

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 17, 2009

EIGHTY-EIGHTH SESSION DAY

ONE HUNDRED NINETY-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, June 17, 2009

The Assembly met at 7 a.m.

Hon. Lori Saldaña, Speaker pro Tempore of the Assembly, presiding.

Hon. Fiona Ma, Assembly Member, 12th 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—77:

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

Quorum present.

At 2:17 p.m., Hon. Alberto Torrico, 20th 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 De La Torre.

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

EXPLANATIONS OF ABSENCE

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

June 15, 2009

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

Dear Mme. Speaker: The purpose of this letter is to respectfully request to be excused from check-in session for legislative business, on Wednesday, June 17, 2009.

I am thanking you in advance for your consideration of this request. If you have any questions or require additional information, please do not hesitate to contact my Chief of Staff, Juan Carlos Torres, at (916) 319-2050.

Sincerely,

HECTOR DE LA TORRE, Assembly Member
Fiftieth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 17, 2009

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Isadore Hall to serve as the acting Chair on the Assembly Rules Committee for the Thursday, June 18 hearing only. I have also appointed Assemblymember Mike Duvall to replace Assemblymember Sam Blakeslee on the committee for the June 18 hearing only.

Sincerely,

KAREN BASS
Speaker of the Assembly

June 16, 2009

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

RE: Appointment of Valerie Yerger
to Tobacco Education and Research Oversight Committee

Dear Mr. Wilson: Please be advised I have appointed Ms. Valerie Yerger to the Tobacco Education and Research Oversight Committee. This is a term appointment starting June 16, 2009 and the expiration date is January 1, 2011.

Sincerely,

KAREN BASS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Select Committee on the Census, Tuesday, July 28, 2009, at 2 p.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 17, 2009

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

Assembly Constitutional Amendment No. 3

Assembly Constitutional Amendment No. 5

Assembly Constitutional Amendment No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

**AUTHOR'S AMENDMENTS
Committee on Agriculture**

June 17, 2009

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

Senate Bill No. 562

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

GALGIANI, Chair

SENATE BILL NO. 562—An act to amend Section 48001 of the Food and Agricultural Code, relating to agriculture.

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 Health**

June 17, 2009

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

Senate Bill No. 337

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

JONES, Chair

SENATE BILL NO. 337—An act to amend Section 1280.15 of the Health and Safety Code, relating to health facilities.

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 17, 2009

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

Senate Bill No. 581

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

FUENTES, Chair

SENATE BILL NO. 581—An act to amend Section 2828 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 Education

June 17, 2009

Mme. Speaker: The Chair of your Committee on Education reports:
Senate Bill No. 191

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

BROWNLEY, Chair

SENATE BILL NO. 191—An act to amend Section 47660 of the Education Code, relating to charter schools.

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 Natural Resources

June 17, 2009

Mme. Speaker: The Chair of your Committee on Natural Resources reports:
Senate Bill No. 833

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

SKINNER, Chair

SENATE BILL NO. 833—An act to amend Sections 2772.7, 5096.518, and 5097.98 of the Public Resources Code, to amend Sections 7 and 12 of Chapter 543 of the Statutes of 2004, and to amend Sections 1 and 15 of Chapter 660 of the Statutes of 2007, relating to natural 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 Local Government

June 17, 2009

Mme. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 113

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

CABALLERO, Chair

SENATE BILL NO. 113—An act to amend Sections 6301.1, 6305, 6307, 6321, 6326, 6342, 6345, 6346, 6346.5, 6347, 6348, 6348.3, 6348.4, 6348.5, 6348.6, 6349, and 6350 of, and to repeal Section 6364 of, the Business and Professions Code, to amend Section 15303 of the Education Code, to amend Sections 7902.7, 23232, 24011, 25210.2, 25332, 25502.3, 25502.5, 29000, 29001, 29002, 29005, 29006, 29007, 29008, 29009, 29040, 29042, 29043, 29044, 29045, 29060, 29061, 29062, 29063, 29064, 29065, 29081, 29082, 29083, 29084, 29085, 29086, 29088, 29089, 29090, 29092, 29093, 29100, 29100.6, 29109, 29120, 29121, 29122, 29124, 29125, 29126.1, 29126.2, 29127, 29128, 29130, 29141, 29142, 30200, 36516, 53601.6, 53601.8, 53646, 53961, 61002, 61061, 66412, 66434, 66439, 66445, and 66447 of, to amend the headings of Article 2 (commencing with Section 29040) of Chapter 1 of Division 3 of Title 3, Article 3 (commencing with Section 29060) of Chapter 1 of Division 3 of Title 3, and Article 4 (commencing with Section 29080) of Chapter 1 of Division 3 of Title 3 of, to repeal Sections 29004, 29065.5, 29066, 29088.1, 29091, 29129, and 29140 of, to repeal Article

