

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 21

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Monday, September 28, 2009

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2009–10 Regular Session was printed while the Assembly was in Interim Study Recess.

**COMMUNICATIONS**

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

September 14, 2009

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

RE: Reappointment of Thomas Unterman  
to State Bar Commission on Access to Justice

Dear Mr. Wilson: Please be advised I have reappointed Mr. Thomas Unterman to the State Bar Commission on Access to Justice. This is a pleasure appointment starting September 14, 2009 and the expiration date is October 1, 2011.

Sincerely,

KAREN BASS  
Speaker of the Assembly

September 16, 2009

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

RE: Appointment of Morris Price  
to International Genocide Memorial Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. Morris Price to the International Genocide Memorial Commission. This is a pleasure appointment starting September 16, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

September 16, 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 Alyson Huber to the Select Committee on Wine for the 2009–10 Regular Session.

Sincerely,

KAREN BASS  
Speaker of the Assembly

September 22, 2009

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

Dear Dotson: Please be advised that the Joint Select Committee on Reform has been renamed the Assembly Select Committee on Improving State Government. The membership of the committee will remain the same.

Sincerely,

KAREN BASS  
Speaker of the Assembly

September 23, 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 membership to the Select Committee on 9-1-1 Service for the 2009–10 Regular Session:

Assemblymember Norma Torres, Chair  
Assemblymember Tom Ammiano  
Assemblymember Wesley Chesbro  
Assemblymember Tom Torlakson  
Assemblymember Jim Nielsen

Sincerely,

KAREN BASS  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Select Committee on Biotechnology, Monday, September 21, 2009, at Exelixis, Inc., 210 East Grand Ave., South San Francisco;

Select Committee on Cleanup of the Santa Susana Field Laboratory, Thursday, September 24, 2009, at 2 p.m., in the City of Calabasas Council Chamber, 100 Civic Center Way, Calabasas;

Select Committee on Alcohol and Drug Abuse, Tuesday, October 6, 2009, in the San Francisco Public Library, 100 Larkin Street, San Francisco;

Select Committee on Child/Adolescent Health and Safety, Thursday, October 8, 2009, at 1:30 p.m., in Room 447;

Water, Parks and Wildlife, Tuesday, October 6, 2009, to meet jointly with Senate Natural Resources and Water, for an informational hearing, in Room 4202;

Select Committee on Ports, Wednesday, October 14, 2009, at 10 a.m.;

Public Safety, Tuesday, October 20, 2009, for an informational hearing, at 10 a.m., in Room 126;

Public Safety, Wednesday, October 28, 2009, for an informational hearing, at 10 a.m., in Room 126.

**COMMUNICATIONS****Proposed Initiatives**

The following communication was presented by the Chief Clerk from:

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated August 13, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Allows Insurance Companies  
to Increase or Decrease the Cost of Auto Insurance  
Based on a Driver's Coverage History.  
Initiative Statute.**

**“The Continuous Coverage Auto Insurance Discount Act”  
Initiative No. 09-0021**

Referred by the Speaker to the Committee on Insurance.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Adult Education Program Limited Scope  
Audit Reports Issued in FY 2008–09  
(Pursuant to Item 6110-156-0890, Provision 2(b)  
Budget Act of 2008–09)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated August 26, 2009, referred by the Speaker to the Committee on Education.

**Public Authorities and Nonprofit Consortia  
in the Delivery of In-Home Supportive Services  
FY 2007–08  
(Pursuant to Chapter 206, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from John A. Wagner, Director, Department of Social Services, dated September 15, 2009, referred by the Speaker to the Committee on Human Services.

**Vallejo City Unified School District  
Annual Report on Fiscal Solvency, 2008–09  
(Pursuant to Education Code Section 41327.2(b))**

Above transmitted report, together with letter of transmittal from Dee Alarcon, Solano County Superintendent of Schools, and Solano County Office of Education, dated September 17, 2009, referred by the Speaker to the Committee on Education.

**Veterans Homes Morale, Welfare and Recreation Funds  
FY 2008–09  
(Pursuant to Veterans Code Sections 1047(d) and 1048(b))**

Above transmitted report, together with letter of transmittal from Jack Kirwan, Deputy Secretary, Department of Veterans Affairs, dated August 17, 2009, referred by the Speaker to the Committee on Veterans Affairs.

**2009 OAL Determination No. 21  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated September 18, 2009, referred by the Speaker to the Committee on Public Safety.

**Non-Toll Seismic Retrofit Program, Quarterly Report  
Second Quarter 2009  
(Pursuant to Streets and Highways Code Section 188.5(g))**

Above transmitted report, together with letter of transmittal from Randell Iwasaki, Director, Department of Transportation, dated September 22, 2009, stating availability of report at <http://www.dot.ca.gov/reports.htm>, referred by the Speaker to the Committee on Transportation.

