

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 3, 2010

TWO HUNDRED TWENTY-NINTH SESSION DAY

SIX HUNDRED ELEVENTH 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, August 3, 2010

The Assembly met at 7 a.m.
Hon. William W. Monning, Assembly Member, 27th 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	Davis	Hayashi	Pérez, V. Manuel
Ammiano	De La Torre	Hernandez	Portantino
Arambula	De León	Hill	Ruskin
Bass	DeVore	Huber	Salas
Beall	Eng	Huffman	Saldaña
Berryhill, Bill	Evans	Jeffries	Silva
Berryhill, Tom	Feuer	Jones	Skinner
Blakeslee	Fletcher	Knight	Smyth
Block	Fong	Lieu	Solorio
Blumenfield	Fuentes	Logue	Strickland
Bradford	Fuller	Lowenthal	Swanson
Brownley	Furutani	Ma	Torlakson
Buchanan	Gaines	Mendoza	Torrico
Caballero	Galgiani	Miller	Tran
Calderon	Garrick	Monning	Villines
Carter	Gatto	Nava	Yamada
Chesbro	Gilmore	Nestande	Mr. Speaker
Conway	Hagman	Niello	
Cook	Hall	Nielsen	
Coto	Harkey	Norby	

Quorum present.

At 1:05 p.m., Hon. Jean Fuller, 32nd 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 Anderson and Torres.

(NOTE: Per diem is waived by the following Assembly Members until passage of the Budget: Gaines, Assembly Journal, page 5870; Garrick, Assembly Journal, page 5948.)

EXPLANATIONS OF ABSENCE

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

August 2, 2010

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

Dear Mr. Speaker: I respectfully request to be excused from check-in session, August 3rd to hold legislative meetings in my district.

If you have any questions regarding this request, please contact my staff David Yow at 319-2077.

Sincerely,

JOEL ANDERSON, Assembly Member
Seventy-seventh District

July 28, 2010

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

Dear Speaker Pérez: Your consideration is respectfully requested to be excused from check-in session on Tuesday, August 3, and Wednesday, August 4, 2010, for legislative business in my district.

Thank you for your consideration.

Sincerely,

NORMA J. TORRES, Assembly Member
Sixty-first District

COMMUNICATIONS

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

July 22, 2010

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

RE: Appointment of Michael Kleinman to Scientific Review Panel on Toxic Air Contaminants

Dear Mr. Wilson: Please be advised I have appointed Dr. Michael Kleinman to the Scientific Review Panel on Toxic Air Contaminants. This is a term appointment starting July 22, 2010 and the expiration date is January 1, 2012. Dr. Kleinman will be replacing Dr. John Froines.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

July 22, 2010

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

RE: Appointment of Sarjeet Gill to Scientific Review Panel on
Toxic Air Contaminants

Dear Mr. Wilson: Please be advised I have appointed Dr. Sarjeet Gill to the Scientific Review Panel on Toxic Air Contaminants. This is a term appointment starting July 22, 2010 and the expiration date is January 1, 2011. Dr. Gill will be replacing Dr. Craig Byus.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

July 21, 2010

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

RE: Reappointment of Gwen Moore to State Bar Board of
Governors

Dear Mr. Wilson: Please be advised I have reappointed Ms. Gwen Moore to the State Bar Board of Governors. This is a term appointment starting July 21, 2010 and the expiration date is September 1, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

July 21, 2010

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

RE: Appointment of Steven Afriat to Dental Board of California

Dear Mr. Wilson: Please be advised I have appointed Mr. Steven Afriat to the Dental Board of California. This is a term appointment starting July 21, 2010 and the expiration date is January 1, 2013.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

July 27, 2010

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

RE: Reappointment of Marion Kavanaugh-Lynch to California Environmental Contaminant Biomonitoring Program Scientific Guidance Panel

Dear Mr. Wilson: Please be advised I have reappointed Dr. Marion Kavanaugh-Lynch to the California Environmental Contaminant Biomonitoring Program Scientific Guidance Panel. This is a term appointment starting July 27, 2010 and the expiration date is January 1, 2012.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

July 23, 2010

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

RE: Appointment of Judie Mancuso to Veterinary Medical Board

Dear Mr. Wilson: Please be advised I have appointed Ms. Judie Mancuso to the Veterinary Medical Board. This is a term appointment starting July 23, 2010 and the expiration date is June 1, 2014.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 3, 2010

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

Assembly Concurrent Resolution No. 167

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

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.

Senate Bills Nos. 842, 843, 817, and 1096, on request of Assembly Member Calderon.

**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. 194, 929, 105, 1072, 972, and 1413, ordered to third reading.

(NOTE: Later this day Senate Bills Nos. 929 and 1072 were re-referred to the Committee on Appropriations.)

Senate Bills Nos. 1427, 877, 1482, and 1353, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1176—An act to amend Section 17003 of the Food and Agricultural Code, relating to animals.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1079—An act to amend Section 14851 of the Government Code, relating to advertising.

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.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bills were ordered re-referred to the Committee on Appropriations.

Senate Bills Nos. 929 and 1072.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 183—Fletcher (Coauthors: Arambula, Bass, Davis, Evans, and Portantino) (Coauthors: Senators Emmerson and Liu). Relative to California Adoption Month.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

August 3, 2010

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

Senate Bill No. 1266

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

FUENTES, Chair

SENATE BILL NO. 1266—An act to amend Section 4532 of, and to add Section 1170.05 to, the Penal Code, relating to inmates.

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**

August 3, 2010

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

Senate Bill No. 1139

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

FUENTES, Chair

SENATE BILL NO. 1139—An act to amend Sections 21337, 21337.1, 21670, 21671, 21672, 21674, 21675, 21676, 21677, 21679, 21680, 21681, 21682, 21683, 21685, and 22814 of, and to add Sections 21671.5 and 22819.1 to, the Government Code, relating to state retirement, and making an appropriation therefor.

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 Public Employees, Retirement and Social Security

Date of Hearing: August 3, 2010

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

Senate Bill No. 846

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

TORRICO, Chair

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 4, 2010.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 3, 2010**

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

SB	RN	
1079	1019693	
1139	1020511	
1266	1021333	
Daily Total:		3
Cumulative Total:		4575

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