

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Tuesday, January 26, 2010**

**ONE HUNDRED FORTY-THIRD SESSION DAY**

**FOUR HUNDRED TWENTY-SECOND 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 26, 2010

The Assembly met at 7 a.m.

Hon. Alberto Torrico, Assembly Member, 20th 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—74:

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

Quorum present.

**At 10:40 a.m., Hon. Danny D. Gilmore, 30th 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 Fletcher.*

*Because of illness: Assembly Members Carter, Hall, and Torlakson.*

**EXPLANATIONS OF ABSENCE**

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

January 20, 2010

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Office 219  
Sacramento, California*

Speaker Bass: I respectfully request to be excused from Check-in Session on Tuesday January 26 due to legislative business in my district. If there are any questions regarding this request please contact my Capitol Office at (916) 319-2075.

Thank you for your prompt attention to this request.

Sincerely,

NATHAN FLETCHER, Assembly Member  
Seventy-fifth District

**COMMUNICATIONS**

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

January 26, 2010

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

RE: Appointment of Joan Buchanan  
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Joan Buchanan to the State Allocation Board for January 27, 2010 only. Assemblymember Buchanan will be replacing Assemblymember Tom Torlakson.

Sincerely,

KAREN BASS  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Select Committee on Healthcare Workforce Access, on Wednesday, February 3, 2010, at 10 a.m., in Room 444.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 26, 2010

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

Assembly Bill No. 12	Assembly Bill No. 656
Assembly Bill No. 41	Assembly Bill No. 674
Assembly Bill No. 391	Assembly Bill No. 953
Assembly Bill No. 498	Assembly Bill No. 963
Assembly Bill No. 537	Assembly Bill No. 973
Assembly Bill No. 549	Assembly Bill No. 977
Assembly Bill No. 551	Assembly Bill No. 1088

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 26, 2010

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

Assembly Bill No. 1155	Assembly Bill No. 1225
Assembly Bill No. 1178	Assembly Bill No. 1239
Assembly Bill No. 1223	Assembly Bill No. 1518

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 26, 2010

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

Assembly Bill No. 1254

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

**CONSIDERATION OF DAILY FILE****ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

**Assembly Bills Nos. 1178, 1223, 1225, 1239, 1518, 41, 391, 498, 537, 549, 551, 656, 953, 963, 973, 977, 12, 1088, and 1254,** ordered to third reading;**Assembly Bills Nos. 674 and 1155,** ordered to the Consent Calendar.**SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

**Senate Bill No. 205,** ordered to third reading.**SECOND READING OF ASSEMBLY BILLS****ASSEMBLY BILL NO. 978**—An act to add Section 11547.5 to the Government Code, relating to the State Chief Information Officer.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 743**—An act to amend Sections 362.1 and 16002 of, to add Section 362.5 to, and to repeal and add Section 16010.6 of, the Welfare and Institutions Code, relating to foster care.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 151**—An act relating to the Department of General Services.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

#### **BILLS RETURNED TO THIRD READING FILE**

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

**Assembly Bills Nos. 347 and 1538**, on request of Assembly Member Block.

#### **INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1682—Torres.** An act to amend Section 6254 of the Government Code, relating to public records.

**ASSEMBLY BILL NO. 1683—Torres.** An act to amend Sections 8236, 12000, and 12001 of, and to add Section 8235.5 to, the Education Code, relating to education.

**ASSEMBLY BILL NO. 1684—Jeffries.** An act to amend Section 325 of the Code of Civil Procedure, relating to civil actions.

**ASSEMBLY BILL NO. 1685—Jeffries.** An act to amend Section 1531.5 of the Code of Civil Procedure, relating to unclaimed property.

**ASSEMBLY BILL NO. 1686—Jeffries.** An act to add Section 40440.15 to the Health and Safety Code, relating to air pollution.

**ASSEMBLY BILL NO. 1687—Jeffries.** An act to add and repeal Section 6018.9 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 1688—Jeffries.** An act to amend Section 290 of the Penal Code, relating to sex offenders.

**ASSEMBLY BILL NO. 1689—Torres.** An act to amend Sections 6002, 6003, 6020, 6023, 6024, 6041, 6042, 6080, 6082, 6101, 6105, 6108, 6122, 6145, 6160, 6180, 6240, 6241, and 6950 of, to repeal Sections 6004, 6005, 6021, 6086, 6087, and 6100 of, to repeal Article 11 (commencing with Section 6200) of Chapter 1 of Part 1 of Division 6 of the Elections Code, relating to elections.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 109**—Nestande (Principal coauthor: Senator Ducheny). Relative to the Roy Wilson Memorial Highway.

**AUTHOR'S AMENDMENTS**  
Committee on Education

January 26, 2010

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

Assembly Bill No. 1646

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

BROWNLEY, Chair

**ASSEMBLY BILL NO. 1646**—An act to amend Sections 35179.1 and 49032 of the Education Code, relating to training for high school coaches.

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 26, 2010

Mme. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Concurrent Resolution No. 74

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

HAYASHI, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 74**—Relative to the treatment of animals.

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

**REPORTS OF STANDING COMMITTEES**  
Committee on Appropriations

Date of Hearing: January 21, 2010

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1590

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

DE LEÓN, Chair

Above bill ordered to second reading.

**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 26, 2010**

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

**AB RN**

151 1002202  
743 1002259  
978 1002179  
1646 1003092

**ACR RN**

74 0921303

**Daily Total: 5**  
**Cumulative Total: 2600**

O