

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, June 7, 2010**

**TWO HUNDRED FOURTEENTH SESSION DAY  
FIVE HUNDRED FIFTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Monday, June 7, 2010

The Assembly met at 7 a.m.

Hon. Joel Anderson, Assembly Member, 77th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

File Clerk Russell C. Tomas reading.

#### ROLL CALL

The following were placed upon the morning roll call—53:

Adams	Conway	Huber	Ruskin
Ammiano	Cook	Huffman	Saldaña
Anderson	Coto	Jeffries	Silva
Arambula	Davis	Jones	Skinner
Beall	DeVore	Knight	Solorio
Berryhill, Bill	Feuer	Logue	Swanson
Berryhill, Tom	Fong	Lowenthal	Torlakson
Blakeslee	Fuentes	Ma	Torrico
Blumenfeld	Furutani	Miller	Tran
Bradford	Gaines	Monning	Villines
Brownley	Gilmore	Niello	Yamada
Buchanan	Hagman	Nielsen	
Caballero	Hayashi	Norby	
Chesbro	Hill	Portantino	

Quorum present.

**At 1:24 p.m., Hon. Anthony Portantino, 44th 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 Block, Calderon, Carter, De León, Eng, Fletcher, Fuller, Garrick, Hall, Mendoza, Nava, Nestande, John A. Pérez, Smyth, and Torres.*

*On personal business, and waiving per diem: Assembly Members Bass, De La Torre, Emmerson, Galgiani, Hernandez, Lieu, Salas, and Strickland.*

*Because of illness: Assembly Members Evans and Harkey.*

*Because of jury duty: Assembly Member V. Manual Pérez.*

**EXPLANATIONS OF ABSENCE**

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

June 3, 2010

*The Honorable John Pérez*  
*Speaker, California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from check-in session on Monday, June 7, 2010 for official business in my district.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

MARTY BLOCK, Assembly Member  
Seventy-eighth District

June 2, 2010

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

Dear Speaker Pérez: I respectfully request to be excused from Check-in Session on Monday, June 7, 2010 due to legislative business. Thank you for your consideration of this request.

Sincerely,

CHARLES M. CALDERON, Assembly Member  
Fifty-eighth District

May 20, 2010

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

Dear Mr. Speaker: This letter is to request that I be excused from legislative business in Sacramento on Monday, June 7th due to legislative business in my district.

Should you have any questions, please do not hesitate to contact me, or Robbin Lewis-Coaxum of my staff, at 319-2062.

Thank you.

Sincerely,

WILMER AMINA CARTER, Assembly Member  
Sixty-second District

May 26, 2010

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

Dear Speaker: I respectfully request to be excused from session or check-in session on Monday, June 7, 2010. I will be in my district attending legislative meetings.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2045.

Sincerely,

KEVIN DE LEÓN, Assembly Member  
Forty-fifth District

June 3, 2010

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

Dear Speaker Pérez: I respectfully request to be excused from check-in session on Monday, June 7, 2010, so that I can attend to legislative business matter in my district.

Thank you for your consideration of this matter. Should you have any questions or concerns regarding this request, please feel free to contact me or my scheduler Tahiza Landeros de Reilly at 319.2049.

Kind Regards,

MIKE ENG, Assembly Member  
Forty-ninth District

May 27, 2010

*The Honorable John Pérez*  
*Speaker of the California State Assembly*  
*State Capitol Office 219*

Dear Speaker Pérez: I respectfully request an excuse from session check-in on Monday, June 7th due to legislative business. 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

June 3, 2010

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

Speaker Pérez: This letter is a request to be excused from Floor or Check-In Session on Monday, June 7th. I will be tending to Legislative business in the 32nd Assembly District on that day.

Thank you for your consideration in this matter.

Sincerely,

JEAN FULLER, Assembly Member  
Thirty-second District

June 1, 2010

*The Honorable John Pérez*  
*Speaker, California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request an excuse from check-in session, on Monday, June 7, 2010. I have legislative business in my district office.

