord, who died in the line of duty.

(Assembly Rule 45.5 suspended.)

Assembly Member John A. Pérez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gilbert Leyvas of Garden Grove and Bill Healy of Glendale.

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 Harold A. White of Manteca.

Assembly Member Gaines was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Lance Narver of Elverta.

Assembly Member Portantino was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary F. Hastings of La Cañada Flintridge.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 158: Adams, Anderson, Hayashi, and Hernandez—Aye.

Assembly Bill No. 63: Galgiani and Strickland—Aye; Adams—No.

Consent Calendar: DeVore and Gaines—Aye.

MOTION TO ADJOURN

At 1:29 p.m., Assembly Member Krekorian moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:31 p.m., Speaker pro Tempore Saldaña declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor’s Office, Sacramento
March 23, 2009

The Honorable Darrell Steinberg
President pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, California

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

Dear Members of the California State Legislature:

I have executed a tribal-state gaming compact between the State of California and the Pinoleville Pomo Nation, a federally recognized Indian tribe, located in the state of California. I am forwarding copies of this tribal-state gaming compact for consideration by the Legislature.

Sincerely,

ARNOLD SCHWARZENEGGER

Above tribal-state gaming compact ordered held at the desk.

RECEIPT

I acknowledge receipt this 23rd day of March, 2009 at 1:45 p.m., of the Governor’s Tribal-State Gaming Compact between the State of California and the Pinoleville Pomo Nation delivered to me by Jacque Roberts.

SUE PARKER
Assistant Chief Clerk of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1575—Committee on Governmental Organization (Assembly Members Price (Chair), Coto, Evans, Galgiani, Hall, Hill, Lieu, Mendoza, Portantino, Torres, and Torrico). An act to amend Sections 19510 and 19513 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

ASSEMBLY BILL NO. 1576—Committee on Governmental Organization (Assembly Members Price (Chair), Cook, Coto, Evans, Galgiani, Hall, Hill, Jeffries, Lieu, Mendoza, Portantino, Silva, Torres, Torrico, and Tran). An act to add Title 16.5 (commencing with Section 98020) to, to repeal Sections 12012.25, 12012.30, 12012.35, 12012.40, 12012.45, 12012.46, 12012.465, 12012.47, 12012.475, 12012.48, 12012.485, 12012.49, 12012.495, 12012.5, 12012.51, 12012.515, 12012.52, 12012.53, 12012.75, 12012.85, and 12012.90 of, to repeal Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of, and to repeal Chapter 3 (commencing with Section 98055) of Title 16.5 of, the Government Code, relating to gaming.

ASSEMBLY BILL NO. 1577—Committee on Governmental Organization (Assembly Members Price (Chair), Cook, Coto, Evans, Galgiani, Hall, Hill, Jeffries, Lieu, Mendoza, Portantino, Silva, Torres, Torrico, and Tran). An act to amend Section 19805 of the Business and Professions Code, relating to gambling.

ASSEMBLY BILL NO. 1578—Committee on Governmental Organization (Assembly Members Price (Chair), Cook, Coto, Evans, Galgiani, Hall, Hill, Jeffries, Lieu, Mendoza, Portantino, Silva, Torres, Torrico, and Tran). An act to amend Section 19617.2 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 1579—Committee on Governmental Organization (Assembly Members Price (Chair), Cook, Coto, Evans, Galgiani, Hall, Hill, Jeffries, Lieu, Mendoza, Portantino, Torres, Torrico, and Tran). An act to amend Section 24044.5 of the Business and Professions Code, relating to alcoholic beverages.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 53—Price. Relative to Autism Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 54—Brownley. Relative to education finance.

**AUTHOR'S AMENDMENTS
Committee on Education**

March 23, 2009

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

Assembly Bill No. 284

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

BROWNLEY, Chair

ASSEMBLY BILL NO. 284—An act to add Section 47605.9 to the Education Code, relating to charter 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 Education**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 132

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

BROWNLEY, Chair

ASSEMBLY BILL NO. 132—An act to amend Section 32282 of the Education Code, relating to school safety.

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 Human Services**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 12

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

BEALL, Chair

ASSEMBLY BILL NO. 12—An act to add Section 11401.05 to, to add Article 4.7 (commencing with Section 11385) to, and to repeal Article 4.5 (commencing with Section 11360) of, Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to foster children.

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 Judiciary**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 375

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

FEUER, Chair

ASSEMBLY BILL NO. 375—An act to amend Section 3064 of the Family Code, relating to child custody.

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 23, 2009

Mme. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 412

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

SOLORIO, Chair

ASSEMBLY BILL NO. 412—An act to amend Section 422.6 of the Penal Code, relating to hate crimes.

