

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 24

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INTERIM STUDY RECESS

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Assembly Chamber, Sacramento  
Thursday, October 22, 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:

October 14, 2009

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

Dear Dotson: Please be advised that I have appointed Assemblymember Mike Villines to the Select Committee on Biotechnology for the 2009–10 Regular Session.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 16, 2009

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

RE: Appointment of Janice Bryant Howroyd  
to Economic Development Strategy Panel

Dear Mr. Wilson: Please be advised I have appointed Ms. Janice Bryant Howroyd to the Economic Development Strategy Panel. This is a term appointment starting October 16, 2009 and the expiration date is December 31, 2011. Ms. Howroyd will be replacing Mr. Jerold Neuman.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 16, 2009

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

RE: Appointment of Steven Bradford  
to Summer and Intersession Enrichment Task Force

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Steven Bradford to the Summer and Intersession Enrichment Task Force. This is a pleasure appointment starting October 16, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 16, 2009

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

RE: Appointment of Lillibeth Navarro  
to California Commission on Disability Access

Dear Mr. Wilson: Please be advised I have appointed Ms. Lillibeth Navarro to the California Commission on Disability Access. This is a term appointment starting October 16, 2009 and the expiration date is January 1, 2011.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 19, 2009

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

RE: Reappointment of James Rosser  
to Regents Selection Advisory Committee

Dear Mr. Wilson: Please be advised I have reappointed Dr. James Rosser to the Regents Selection Advisory Committee. This is a term appointment starting October 19, 2009 and the expiration date is November 6, 2010.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 19, 2009

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

RE: Appointment of Jaime Pacheco-Orozco  
to California Governor's Committee on  
Employment of People with Disabilities

Dear Mr. Wilson: Please be advised I have appointed Mr. Jaime Pacheco-Orozco to the California Governor's Committee on Employment of People with Disabilities. This is a term appointment starting October 19, 2009 and the expiration date is October 19, 2012.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 19, 2009

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

RE: Appointment of Jared Huffman  
to Commission on Uniform State Laws

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Jared Huffman to the Commission on Uniform State Laws. This is a pleasure appointment starting October 19, 2009.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 20, 2009

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

Dear Dotson: Please be advised that I have appointed the following membership to the Select Committee on Disabilities for the 2009–10 Regular Session:

Assemblymember Wesley Chesbro, Chair  
Assemblymember Tom Ammiano  
Assemblymember Jim Beall, Jr.  
Assemblymember Noreen Evans  
Assemblymember Mary Hayashi  
Assemblymember Jerry Hill  
Assemblymember Nathan Fletcher  
Assemblymember Cameron Smyth

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 20, 2009

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

Dear Dotson: Please be advised that I have appointed the following membership to the Select Committee on Re-Entry for the 2009–10 Regular Session:

Assemblymember Isadore Hall, Chair  
Assemblymember Tom Ammiano  
Assemblymember Marty Block  
Assemblymember Steve Bradford  
Assemblymember Nathan Fletcher  
Assemblymember Felipe Fuentes  
Assemblymember Warren Furutani  
Assemblymember Dave Jones  
Assemblymember Jim Nielsen  
Assemblymember Sandré Swanson  
Assemblymember Alberto Torrico  
Assemblymember Norma Torres

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 20, 2009

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

Dear Dotson: Please be advised that I have appointed Assemblymember Audra Strickland to replace Assemblymember Nathan Fletcher on the Select Committee on Improving State Government for the 2009–10 Regular Session.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 21, 2009

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

Dear Dotson: Please be advised that I have appointed Assemblymember Sam Blakeslee as Vice Chair of the Select Committee on Improving State Government for the 2009–10 Regular Session.

Sincerely,

KAREN BASS  
Speaker of the Assembly

October 21, 2009

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

Dear Dotson: Pursuant to Assembly Rules 2 and 26(a) I am convening the Assembly in floor session at noon on Monday, October 26, 2009. The purpose of this session is to consider and act upon a number of measures recently passed by the Senate on which the Assembly must act before the end of this calendar year.

Sincerely,

KAREN BASS  
Speaker of the Assembly

#### **Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated September 15, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Wealth Tax.**  
**Initiative Constitutional Amendment and Statute.**  
**“The McCauley-Rosen Wealth Tax and Oceans Preservation Act”**  
**Initiative No. 09-0023**

Referred by the Speaker to the Committee on Revenue and Taxation.