If you have any questions, please call Karrie Watson at 319-2381.

Sincerely,

MARTIN GARRICK  
Assembly Republican Leader

June 3, 2010

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

Dear Speaker Pérez: I am writing to respectfully request to be excused from check-in session on Monday, June 7, 2010, to attend to legislative business.

Thank you for your prompt attention to this matter.

Sincerely,

ISADORE HALL III, Assembly Member  
Fifty-second District

June 2, 2010

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

Dear Mr. Speaker: I am respectfully requesting to be excused from check-in on Monday, June 7 due to Legislative Business in my district.

I want to thank you in advance for your consideration of this request.

Sincerely,

TONY MENDOZA, Assembly Member  
Fifty-sixth District

June 3, 2010

*The Honorable John Pérez*  
*Speaker, California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on Monday, June 7, 2010 for legislative business in my district. Thank you for your attention to this matter.

Sincerely,

PEDRO NAVA, Assembly Member  
Thirty-fifth District

June 3, 2010

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

Dear Mr. Speaker: This letter is to respectfully request an excuse from session on Monday, June 7, 2010. I will be in my district on legislative business.

If you have any questions, please call me at (916) 319-2064.

Thank you for your prompt attention.

Sincerely,

BRIAN NESTANDE, Assembly Member  
Sixty-fourth District

June 4, 2010

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

Dear Dotson: This is to advise you that I will not be in attendance for Check-in Session on Monday, June 7 due to legislative business.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

June 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 Monday, June 7, 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

May 17, 2010 (revised June 3)

*Assembly Speaker John Pérez  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Speaker Pérez: Your consideration is respectfully requested to be excused from check-in session on Monday, June 7, 2010 for legislative business in my district.

Thank you for your consideration.

Sincerely,

NORMA J. TORRES, Assembly Member  
Sixty-first District

### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 7, 2010

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

Assembly Concurrent Resolution No. 165

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

### **RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 174—Block.** Relative to the Roberto “Bobby” Salcedo Memorial Highway.

**ASSEMBLY JOINT RESOLUTION NO. 43—Hill.** Relative to television audio loudness.

### **AUTHOR’S AMENDMENTS**

#### **Committee on Utilities and Commerce**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Senate Bill No. 1437

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

BRADFORD, Chair

**SENATE BILL NO. 1437**—An act to amend Section 740.2 of the Public Utilities Code, relating to electricity.

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**

June 7, 2010

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

Senate Bill No. 580

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

FEUER, Chair

**SENATE BILL NO. 580**—An act to amend Sections 3751, 4061, 4063, and 17422 of the Family Code, relating to child support.

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**

June 7, 2010

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

Senate Bill No. 518

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

NAVA, Chair

**SENATE BILL NO. 518**—An act to add Section 18941.8 to the Health and Safety Code, and to amend Section 14877.1 of the Water Code, relating to building standards.

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**

June 7, 2010

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

Senate Bill No. 346

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

NAVA, Chair

**SENATE BILL NO. 346**—An act to add Article 13.5 (commencing with Section 25250.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous materials.

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 Budget**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Budget reports:

Assembly Bill No. 1609

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

BLUMENFIELD, Chair

**ASSEMBLY BILL NO. 1609**—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, 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 Labor and Employment**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Senate Bill No. 903

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

SWANSON, Chair



**SENATE BILL NO. 903**—An act to add Section 200.5 to the Labor Code, relating to employment.

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**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Senate Bill No. 203  
Senate Bill No. 282

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

AMMIANO, Chair

**SENATE BILL NO. 203**—An act to amend Section 311 of the Penal Code, relating to child pornography.

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.

**SENATE BILL NO. 282**—An act to amend Sections 12061 and 12077 of the Penal Code, relating to deadly weapons transaction records.

