

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 13, 2010

ONE HUNDRED THIRTY-SIXTH SESSION DAY

FOUR HUNDRED NINTH 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
Wednesday, January 13, 2010

The Assembly met at 7 a.m.

Hon. Jean Fuller, Assembly Member, 32nd 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—73:

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

Quorum present.

At 1 p.m., Hon. Connie Conway, 34th 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 Member Blumenfield.

On personal business, and waiving per diem: Assembly Members Jones and Lieu.

Because of illness: Assembly Member Carter.

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

EXPLANATIONS OF ABSENCE

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

January 11, 2010

*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 on Wednesday, January 13, 2010 due to legislative business in my district.

Thank you for your consideration of this request. Please contact me at 319-2040 should you have any questions.

Sincerely,

BOB BLUMENFIELD, Assembly Member
Fortieth District

COMMUNICATIONS

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

January 13, 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 Jared Huffman to replace Assemblymember Dave Jones on the Assembly Judiciary Committee for the Thursday, January 14 hearing only.

Sincerely,

KAREN BASS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Budget, to meet jointly with the Senate Budget and Fiscal Review Subcommittee No. 3 on Health and Human Services, Wednesday, January 27, 2010, at 1:30 p.m., in Room 4202;

Select Committee on Improving State Government, to meet jointly with the Senate Committee on Improving State Government, Tuesday, January 19, 2010, at 9 a.m., in Room 4203.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 13, 2010

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

Assembly Bill No. 340

Assembly Bill No. 1399

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. 1647—Hayashi. An act relating to high school athletics.**ASSEMBLY BILL NO. 1648—Jeffries and Chesbro.** An act relating to vehicles.**ASSEMBLY BILL NO. 1649—Chesbro (Principal coauthor: Evans) (Coauthor: Senator Wiggins).** An act to amend Sections 23015, 23358, 23358.2, and 23390.5 of the Business and Professions Code, relating to alcoholic beverages.**ASSEMBLY BILL NO. 1650—Feuer and Blumenfield.** An act to add Chapter 2.7 (commencing with Section 2200) to Part 1 of Division 2 of the Public Contract Code, relating to public contracts.**ASSEMBLY BILL NO. 1651—De La Torre.** An act to add Section 20960.1 to the Government Code, relating to public retirement.**AUTHOR'S AMENDMENTS
Committee on Appropriations**

January 13, 2010

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

Assembly Bill No. 68

Assembly Bill No. 963

Assembly Bill No. 424

Assembly Bill No. 1504

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

DE LEÓN, Chair

ASSEMBLY BILL NO. 68—An act to add Chapter 5.3 (commencing with Section 42280) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

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. 424—An act to add Section 53114.5 to the Government Code, relating to the 911 emergency telephone number 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.

ASSEMBLY BILL NO. 963—An act to add Sections 14012.6, 14012.7, and 14012.8 to the Welfare and Institutions Code, relating to Medi-Cal.

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. 1504—An act to amend Sections 4512 and 4513 of, to add Section 4512.5 to, and to add Chapter 3 (commencing with Section 4040) to Part 1 of Division 4 of, the Public Resources Code, relating to forest 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 Environmental Safety and Toxic Materials

January 13, 2010

Mme. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1112

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

CHESBRO, Chair

ASSEMBLY BILL NO. 1112—An act to add Section 25144.1 to the Health and Safety Code, relating to hazardous waste.

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

January 13, 2010

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

Assembly Bill No. 25

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

FEUER, Chair

ASSEMBLY BILL NO. 25—An act to amend Sections 13385 and 13385.1 of the Water Code, relating to water 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.

REPORTS OF STANDING COMMITTEES

Committee on Aging and Long-Term Care

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 535

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

LOWENTHAL, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Health reports:

Assembly Bill No. 113

Assembly Bill No. 223

Assembly Bill No. 1225

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

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 390

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

AMMIANO, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1155

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

AMMIANO, Chair

Above bill re-referred to the Committee on Transportation.

Committee on Housing and Community Development

Date of Hearing: January 13, 2010

Mme. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 1556

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

TORRES, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1586

With the recommendation: Do pass.