**Report to the Legislature  
July 2005 to February 2007 and March 2007 to September 31, 2008  
(Pursuant to California  
Ocean Resources Stewardship Act (CORSA) of 2000)**

Above transmitted report, together with letter of transmittal from Amber Mace, Ph.D, Executive Director, California Ocean Science Trust, dated September 25, 2009, referred by the Speaker to the Committee on Natural Resources.

**2009 OAL Determination No. 22(S)  
(Pursuant to Government Code Section 11340.5  
Code of Regulations, Title 1, Section 270(f))**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated September 23, 2009, referred by the Speaker to the Committee on Public Safety.

**MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal:

**SPECIAL ELECTION PROCLAMATION  
BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

I, ARNOLD SCHWARZENEGGER, Governor of the State of California, do hereby proclaim and order that a special election shall be held on the 12th day of January, 2010 within the 72nd Assembly District of the State to fill the vacancy in the office of Assembly Member from said district resulting from the resignation of Michael D. Duvall.

IN WITNESS WHEREOF I have hereunto set my hand  
and caused the Great Seal of the State of California  
to be affixed this 21st day  
of September, 2009.

ARNOLD SCHWARZENEGGER  
Governor of California

ATTEST:

DEBRA BOWEN  
Secretary of State



**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 14, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 717

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2009, at 10:15 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2009

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

Assembly Concurrent Resolution No. 3  
Assembly Concurrent Resolution No. 49  
Assembly Concurrent Resolution No. 54  
Assembly Concurrent Resolution No. 68  
Assembly Concurrent Resolution No. 80  
Assembly Concurrent Resolution No. 85  
Assembly Joint Resolution No. 10  
Assembly Joint Resolution No. 17

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of September, 2009, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 134  
Assembly Bill No. 636

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2009, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 21, 2009

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Joint Resolution No. 14

And reports the same correctly enrolled, and presented to the Secretary of State on the 21st day of September, 2009, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 23, 2009

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

Assembly Concurrent Resolution No. 65  
Assembly Concurrent Resolution No. 71  
Assembly Concurrent Resolution No. 76  
Assembly Concurrent Resolution No. 77  
Assembly Concurrent Resolution No. 78  
Assembly Concurrent Resolution No. 79  
Assembly Concurrent Resolution No. 86  
Assembly Concurrent Resolution No. 89  
Assembly Concurrent Resolution No. 90  
Assembly Concurrent Resolution No. 93  
Assembly Concurrent Resolution No. 94  
Assembly Concurrent Resolution No. 95

And reports the same correctly enrolled, and presented to the Secretary of State on the 23rd day of September, 2009, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2009

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

- |                      |                       |
|----------------------|-----------------------|
| Assembly Bill No. 2  | Assembly Bill No. 74  |
| Assembly Bill No. 3  | Assembly Bill No. 82  |
| Assembly Bill No. 8  | Assembly Bill No. 94  |
| Assembly Bill No. 20 | Assembly Bill No. 98  |
| Assembly Bill No. 32 | Assembly Bill No. 99  |
| Assembly Bill No. 45 | Assembly Bill No. 108 |
| Assembly Bill No. 56 | Assembly Bill No. 110 |
| Assembly Bill No. 65 | Assembly Bill No. 117 |

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2009, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2009

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

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|-----------------------|-----------------------|
| Assembly Bill No. 132 | Assembly Bill No. 262 |
| Assembly Bill No. 167 | Assembly Bill No. 267 |
| Assembly Bill No. 174 | Assembly Bill No. 275 |
| Assembly Bill No. 236 | Assembly Bill No. 286 |
| Assembly Bill No. 239 | Assembly Bill No. 292 |
| Assembly Bill No. 241 | Assembly Bill No. 293 |
| Assembly Bill No. 260 | Assembly Bill No. 316 |
| Assembly Bill No. 261 | Assembly Bill No. 322 |

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2009, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2009

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

- |                       |                       |
|-----------------------|-----------------------|
| Assembly Bill No. 324 | Assembly Bill No. 474 |
| Assembly Bill No. 338 | Assembly Bill No. 476 |
| Assembly Bill No. 356 | Assembly Bill No. 483 |
| Assembly Bill No. 361 | Assembly Bill No. 501 |
| Assembly Bill No. 399 | Assembly Bill No. 506 |
| Assembly Bill No. 400 | Assembly Bill No. 524 |
| Assembly Bill No. 407 | Assembly Bill No. 527 |
| Assembly Bill No. 436 | Assembly Bill No. 576 |

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2009, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2009