10 (commencing with Section 29520) of Chapter 2 of Division 3 of Title 3, Article 13 (commencing with Section 29560) of Chapter 2 of Division 3 of Title 3, and Chapter 6 (commencing with Section 60000) of Division 1 of Title 5 of, and to repeal and add Sections 29003 and 29080 of, the Government Code, to amend Sections 9002, 9066, 9067, 9074, 9078, 40100.5, 101350, and 103505 of, to add Section 103501 to, and to repeal Section 103500 of, the Health and Safety Code, to amend Sections 1121 and 1262 of the Military and Veterans Code, to amend Sections 20601 and 20602 of, and to add Section 20615 to, the Public Contract Code, to amend Sections 2621.7 and 13041 of the Public Resources Code, to amend Section 11938 of the Public Utilities Code, to amend Section 99 of the Revenue and Taxation Code, to amend Sections 1550, 1550.1, 1552, and 5100 of, to repeal Sections 1551, 1553, and 1554 of, and to repeal and add Section 1550.2 of, the Streets and Highways Code, to amend Sections 376, 40355, 55336, 55371, 55371.5, 55372, and 55373 of the Water Code, and to amend Sections 4.1, 4.2, 5.1, 5.2, 5.3, 5.5, 5.6, 5.7, and 5.20 of, to amend and renumber Section 8.12 of, to add Section 6.2 to, and to repeal Sections 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, and 8.1 of, the North Delta Water Agency Act (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.

REPORTS OF STANDING COMMITTEES

Committee on Housing and Community Development

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Housing and Community Development reports: Senate Bill No. 111

With the recommendation: Do pass.

TORRES, Chair

Above bill ordered to second reading.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Housing and Community Development reports: Senate Bill No. 224

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

TORRES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Housing and Community Development reports: Senate Bill No. 166

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

TORRES, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: June 16, 2009

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

Senate Bill No. 486
Senate Bill No. 614

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

CHESBRO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 16, 2009

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

Senate Bill No. 143

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 Water, Parks and Wildlife

Date of Hearing: June 16, 2009

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 481

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.

Date of Hearing: June 16, 2009

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 717

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

HUFFMAN, Chair

Above bill ordered to second reading.

Committee on Agriculture

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 671

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

GALGIANI, Chair

Above bill re-referred to the Committee on Natural Resources.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 2

Senate Bill No. 140

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

GALGIANI, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Local Government reports:

Senate Bill No. 263

Senate Bill No. 430

With the recommendation: Do pass.

CABALLERO, Chair

Above bills ordered to second reading.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Local Government reports:
Senate Bill No. 198
Senate Bill No. 673

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.

CABALLERO, Chair

Above bills ordered to second reading.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Local Government reports:
Senate Bill No. 636

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

CABALLERO, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: June 17, 2009

Mme. Speaker: Your Committee on Local Government reports:
Senate Bill No. 501

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.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

SENATE BILL NO. 823—An act to amend Sections 2512, 2781, 2782, 3731, 3791.4, and 3793.1 of, and to amend and renumber Section 4839.2 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 158—An act to amend Section 1367.66 of the Health and Safety Code, and to amend Section 10123.18 of 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 re-referred to the Committee on Appropriations.

SENATE BILL NO. 121—An act to amend Section 14183 of the Penal Code, relating to crime prevention.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 490—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 169—An act to amend Section 538d of the Penal Code, relating to crime.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 324—An act to amend Section 350 of the Penal Code, relating to crimes.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 609—An act to amend Section 653o of the Penal Code, relating to crimes.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 237—An act to amend Sections 11302, 11314, 11315.5, 11409, and 11422 of, to add Sections 11315.1, 11320.5, 11328.1, 11345, 11345.05, 11345.1, 11345.2, 11345.3, 11345.4, 11345.45, 11345.6, 11346, and 11406.5 to, and to repeal and add Section 11343 of, the Business and Professions Code, and to amend Section 1090.5 of the Civil Code, relating to real estate appraisers, and making an appropriation therefor.

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.

SENATE BILL NO. 171—An act to amend Sections 44839 and 44839.5 of the Education Code, relating to public schools.

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

SENATE BILL NO. 762—An act to amend Section 460 of the Business and Professions Code, relating to professions and vocations.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 9:30 a.m., Thursday, June 18, 2009.

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 17, 2009**

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

SB	RN	
113	0916873	
158	0916906	
171	0916680	
191	0916177	
237	0916657	
337	0916899	
562	0916995	
581	0916457	
833	0916987	
Daily Total:		9
Cumulative Total:		1821

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