

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 8, 2009

**ONE HUNDRED FIRST SESSION DAY
TWO HUNDRED TWENTIETH 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, July 8, 2009

The Assembly met at 7 a.m.

Hon. Bonnie Lowenthal, Assembly Member, 54th 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—78:

Adams	De La Torre	Hayashi	Pérez, V. Manuel
Ammiano	De León	Hernandez	Portantino
Anderson	DeVore	Hill	Ruskin
Arambula	Duvall	Huber	Salas
Beall	Emmerson	Huffman	Saldaña
Berryhill, Bill	Eng	Jeffries	Silva
Berryhill, Tom	Evans	Jones	Skinner
Blakeslee	Feuer	Knight	Smyth
Block	Fletcher	Lieu	Solorio
Blumenfield	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	Mme. Speaker
Coto	Hall	Nielsen	
Davis	Harkey	Pérez, John	

Quorum present.

At 2:47 p.m., Hon. Anthony J. 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 Member was granted leave of absence for the day:

On legislative business: Assembly Member Krekorian.

EXPLANATIONS OF ABSENCE

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

July 8, 2009

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

Dear Speaker Bass: I respectfully request to be excused from Session on Wednesday, July 8, 2009, due to legislative business.

Thank you for your consideration of this request. Please contact my office if you have any questions.

Very truly yours,

PAUL KREKORIAN, Assembly Member
Forty-third District

COMMUNICATIONS

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

July 8, 2009

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

Dear Dotson: Please be advised that I have created the Select Committee on Regional Approaches to Addressing the State's Water Crisis for the 2009–10 Regular Session and have appointed the following membership:

Assemblymember Jose Solorio, Chair
Assemblymember Joan Buchanan
Assemblymember Bill Berryhill
Assemblymember Tom Berryhill
Assemblymember Wilmer Carter
Assemblymember Connie Conway
Assemblymember Mike Duvall
Assemblymember Bill Emmerson
Assemblymember Nathan Fletcher
Assemblymember Felipe Fuentes
Assemblymember Isadore Hall
Assemblymember Alyson Huber
Assemblymember Jared Huffman
Assemblymember Dave Jones
Assemblymember Fiona Ma
Assemblymember Mary Salas
Assemblymember Cameron Smyth
Assemblymember Mariko Yamada

Sincerely,

KAREN BASS
Speaker of the Assembly

July 8, 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 the following members to the Joint Legislative Committee on Emergency Management for the 2009–10 Regular Session:

Assemblymember Pedro Nava, Vice Chair
 Assemblymember Marty Block
 Assemblymember Paul Cook
 Assemblymember Danny Gilmore
 Assemblymember Alyson Huber
 Assemblymember Kevin Jeffries
 Assemblymember Bonnie Lowenthal

Sincerely,

KAREN BASS
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 8, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Concurrent Resolution No. 75
 And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

AUTHOR'S AMENDMENTS

Committee on Elections and Redistricting

July 8, 2009

Mme. Speaker: The Chair of your Committee on Elections and Redistricting reports:
 Assembly Constitutional Amendment No. 21
 With author's amendments with the recommendation: Amend, and re-refer to the committee.

FONG, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4 of Article XVIII thereof, relating to initiatives.

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

AUTHOR'S AMENDMENTS

Committee on Appropriations

July 8, 2009

Mme. Speaker: The Chair of your Committee on Appropriations reports:
 Senate Bill No. 17
 With author's amendments with the recommendation: Amend, and re-refer to the committee.

DE LEÓN, Chair

SENATE BILL NO. 17—An act to add Chapter 4 (commencing with Section 8360) to Division 4.1 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 Appropriations

July 8, 2009

Mme. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 585

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

DE LEÓN, Chair

SENATE BILL NO. 585—An act to add Section 4132 to the Food and Agricultural Code, relating to Agricultural District 1-A.

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: July 7, 2009

Mme. Speaker: Your Committee on Aging and Long-Term Care reports:
Senate Bill No. 117

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

LOWENTHAL, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Aging and Long-Term Care reports:
Senate Joint Resolution No. 4

With the recommendation: Be adopted.

LOWENTHAL, Chair

Above resolution ordered to third reading.

Committee on Higher Education

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:
Assembly Constitutional Amendment No. 23

With the recommendation: Be adopted, and be re-referred to the Committee on Judiciary.

PORTANTINO, Chair

Above resolution re-referred to the Committee on Judiciary.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:
Senate Bill No. 599

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

PORTANTINO, Chair

Above bill ordered to second reading.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 656

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

PORTANTINO, Chair

Above bill ordered to second reading.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 48

With the recommendation: Do pass.

