

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 10, 2010

TWO HUNDRED THIRTY-THIRD SESSION DAY

SIX HUNDRED EIGHTEENTH 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 10, 2010

The Assembly met at 6:45 a.m.

Hon. Ted W. Lieu, Assembly Member, 53rd 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—74:

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

Quorum present.

At 1:45 p.m., Hon. Norma J. Torres, 61st 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 Smyth.

On personal business, per diem waived for the 2009–2010 Session (See Assembly Daily Journal, pages 59 and 78): Assembly Member Jones.

On personal business, and waiving per diem: Assembly Members Bass and Tran.

Because of illness: Assembly Member Calderon.

EXPLANATIONS OF ABSENCE

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

July 27, 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 Tuesday, August 10, 2010, due to legislative business.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 10, 2010

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

Assembly Joint Resolution No. 44

House Resolution No. 31

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, August 10, 2010

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

Assembly Concurrent Resolution No. 181

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Evans announced her intention to request that Senate Bills Nos. 253 and 501 be removed from the inactive file.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 34—Galgiani (Coauthors: Tom Berryhill, Conway, Ma, and Yamada). Relative to Invasive Plant Pest and Disease Awareness Month.

**AUTHOR'S AMENDMENTS
Committee on Budget**

August 10, 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.

REPORTS OF STANDING COMMITTEES
Committee on Revenue and Taxation

Date of Hearing: August 9, 2010

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Joint 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 resolution be placed on the Consent Calendar.

PORTANTINO, Chair

Above resolution ordered to the Consent Calendar.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: August 10, 2010

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

Assembly Concurrent Resolution No. 178

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

TORRICO, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: August 10, 2010

Mr. Speaker: Your Committee on Judiciary reports:

Senate Concurrent Resolution No. 76

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.

FEUER, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: August 10, 2010

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1502

With the recommendation: That the Senate amendments be concurred in.

FEUER, Chair

Above bill ordered to unfinished business.

Committee on Utilities and Commerce

Date of Hearing: August 9, 2010

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1247

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

BRADFORD, Chair

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

Senate Chamber, August 10, 2010

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

- Assembly Bill No. 2328
- Assembly Bill No. 2776

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

**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. 228, 427, 435, 849, 1271, 1317, 1192, and 1240, ordered to third reading.

Senate Bill No. 971, ordered to the Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 10, 2010

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

- Assembly Bill No. 1260
- Assembly Bill No. 1265

And reports the same correctly enrolled, and presented to the Governor on the 10th day of August, 2010, at 12:40 p.m.

E. DOTSON WILSON, Chief Clerk
Assembly Chamber, August 9, 2010

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1749 | Assembly Bill No. 1929 |
| Assembly Bill No. 1773 | Assembly Bill No. 2040 |
| Assembly Bill No. 1863 | Assembly Bill No. 2083 |
| Assembly Bill No. 1896 | Assembly Bill No. 2195 |
| Assembly Bill No. 1908 | Assembly Bill No. 2371 |
| Assembly Bill No. 1926 | Assembly Bill No. 2685 |

And reports the same correctly enrolled, and presented to the Governor on the 9th day of August, 2010, at 4:50 p.m.

E. DOTSON WILSON, Chief Clerk
Assembly Chamber, August 10, 2010

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

- Assembly Concurrent Resolution No. 116

And reports the same correctly enrolled, and presented to the Secretary of State on the 10th day of August, 2010, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 11, 2010.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk