

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 12, 2010

TWO HUNDREDTH SESSION DAY

FIVE HUNDRED TWENTY-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
Wednesday, May 12, 2010

The Assembly met at 7 a.m.

Hon. Kevin de León, Assembly Member, 45th 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	Coto	Hall	Nielsen
Ammiano	Davis	Harkey	Norby
Anderson	De La Torre	Hayashi	Pérez, V. Manuel
Arambula	De León	Hernandez	Portantino
Beall	DeVore	Hill	Ruskin
Berryhill, Bill	Emmerson	Huber	Salas
Berryhill, Tom	Eng	Huffman	Saldaña
Blakeslee	Evans	Jeffries	Silva
Block	Feuer	Jones	Skinner
Blumenfield	Fletcher	Knight	Solorio
Bradford	Fong	Logue	Strickland
Brownley	Fuentes	Lowenthal	Swanson
Buchanan	Fuller	Ma	Torlakson
Caballero	Furutani	Mendoza	Torres
Calderon	Gaines	Miller	Torrico
Carter	Galgiani	Monning	Tran
Chesbro	Garrick	Nava	Villines
Conway	Gilmore	Nestande	Yamada
Cook	Hagman	Niello	Mr. Speaker

Quorum present.

At 12:03 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.

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 Members Bass and Smyth.

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

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 12, 2010

The Honorable John A. Pérez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Pérez: I respectfully request permission to be excused from Check-in Session on Wednesday, May 12, 2010, due to legislative business.

Sincerely,

KAREN BASS
Speaker Emeritus

May 3, 2010

The Honorable John A. Pérez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting to be excused from Check-in Session on Wednesday, May 12, 2010, due to legislative business in my district.

Should you have any questions, please contact Donda Scholl in my office at 319-2038.

Thank you for your attention to this matter.

Sincerely,

CAMERON M. SMYTH, Assembly Member
Thirty-eighth District

SPECIAL COMMITTEE MEETINGS

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

Education, to convene an oversight hearing, Wednesday, May 19, 2010 or June 9, 2010, at 1:30 p.m., in Room 126.

COMMUNICATIONS**Qualified Initiatives**

The following communications were presented by the Chief Clerk from:

Debra Bowen, Secretary of State, dated March 24, 2010, transmitting copies of the title, summary, and text of the following qualified initiative:

**Changes California Law to
Legalize Marijuana and Allow it to be Regulated and Taxed.
Initiative Statute (No. 1377)
Initiative No. 09-0024**

Referred by the Speaker to the Committee on Public Safety.

Debra Bowen, Secretary of State, dated January 20, 2010, transmitting copies of the title, summary, and text of the following qualified initiative:

**Allows Auto Insurance Companies to
Base Their Prices In Part on a Driver's History of Insurance Coverage.
Initiative Statute (No. 1381)
Initiative No. 09-0028**

Referred by the Speaker to the Committee on Insurance.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 12, 2010

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

Assembly Concurrent Resolution No. 162

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 12, 2010

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

Assembly Bill No. 1641

Assembly Bill No. 1696

Assembly Bill No. 1731

Assembly Bill No. 1775

Assembly Bill No. 1824

Assembly Bill No. 1847

Assembly Bill No. 1871

Assembly Bill No. 1982

Assembly Bill No. 2022

Assembly Bill No. 2026

Assembly Bill No. 2216

Assembly Bill No. 2370

Assembly Bill No. 2378

Assembly Bill No. 2386

Assembly Bill No. 2408

Assembly Bill No. 2412

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 12, 2010

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

Assembly Bill No. 2444

Assembly Bill No. 2479

Assembly Bill No. 2743

Assembly Bill No. 2764

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 12, 2010

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

Assembly Bill No. 1993

Assembly Bill No. 2025

Assembly Bill No. 2041

Assembly Bill No. 2230

Assembly Bill No. 2249

Assembly Bill No. 2278

Assembly Bill No. 2475

Assembly Bill No. 2778

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 30—Ammiano and John A. Pérez. Relative to Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 12, 2010

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 2733

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

FUENTES, Chair

ASSEMBLY BILL NO. 2733—An act to amend Sections 22971 and 22980.3 of, and to add Sections 22980.4 and 22980.5 to, the Business and Professions Code, relating to cigarette and tobacco products.

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 Appropriations

May 12, 2010

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 2642
Assembly Bill No. 2699
Assembly Bill No. 2720

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

FUENTES, Chair

ASSEMBLY BILL NO. 2642—An act to add Section 53395.95 to the Government Code, relating to infrastructure financing.

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. 2699—An act to amend Section 900 of, and to add Section 901 to, the Business and Professions Code, relating to healing arts.

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. 2720—An act relating to public health.

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 Appropriations

May 12, 2010

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 2396

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

FUENTES, Chair

ASSEMBLY BILL NO. 2396—An act to amend Section 11751.5 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.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

May 12, 2010

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Constitutional Amendment No. 18

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

PORTANTINO, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 9 of Article II thereof, amending Sections 8 and 12 of Article IV thereof, and amending Section 3 of Article XIII A thereof, relating to the state budget.

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 Revenue and Taxation

May 12, 2010

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1604
Assembly Bill No. 2100

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

PORTANTINO, Chair

ASSEMBLY BILL NO. 1604—An act to add Part 21 (commencing with Section 42001) to Division 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.

ASSEMBLY BILL NO. 2100—An act to add Part 14.5 (commencing with Section 32600) to Division 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.

REPORTS OF STANDING COMMITTEES
Committee on Water, Parks and Wildlife

Date of Hearing: May 11, 2010

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:
Assembly Joint Resolution No. 38

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

HUFFMAN, Chair

Above resolution ordered to second reading.

**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. 2026, 2764, 2743, 2378, 1847, 1824, 1871, 1731, 2216, 2479, 1696, 2022, 2386, 1641, 1775, 1982, 2370, 2412, and 2444, ordered to third reading;

Assembly Bill No. 2408, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2110—An act to add Section 10355 to the Insurance Code, relating to health care coverage.

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

ASSEMBLY BILL NO. 2694—An act to amend Section 60010 of, and to add Section 60052 to, the Education Code, relating to instructional materials.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed on upon the Consent Calendar.

ASSEMBLY CONCURRENT RESOLUTION NO. 151—Relative to In-Home Supportive Services.

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

ASSEMBLY BILL NO. 1854—An act to add Section 48204.1 to the Education Code, relating to school attendance.

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

ASSEMBLY BILL NO. 1973—An act to add Sections 17053.76 and 23622.9 to 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. 2665—An act to add and repeal Sections 17053.88 and 23688 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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, May 13, 2010.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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

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

AB RN

1604	1009561
1854	1012064
1973	1011976
2100	1011694
2110	1011802
2396	1012025
2642	1012073
2665	1011979
2694	1011841
2699	1011431
2720	1011989
2733	1011839

ACA RN

18	1011487
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ACR RN

151	1011632
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Daily Total:	14
Cumulative Total:	3943

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