

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 12, 2010

ONE HUNDRED THIRTY-FIFTH SESSION DAY

FOUR HUNDRED EIGHTH 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, January 12, 2010

The Assembly met at 7 a.m.

Hon. Martin Garrick, Assembly Member, 74th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Timothy Morland reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 2:50 p.m., Hon. Jim Beall, Jr., 24th 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:

Because of illness: Assembly Member Carter.

Because of a death in her family: Assembly Member Saldaña.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 12, 2010

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

Dear Dotson: Please be advised that I have appointed Assemblymember Ira Ruskin to replace Assemblymember Hector De La Torre on the Assembly Health Committee for today's hearing only.

Sincerely,

KAREN BASS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Accountability and Administrative Review, Wednesday, January 20, 2010, at 9 a.m., in Room 444;

Budget, for an oversight hearing, Wednesday, January 27, 2010, at 1:30 p.m., in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 12, 2010

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

Assembly Bill No. 743

Assembly Bill No. 1088

Assembly Bill No. 1054

Assembly Bill No. 1460

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1643—Smyth. An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1644—Nielsen. An act to add Chapter 4.5 (commencing with Section 7250) to Division 7 of the Health and Safety Code, relating to cremated remains.

ASSEMBLY BILL NO. 1645—Nestande (Principal coauthor: Arambula). An act to amend Section 13337 of the Government Code, relating to state fiscal affairs.

ASSEMBLY BILL NO. 1646—Hayashi. An act relating to high school athletics.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 28—Nestande. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 104—Swanson (Coauthors: Bass, Bradford, Carter, Davis, Fong, Furutani, Hall, and Mendoza) (Coauthors: Senators Cedillo, Price, and Wright). Relative to Martin Luther King, Jr. Day.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

January 12, 2010

Mme. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 340

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

CALDERON, Chair

ASSEMBLY BILL NO. 340—An act to add and repeal Sections 17053.81 and 23623.2 of 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

January 12, 2010

Mme. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1399

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

CABALLERO, Chair

ASSEMBLY BILL NO. 1399—An act to add Section 24059 to 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.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

January 12, 2010

Mme. 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 amend Section 9875.1 of the Business and Professions 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.

REPORTS OF STANDING COMMITTEES
Committee on Water, Parks and Wildlife

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 408

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

HUFFMAN, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Natural Resources

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1504

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

SKINNER, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 384

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

CALDERON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 229

Assembly Bill No. 230

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.

CALDERON, Chair

Above bills ordered to second reading.

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 658

Assembly Bill No. 1029

Assembly Bill No. 1178

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

CALDERON, Chair

Above bills ordered to second reading.

Committee on Transportation

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 584

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

ENG, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 939

Assembly Bill No. 967

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.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:
Senate Joint Resolution No. 9

With the recommendation: Be adopted.

FEUER, Chair

Above resolution ordered to third reading.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1263

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

FEUER, Chair

Above bill ordered to second reading.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1491

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.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1229

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

FEUER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 973

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: January 12, 2010

Mme. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 634

With the recommendation: Do pass.

FEUER, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1097
Assembly Bill No. 1224
Assembly Bill No. 1502

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

ENG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 498
Assembly Bill No. 953

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

ENG, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Business and Professions

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 127
Assembly Bill No. 151
Assembly Bill No. 424
Assembly Bill No. 549

Assembly Bill No. 1391
Assembly Bill No. 1431
Assembly Bill No. 1524

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: January 12, 2010

Mme. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 1590

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

HAYASHI, Chair

Above bill re-referred to the Committee on Budget.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 1518

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

HAYASHI, Chair

Above bill ordered to second reading.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 25

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary with recommendation: To Consent Calendar.

CHESBRO, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Human Services

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 1433

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

BEALL, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1589

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

Above bill re-referred to the Committee on Judiciary.

Committee on Business and Professions

Date of Hearing: January 12, 2010

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

Assembly Bill No. 977

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

HAYASHI, Chair

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1420

With the recommendation: Do pass.

PORTANTINO, Chair

Above bill ordered to second reading.

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1436

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

PORTANTINO, Chair

Above bill re-referred to the Committee on Appropriations.

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:

Assembly Bill No. 1004, on request of Assembly Member Torrico.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 13, 2010.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 12, 2010**

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

AB	RN
340	1000259
1399	1000813

SB	RN
350	0926829

Daily Total:	3
Cumulative Total:	2534

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