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 590 | Assembly Bill No. 873  |
| Assembly Bill No. 595 | Assembly Bill No. 906  |
| Assembly Bill No. 645 | Assembly Bill No. 985  |
| Assembly Bill No. 653 | Assembly Bill No. 1015 |
| Assembly Bill No. 669 | Assembly Bill No. 1046 |
| Assembly Bill No. 672 | Assembly Bill No. 1053 |
| Assembly Bill No. 720 | Assembly Bill No. 1079 |
| Assembly Bill No. 825 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2009, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2009

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

Assembly Bill No. 1087	Assembly Bill No. 1173
Assembly Bill No. 1110	Assembly Bill No. 1176
Assembly Bill No. 1130	Assembly Bill No. 1182
Assembly Bill No. 1132	Assembly Bill No. 1196
Assembly Bill No. 1142	Assembly Bill No. 1227
Assembly Bill No. 1143	Assembly Bill No. 1276
Assembly Bill No. 1160	Assembly Bill No. 1318
Assembly Bill No. 1169	Assembly Bill No. 1325

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2009, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2009

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

Assembly Bill No. 1326	Assembly Bill No. 1442
Assembly Bill No. 1330	Assembly Bill No. 1457
Assembly Bill No. 1386	Assembly Bill No. 1459
Assembly Bill No. 1401	Assembly Bill No. 1463
Assembly Bill No. 1404	Assembly Bill No. 1464
Assembly Bill No. 1423	Assembly Bill No. 1510
Assembly Bill No. 1438	Assembly Bill No. 1515

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2009, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2009

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

Assembly Bill No. 9	Assembly Bill No. 246
Assembly Bill No. 30	Assembly Bill No. 281
Assembly Bill No. 48	Assembly Bill No. 295
Assembly Bill No. 120	Assembly Bill No. 307
Assembly Bill No. 129	Assembly Bill No. 320
Assembly Bill No. 221	Assembly Bill No. 359
Assembly Bill No. 224	Assembly Bill No. 386
Assembly Bill No. 240	Assembly Bill No. 429

And reports the same correctly enrolled, and presented to the Governor on the 28th day of September, 2009, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2009

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

Assembly Bill No. 563	Assembly Bill No. 856
Assembly Bill No. 566	Assembly Bill No. 894
Assembly Bill No. 568	Assembly Bill No. 896
Assembly Bill No. 579	Assembly Bill No. 911
Assembly Bill No. 623	Assembly Bill No. 920
Assembly Bill No. 756	Assembly Bill No. 926
Assembly Bill No. 758	Assembly Bill No. 938
Assembly Bill No. 773	Assembly Bill No. 941

And reports the same correctly enrolled, and presented to the Governor on the 28th day of September, 2009, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2009

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

Assembly Bill No. 945  
 Assembly Bill No. 1071  
 Assembly Bill No. 1116

And reports the same correctly enrolled, and presented to the Governor on the 28th day of September, 2009, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk



Assembly Chamber, September 28, 2009

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

- |                       |                       |
|-----------------------|-----------------------|
| Assembly Bill No. 14  | Assembly Bill No. 147 |
| Assembly Bill No. 24  | Assembly Bill No. 154 |
| Assembly Bill No. 43  | Assembly Bill No. 166 |
| Assembly Bill No. 91  | Assembly Bill No. 175 |
| Assembly Bill No. 101 | Assembly Bill No. 215 |
| Assembly Bill No. 131 | Assembly Bill No. 243 |
| Assembly Bill No. 138 | Assembly Bill No. 244 |
| Assembly Bill No. 146 | Assembly Bill No. 245 |

And reports the same correctly enrolled, and presented to the Governor on the 28th day of September, 2009, at 1 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2009

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

- |                       |                       |
|-----------------------|-----------------------|
| Assembly Bill No. 282 | Assembly Bill No. 473 |
| Assembly Bill No. 287 | Assembly Bill No. 513 |
| Assembly Bill No. 311 | Assembly Bill No. 567 |
| Assembly Bill No. 335 | Assembly Bill No. 666 |
| Assembly Bill No. 382 | Assembly Bill No. 671 |
| Assembly Bill No. 395 | Assembly Bill No. 685 |
| Assembly Bill No. 402 | Assembly Bill No. 719 |
| Assembly Bill No. 423 | Assembly Bill No. 730 |

And reports the same correctly enrolled, and presented to the Governor on the 28th day of September, 2009, at 1 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2009

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

- |                       |                       |
|-----------------------|-----------------------|
| Assembly Bill No. 750 | Assembly Bill No. 805 |
| Assembly Bill No. 764 | Assembly Bill No. 807 |

And reports the same correctly enrolled, and presented to the Governor on the 28th day of September, 2009, at 1 p.m.

E. DOTSON WILSON, Chief Clerk

KAREN BASS, Speaker

AMY LEACH, Minute Clerk