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**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 602

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

FUENTES, Chair

**SENATE BILL NO. 602**—An act to amend Sections 113947.2 and 113947.3 of, and to add Sections 113790 and 113948 to, the Health and Safety Code, relating to food safety, 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 Jobs, Economic Development, and the Economy**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 1484

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

V. MANUEL PÉREZ, Chair

**SENATE BILL NO. 1484**—An act to amend Section 326.3 of the Penal Code, relating to gambling.

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**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Senate Bill No. 650

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

FEUER, Chair

**SENATE BILL NO. 650**—An act to amend Sections 8547.10 and 8547.12 of the Government Code, relating to improper governmental activities.

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**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Senate Bill No. 330  
Senate Bill No. 1482

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

COTO, Chair

**SENATE BILL NO. 330**—An act to amend Sections 72670, 72670.5, and 89901 of, and to add Section 92034 to, the Education Code, and to add Section 6254.30 to the Government Code, relating to public records.

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.

**SENATE BILL NO. 1482**—An act to amend Section 8880.4 of the Government Code, relating to the California State Lottery.

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**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Senate Bill No. 894

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

SMYTH, Chair

**SENATE BILL NO. 894**—An act to repeal Section 349½ of the Code of Civil Procedure, to add Section 17624.5 to the Education Code, to amend Sections 17600, 23110, 23124, 25214.2, 31010.5, 31479.1, 34873, 34875, 34900, 34901, 36508, 36511, 36515, 36516.1, 36516.5, 36804, 36811, 50271, 61116, 65063.7, 65920, 66000.5, and 66031 of, to add Sections 23221, 23296, 23302, 25503, 56103.5, 65107, 65801, and 66499.38 to, and to repeal Section 65924 of, the Government Code, to amend Sections 2074, 9074, 13897, 33080.2, 33445.1, 40225, 40326, 40526, 40751, 116183, and 117065 of, to amend and repeal Sections 32121 and 32126 of, and to add Section 33501.9 to, the Health and Safety Code, to amend Sections 20142, 20405, and 20688.6 of, and to add Sections 20614 and 20998 to, the Public Contract Code, to amend Section 5788.17 of, and to add Section 21167.9 to, the Public Resources Code, to add Sections 21670.6 and 29236 to the Public Utilities Code, to amend Section 99.02 of the Revenue and Taxation Code, to amend Sections 35424, 50655, and 50656 of the Water Code, and to amend Section 3.2 of Chapter 283 of the Statutes of 1973, 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 Transportation**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Senate Bill No. 88

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

LOWENTHAL, Chair

**SENATE BILL NO. 88**—An act to amend Section 5101.2 of the Vehicle Code, relating to vehicles.

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 Utilities and Commerce**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:  
Senate Bill No. 1462

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

BRADFORD, Chair

**SENATE BILL NO. 1462**—An act to amend Sections 2889.4, 2889.5, and 2894 of the Public Utilities Code, relating to telecommunications.

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**

June 7, 2010

Mr. Speaker: The Chair of your Committee on Human Services reports:  
Senate Joint Resolution No. 31

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

BEALL, Chair

**SENATE JOINT RESOLUTION NO. 31**—Relative to persons with disabilities.

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 7, 2010

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

Assembly Concurrent Resolution No. 101

And reports the same correctly enrolled, and presented to the Secretary of State on the 7th day of June, 2010, at 9:45 a.m.

E. DOTSON WILSON, Chief Clerk

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, June 10, 2010.

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FIONA MA, Speaker pro Tempore

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 7, 2010**

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

<b>SB</b>	<b>RN</b>
88	1017767
203	1010956
282	1013139
330	1017654
346	1015781
518	1017384
580	1017410
602	1014267
650	1013527
894	1017621
903	1011571
1437	1014875
1462	1017526
1482	1017339
1484	1012625

<b>SJR</b>	<b>RN</b>
31	1017579

<b>Daily Total:</b>	<b>16</b>
<b>Cumulative Total:</b>	<b>4178</b>

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