AMMIANO, Chair

Above bill ordered to second reading.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1532

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.

AMMIANO, Chair

Above bill ordered to second reading.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1414

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

AMMIANO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 312
- Assembly Bill No. 505
- Assembly Bill No. 558

- Assembly Bill No. 633
- Assembly Bill No. 674
- Assembly Bill No. 1239

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

AMMIANO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Public Safety reports:

- Senate Bill No. 399

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

AMMIANO, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Veterans Affairs

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Veterans Affairs reports:

- Assembly Bill No. 1378

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

SALAS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2010

Mme. Speaker: Your Committee on Veterans Affairs reports:

- Assembly Bill No. 1088

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

SALAS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

January 13, 2010

Mme. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 357
- Assembly Bill No. 614

- Assembly Bill No. 1133
- Assembly Bill No. 1275

AMMIANO, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: January 13, 2010

Mme. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

- Assembly Bill No. 35

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

V. MANUEL PÉREZ, 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. 656

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

CALDERON, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: January 11, 2010

Mme. Speaker: Your Committee on Natural Resources reports:

Assembly Joint Resolution No. 26

With amendments with the recommendation: Amend, and be adopted as amended.

SKINNER, Chair

Above resolution ordered to second reading.

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. 1254

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

HUFFMAN, Chair

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: January 13, 2010

Mme. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 139

Assembly Bill No. 419

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

CABALLERO, Chair

Above bills ordered to second reading.

Date of Hearing: January 13, 2010

Mme. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1204

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

CABALLERO, Chair

Above bill ordered to second reading.

Date of Hearing: January 13, 2010

Mme. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1199

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

CABALLERO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 13, 2010

Mme. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 133

Assembly Bill No. 1399

Assembly Bill No. 987

Assembly Bill No. 1451

With the recommendation: Do pass.

CABALLERO, Chair

Above bills ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 229—An act to amend Section 16361 of the Probate Code, relating to the Uniform Principal and Income Act.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 230—An act to amend Sections 63.1 and 69.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 658—An act to add and repeal Article 14.5 (commencing with Section 18856) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1029—An act to amend Sections 16182, 16183, 16200, 16202, and 16211 of, to repeal Sections 16211.5, 16213, and 16214 of, and to repeal and add Section 16180 of, the Government Code, and to amend Sections 2505, 2514, 2515, 20503, 20505, 20582, 20583, 20583.1, 20585, 20586, 20621, 20622, 20639.1, 20639.6, 20639.8, 20639.9, 20639.11, 20640.1, 20640.3, 20640.4, 20640.6, 20640.8, 20640.9, 20640.11, 20641, 20643 of, to add Sections 20584.1, 20587, 20588, 20589, 20590, 20591, and 20648 to, to repeal Section 20623 and Chapter 3 (commencing with Section 20625) of Part 10.5 of Division 2 of, and to repeal and add Section 20602 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1178—An act to amend, repeal, and add Section 25110 of, and to add Section 6361.7 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 584—An act to add Chapter 8.1 (commencing with Section 1966) to Division 2.5 of the Streets and Highways Code, and to amend Sections 21251 and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 939—An act to amend Sections 2400 and 2403 of the Family Code, relating to dissolution of marriage.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 967—An act to amend Section 400 of the Family Code, relating to marriage.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1263—An act to amend Section 1162 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1491—An act to amend Section 318 of the Corporations Code, relating to corporations.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 634—An act to amend Section 831.7 of the Government Code, relating to liability.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1518—An act to add Chapter 1.2 (commencing with Section 8020) to Division 1 of Title 2 of the Government Code, relating to state government.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1420—An act to add Section 13997.8 to the Government Code, relating to state government.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 977—An act to add and repeal Section 4052.8 of the Business and Professions Code, relating to pharmacy.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 13, 2010

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

AB	RN	
25	1000601	
68	1000278	
424	1000799	
584	1000454	
658	1000711	
963	1000351	
977	1000896	
1029	1000230	
1112	1000514	
1178	1000669	
1263	1000323	
1491	1000633	
1504	1000680	
1518	1000780	
Daily Total:		14
Cumulative Total:		2548

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