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated August 14, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Changes Constitution  
to Allow Voters to Call a Constitutional Convention with an Initiative.  
Initiative Constitutional Amendment.  
“Electors’s Right to Call for a Constitutional Convention”  
Initiative No. 09-0018**

Referred by the Speaker to the Committee on Elections and Redistricting.

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated August 14, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Calls a Convention to Draft a New State Constitution.  
Initiative Constitutional Amendment.  
“Electors Call a Constitutional Convention”  
Initiative No. 09-0019**

Referred by the Speaker to the Committee on Elections and Redistricting.

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated September 15, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Wealth Tax.  
Initiative Constitutional Amendment and Statute.  
“The McCauley-Rosen Wealth Tax and Oceans Preservation Act”  
Initiative No. 09-0023**

Referred by the Speaker to the Committee on Revenue and Taxation.

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated September 21, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Changes California Law to Legalize Marijuana  
and Allow It to Be Regulated and Taxed.  
Initiative Statute.  
“Regulate, Control and Tax Cannabis Act of 2010”  
Initiative No. 09-0024**

Referred by the Speaker to the Committee on Public Safety.

Krystal M. Paris, Initiative Coordinator, Department of Justice, dated September 21, 2009, transmitting copies of the title, summary and text of the following proposed initiatives pursuant to Elections Code Section 9007:

**Changes California Law to Legalize, Regulate and Tax Marijuana.  
Initiative Statute.  
“Common Sense Act of 2010”  
Initiative No. 09-0025**

Referred by the Speaker to the Committee on Public Safety and Revenue and Taxation.

**REPORTS**

The following reports were presented by the Chief Clerk:

**CalPERS Annual Health Premiums, 2009  
(Pursuant to Item 1900-015-0822 (2), Section 121, Chapter 1  
Statutes of 2009)**

Above transmitted report, together with letter of transmittal from Anne Stausboll, Chief Executive Officer, California Public Employees' Retirement System, dated September 28, 2009, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Purchase of Goods and Services  
through the Department of General Services and  
Contracts Awarded by the Lottery over \$100,000.00, FY 2008-09  
(Pursuant to Government Code Section 8880.56 (b) (6))**

Above transmitted report, together with letter of transmittal from Marie Aubin-Vanacore, Manager, California State Lottery, dated September 17, 2009, referred by the Speaker to the Committee on Governmental Organization.

**Project Resourcing and Schedule Management System  
Quarterly Report, 3rd Quarter 2009  
(Pursuant to Item 2660-492-0042, Budget Act of 2005)**

Above transmitted report, together with letter of transmittal from Cindy McKim, Chief Deputy Director, Department of Transportation, dated October 15, 2009, stating availability of report at <http://www.dot.ca.gov/reports.htm>, referred by the Speaker to the Committee on Transportation.

**Mental Health Services Act Expenditure Report  
FY 2008-09, Addendum  
(Pursuant to Assembly Bill 131, Chapter 80, Statutes of 2005)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated October 5, 2009, stating availability of report at [http://www.dmh.ca.gov/Prop\\_63/MHSA/docs/Legislative\\_reports/08\\_09AddendumMHSA\\_LegReport.pdf](http://www.dmh.ca.gov/Prop_63/MHSA/docs/Legislative_reports/08_09AddendumMHSA_LegReport.pdf), referred by the Speaker to the Committee on Budget.

**Public Authorities and Nonprofit Consortia  
in the Delivery of In-Home Supportive Services  
FY 2007-08  
(Pursuant to Senate Bill 1780, Chapter 206, Statutes 1996)**

Above transmitted report, together with letter of transmittal from John A. Wagner, Director, Department of Social Services, dated October 5, 2009, referred by the Speaker to the Committee on Human Services.

**Expenditure Plan for Student Academic Preparation and  
Educational Partnerships (SAPEP) Programs  
(Pursuant to Item 6400-001-0001, Budget Act of 2009)**

Above transmitted report, together with letter of transmittal from Mark G. Yudof, President, University of California, dated September 24, 2009, referred by the Speaker to the Committee on Budget.

**Crime in California—2008  
(Pursuant to Penal Code Section 13010 (g))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated October 13, 2009, stating availability of report at <http://ag.ca.gov/cjsc/publications/advrelease/ad/ad08/ad08.pdf>, referred by the Speaker to the Committee on Public Safety.