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 Governmental Organization

March 23, 2009

Mme. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 136

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

PRICE, Chair

ASSEMBLY BILL NO. 136—An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing, 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 Local Government

March 23, 2009

Mme. Speaker: The Chair of your Committee on Local Government reports: Assembly Bill No. 50

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

CABALLERO, Chair

ASSEMBLY BILL NO. 50—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.146, 195.147, and 195.148 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, 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 Rules

March 23, 2009

Mme. Speaker: The Chair of your Committee on Rules reports: Senate Concurrent Resolution No. 22

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

LIEU, Chair

SENATE CONCURRENT RESOLUTION NO. 22—Relative to Colorectal Cancer Awareness Month.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Agriculture**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 622

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

GALGIANI, Chair

ASSEMBLY BILL NO. 622—An act to add Section 12979.1 to the Food and Agricultural Code, relating to pesticides.

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 23, 2009

Mme. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 307
Assembly Bill No. 370
Assembly Bill No. 490

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

HAYASHI, Chair

ASSEMBLY BILL NO. 307—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.

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.

ASSEMBLY BILL NO. 370—An act to amend Sections 7028 and 7028.16 of the Business and Professions Code, relating to contractors.

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.

ASSEMBLY BILL NO. 490—An act to amend Sections 122350 and 122354 of the Health and Safety Code, relating to pet stores.

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 Higher Education**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 48

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

PORTANTINO, Chair

ASSEMBLY BILL NO. 48—An act relating to private postsecondary education, 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 Public Employees, Retirement and Social Security**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 964

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

HERNANDEZ, Chair

ASSEMBLY BILL NO. 964—An act relating to state employees, 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 Water, Parks and Wildlife**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 410

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

HUFFMAN, Chair

ASSEMBLY BILL NO. 410—An act to amend Section 75027 of the Public Resources Code, relating to water resources.

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 Natural Resources**

March 23, 2009

Mme. Speaker: The Chair of your Committee on Natural Resources reports: Assembly Bill No. 453

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

SKINNER, Chair

ASSEMBLY BILL NO. 453—An act to amend Section 41954 of the Health and Safety Code, relating to air quality.

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 23, 2009

Mme. Speaker: The Chair of your Committee on Insurance reports: Assembly Bill No. 879

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

COTO, Chair

ASSEMBLY BILL NO. 879—An act to amend Section 11750 of the Insurance Code, relating to workers’ compensation 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.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 23, 2009

Mme. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 18

With the recommendation: Be adopted.

LIEU, Chair

Above resolution ordered to third reading.

Date of Hearing: March 23, 2009

Mme. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 8

Assembly Concurrent Resolution No. 25

With the recommendation: Be adopted.

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

LIEU, Chair

Above resolutions ordered to the Consent Calendar.

Committee on Judiciary

Date of Hearing: March 17, 2009

Mme. Speaker: Your committee on Judiciary reports:

Assembly Bill No. 109

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Governmental Organization.

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: March 17, 2009

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 131

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

FEUER, 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. 275

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

SOLORIO, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 23, 2009

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 9

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, March 23, 2009

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 23

Senate Concurrent Resolution No. 10

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, March 23, 2009

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 18

Senate Concurrent Resolution No. 19

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 23—Relative to Chabad Day.

SENATE CONCURRENT RESOLUTION NO. 10—Relative to Railroad Safety Month.

SENATE CONCURRENT RESOLUTION NO. 18—Relative to Respiratory Syncytial Virus Awareness Month.

SENATE CONCURRENT RESOLUTION NO. 19—Relative to Jewish American Heritage Month.

INTRODUCTION OF GUESTS

Speaker pro Tempore Saldaña, of the 76th Assembly District, introduced Hon. Bill Lockyer, California State Treasurer.

Assembly Member Villines, of the 29th Assembly District, introduced students from the Fresno Regional Occupational Program (R.O.P.).

Assembly Member Huffman, of the 6th Assembly District, introduced Brenna Thigpen of Santa Rosa who brought the issue of “Earth Hour” to the Santa Rosa City Council.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Krekorian, the Assembly adjourned until 7 a.m., Tuesday, March 24, 2009 out of respect to the memory of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Dan Sakai, and Officer John Hege on motion of Assembly Members Swanson, Hayashi, Buchanan, Torlakson, Galgiani, and Skinner; out of respect to the memory of Gilbert Leyvas and Bill Healy, on motion of Assembly Member John A. Pérez; out of respect to the memory of Harold A. White, on motion of Assembly Member Bill Berryhill; out of respect to the memory of Richard Lance Narver, on motion of Assembly Member Gaines; and out of respect to the memory of Mary F. Hastings, on motion of Assembly Member Portantino.

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 23, 2009**

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

AB	RN
12	0910321
48	0910534
50	0910018
132	0910214
136	0909667
284	0910084
307	0910370
370	0910338
375	0910146
410	0910033
412	0910324
453	0909787
490	0910353
622	0909511
879	0909564
964	0909859

SCR	RN
22	0910069

Daily Total:	17
Cumulative Total:	89

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