PORTANTINO, Chair

Above bill ordered to second reading.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 218

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

PORTANTINO, Chair

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 147

Senate Bill No. 217

Senate Bill No. 248

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

PORTANTINO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: July 6, 2009

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 406

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

ENG, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 241

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

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 161
Senate Bill No. 190

Senate Bill No. 289
Senate Bill No. 674

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 Insurance

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Insurance reports:

Senate Bill No. 313

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

SOLORIO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Insurance reports:

Senate Bill No. 396
Senate Bill No. 397

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

SOLORIO, Chair

Above bills ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Insurance reports:

Senate Bill No. 145
Senate Bill No. 186

With the recommendation: Do pass.

SOLORIO, Chair

Above bills ordered to second reading.

Committee on Appropriations

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1318

With the recommendation: Do pass.

DE LEÓN, Chair

Above bill ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 109
Senate Bill No. 112
Senate Bill No. 115
Senate Bill No. 237

Senate Bill No. 240
Senate Bill No. 620
Senate Bill No. 632
Senate Bill No. 816

With the recommendation: Do pass.

DE LEÓN, Chair

Above bills ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1584

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.

DE LEÓN, Chair

Above bill ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 133

Senate Bill No. 470

Senate Bill No. 239

Senate Bill No. 532

Senate Bill No. 249

Senate Bill No. 571

Senate Bill No. 314

Senate Bill No. 734

Senate Bill No. 352

Senate Bill No. 826

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.

DE LEÓN, Chair

Above bills ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 79

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

DE LEÓN, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 14

Senate Concurrent Resolution No. 30

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

DE LEÓN, Chair

Above resolutions ordered to the Consent Calendar.

Committee on Elections and Redistricting

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 34

Senate Bill No. 321

Senate Bill No. 739

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

FONG, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: July 1, 2009

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 509

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

BROWNLEY, Chair

Above bill ordered to second reading.

Date of Hearing: July 1, 2009

Mme. Speaker: Your Committee on Education reports:

Assembly Concurrent Resolution No. 82

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

BROWNLEY, Chair

Above resolution ordered to second reading.

Date of Hearing: July 1, 2009

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 312

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

BROWNLEY, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 550

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

HAYASHI, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: July 8, 2009

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

Senate Bill No. 251

Senate Bill No. 804

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.

TORRES, Chair

Above bills ordered to second reading.

Date of Hearing: July 8, 2009

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

Senate Bill No. 450

Senate Bill No. 608

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

TORRES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 407

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.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 11
Senate Bill No. 345

With the recommendation: Do pass.

HERNANDEZ, Chair

Above bills ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 538

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.

HERNANDEZ, Chair

Above bill ordered to second reading.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 37
Senate Bill No. 519
Senate Bill No. 656

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

HERNANDEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 634
Senate Bill No. 644

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

HERNANDEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Higher Education

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 747

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

PORTANTINO, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: July 8, 2009

Mme. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 23

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 Health

Date of Hearing: July 7, 2009

Mme. Speaker: Your Committee on Health reports:
Senate Bill No. 196

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

JONES, Chair

Above bill ordered to second reading.

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

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

Senate Bills Nos. 543 and 200, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 91—An act to amend Section 18724 of the Revenue and Taxation Code, relating to taxpayer contributions.

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.

SENATE BILL NO. 300—An act to amend Sections 1130, 1156.6, 1157.1, 1171.5, 1176, 1190, and 1196 of the Harbors and Navigation Code, relating to harbors and ports, and making an appropriation therefor.

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.

SENATE BILL NO. 382—An act to add Section 41854.5 to the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 581—An act to amend Section 2828 of the Public Utilities Code, relating to electricity.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 154—An act to amend Section 668 of the Harbors and Navigation Code, to amend Section 11836 of the Health and Safety Code, and to amend Section 13352 of the Vehicle Code, relating to vessels.

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

SENATE BILL NO. 557—An act to add Section 236.3 to the Penal Code, relating to human trafficking.

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

SENATE BILL NO. 10—An act to add Part 5.6 (commencing with Section 11160) to Division 2 of the Revenue and Taxation Code, relating to local government finance.

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.

SENATE BILL NO. 244—An act relating to children's services.

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

SENATE BILL NO. 660—An act to amend Section 1923.5 of, and to add Section 1923.1 to, the Civil Code, relating to reverse mortgages.

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

SENATE BILL NO. 340—An act to add Article 9 (commencing with Section 17600) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to advertising.

Bill read second time, and ordered to third reading.

**UNFINISHED BUSINESS
MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 964 and Senate Bill No. 166 were continued until the next legislative day.

ADJOURNMENT

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

KAREN BASS, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 8, 2009**

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

ACA RN
21 0919003

SB RN
10 0918966
17 0919493
91 0919346
154 0918384
244 0919090
300 0919192
557 0918356
585 0919416
660 0919500

Daily Total: 10
Cumulative Total: 2037

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