**California High School Exit Exam (CAHSEE) Litigation  
Quarterly Report, Fourth Quarter, FY 2008–09  
(Pursuant to Item 6110-001-0001, Provision 16, Budget Act of 2008)**

Above transmitted report, together with letter of transmittal from Jack O’Connell, State Superintendent of Public Instruction, Department of Education, dated October 7, 2009, referred by the Speaker to the Committee on Education.

**CalPERS Year End Budget and Expenditures  
FY 2008–09  
(Pursuant to Items 1900-015-0815(1)(c), 1900-015-0820(1)(c),  
1900-015-0822(1)(c), 1900-015-0830(1)(c), 1900-015-0833(1)(c),  
and 1900-015-0884(1)(c), Budget Act of 2008)**

Above transmitted report, together with letter of transmittal from Anne Stausboll, Chief Executive Officer, California Public Employees’ Retirement System, dated September 25, 2009, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Program Compliance Reviews, FY 2008–09  
(Pursuant to Item 7980-001-0001, Provision 3,  
of the 2008–09 Budget Act)**

Above transmitted report, together with letter of transmittal from Diana Fuentes-Michel, Executive Director, California Student Aid Commission, dated October 6, 2009, stating availability of report at <http://www.csac.ca.gov>, referred by the Speaker to the Committee on Higher Education.

**2009 OAL Determination No. 23(S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated October 6, 2009, referred by the Speaker to the Committee on Public Safety.

**Crime in California, 2008  
(Pursuant to Penal Code Section 13010 (g))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated October 19, 2009, stating availability of report at <http://www.ag.ca.gov/cjsc/publications/advrelease/ad/ad08/ad08.pdf>, referred by the Speaker to the Committee on Public Safety.

**Efforts to Transfer Foreign-Born Inmates to their Countries of Origin  
Quarterly Report, Third Quarter, 2009  
(Pursuant to Penal Code Section 2912(b)(1))**

Above transmitted report, together with letter of transmittal from Martin Hoshino, Executive Officer, Board of Parole Hearings, dated October 8, 2009, referred by the Speaker to the Committee on Public Safety.



**Amount of Federal Grant Anticipation Revenue (GARVEE) Bonds the  
Commission Intends to Issue in FY 2010–11  
(Pursuant to Government Code Section 14553.10)**

Above transmitted report, together with letter of transmittal from Bimla G. Rinehart, Executive Director, California Transportation Commission, dated September 30, 2009, referred by the Speaker to the Committee on Transportation.

**Public Employment Relations Board's Annual Report  
FY 2008–09**

**(Pursuant to Government Code Section 3541.3, subdivision (f))**

Above transmitted report, together with letter of transmittal from Alice Dowdin Calvillo, Acting Chair, Public Employment Relations Board, dated October 12, 2009, stating availability of report at <http://www.perb.ca.gov>, referred by the Speaker to the Committee on Business and Professions.

**SPECIAL COMMITTEE MEETINGS**

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

Select Committee on K–16 Articulation, Access and Affordability, Tuesday, October 20, 2009, at 6:30 p.m., at Hoover Senior High School in San Diego;

Water, Parks and Wildlife, for an informational hearing, Wednesday, October 21, 2009, at 9 a.m., in Room 4202;

Select Committee on Rail Transportation, for an informational hearing, Tuesday, October 22, 2009, at 10 a.m., in Room 444;

Water, Parks and Wildlife, for an informational hearing, Monday, October 26, 2009, at 9 a.m., in Room 4202;

Accountability and Administrative Review, Wednesday, October 28, 2009, at 9 a.m., in Room 437;

Budget, Wednesday, October 28, 2009, at 1 p.m., in Room 4202;

Select Committee on Biotechnology, to meet jointly with the Senate Select Committee on Biotechnology, Monday, November 2, 2009, at Edwards Lifesciences in Irvine;

Select Committee on Schools and Community, Tuesday, November 3, 2009, at 9:30 a.m. in Los Angeles;

Veteran's Affairs, for an informational hearing, Thursday, November 5, 2009, at 9 a.m., in San Diego;

Ageing and Long-Term Care, for a policy briefing, Thursday, November 12, 2009, in Room 126.

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KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk