

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 25

INTERIM STUDY RECESS

Assembly Chamber, Sacramento
Tuesday, November 10, 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 29, 2009

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

RE: Appointment of Ellen Goldsmith-Vein
to California Film Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Ellen Goldsmith-Vein to the California Film Commission. This is a term appointment starting October 29, 2009 and the expiration date is October 29, 2011. Ms. Goldsmith-Vein will be replacing Mr. Patrick Whitesell.

Sincerely,

KAREN BASS
Speaker of the Assembly

October 29, 2009

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

RE: Appointment of Lizetta LeFalle-Collins
to Historic State Capitol Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Lizetta LeFalle-Collins to the Historic State Capitol Commission. This is a term appointment starting October 29, 2009 and the expiration date is January 1, 2013.

Sincerely,

KAREN BASS
Speaker of the Assembly

November 2, 2009

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

RE: Appointment of Cesar Calderon
to Summer and Intersession Enrichment Task Force

Dear Mr. Wilson: Please be advised I have appointed Mr. Cesar Calderon to the Summer and Intersession Enrichment Task Force. This is a pleasure appointment starting November 2, 2009.

Sincerely,

KAREN BASS
Speaker of the Assembly

November 2, 2009

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

RE: Appointment of Elena Stern
to Summer and Intersession Enrichment Task Force

Dear Mr. Wilson: Please be advised I have appointed Ms. Elena Stern to the Summer and Intersession Enrichment Task Force. This is a pleasure appointment starting November 2, 2009.

Sincerely,

KAREN BASS
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Per Diem

October 29, 2009

*Assemblywoman Karen Bass, Speaker
California State Assembly
State Capitol, Room 219*

RE: Per Diem for October 30, 2009

Dear Mme. Speaker: I am writing to respectfully decline my per diem for October 30, 2009.

Sincerely,

STEVE KNIGHT, Assembly Member
Thirty-sixth District

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2009-037
November 10, 2009

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by the Health and Safety Code, Division 31, Sections 53533 and 53545, the California State Auditor presents its second audit in a series concerning the Housing and Emergency Shelter Trust Fund acts of 2002 and 2006.

This report concludes that the Department of Housing and Community Development (HCD) and the California Finance Housing Agency generally awarded funds in a timely manner and complied with legal requirements for making awards. However, HCD did not always adhere to controls it established for its CalHome Program. For example, as we reported in September 2007, HCD continues to advance funds to recipients, primarily individuals and local entities that ultimately receive the funds awarded, at amounts greater than limits set in their standard agreements. In addition, HCD did not always ensure that recipients submitted quarterly status reports as required in its regulations for the CalHome Program.

We also reported in 2007 that HCD did not have processes in place for conducting site visits of recipients or otherwise verifying program compliance during the period following final disbursement of funds for its CalHome and Emergency Housing and Assistance programs. During our current review, we found that HCD has developed monitoring processes for these programs. However, because of state budget difficulties, HCD restricted the amount of travel for performing on-site visits beginning in July 2008; thus, it has not met the goals it established for conducting on-site visits for these two programs in addition to a third

program. Finally, HCD has not yet completed its verification of data transferred to its new Consolidated Automated Program Enterprise System, which it uses to administer and manage the housing bond programs.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Housing and Community Development.

The following reports were presented by the Chief Clerk:

**Delay in the Submission of the California State Rail Plan
2009–10 to 2019–20
(Pursuant to Government Code section 14026)**

Above transmitted report, together with letter of transmittal from Randell Iwasaki, Director, Department of Transportation, dated November 2, 2009, referred by the Speaker to the Committee on Budget.

**Unrefunded Gasoline Tax
Used for Off Highway Agricultural Purposes
Biennial Report, 2009
(Pursuant to Revenue and Taxation Code Section 8352.5)**

Above transmitted report, together with letter of transmittal from Randell Iwasaki, Director, Department of Transportation, dated November 5, 2009, stating availability of report at <http://www.dot.ca.gov/reports-legislature.htm>, referred by the Speaker to the Committee on Transportation.

**Coastal Anadromous Fish Passage Assessment and Remediation
Progress Report
(Pursuant to Chapter 589, Section 3, Statutes of 2005)**

Above transmitted report, together with letter of transmittal from Randell Iwasaki, Director, Department of Transportation, dated November 5, 2009, stating availability of report at <http://www.dot.ca.gov/reports-legislature.htm>, referred by the Speaker to the Committee on Transportation.

**Project Development Cost and Project Delivery Report
FY 2008–09
(Pursuant to Government Code Sections 14524.16 and 14525.5)**

Above transmitted report, together with letter of transmittal from Randell Iwasaki, Director, Department of Transportation, dated November 5, 2009, stating availability of report at <http://www.dot.ca.gov/reports-legislature.htm>, referred by the Speaker to the Committee on Transportation.

**California Housing Finance Agency
Annual Report, 2008–09
(Pursuant to Health and Safety Code Section 51005)**

Above transmitted report, together with letter of transmittal from L. Steven Spears, Acting Executive Director, California Housing Finance Agency, dated November 1, 2009, referred by the Speaker to the Committee on Housing and Community Development.

**Quarterly Hazardous Waste Fee Revenue
Third Quarter, 2009
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Ramon J. Hirsig, Executive Director, Board of Equalization, dated November 6, 2009, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Final Report
Collaborative Process for Project Development and Review
(Pursuant to Education Code Sections 17319 and 81131.1)**

Above transmitted report, together with letter of transmittal from Ronald Diedrich, Acting Director, Department of General Services, dated November 4, 2009, stating availability of report at <http://www.legi.dgs.ca.gov/Publications/2009LegislativeReports.htm>, referred by the Speaker to the Committee on Education.

**Lifer Parole Hearing Backlog, Quarterly Report
Quarters Covering December 2008 through September 2009
(Pursuant to Penal Code 3041(d))**

Above transmitted report, together with letter of transmittal from Martin Hoshino, Executive Officer, Board of Parole Hearings, dated October 30, 2009, referred by the Speaker to the Committee on Public Safety.

**California State Lottery Fund: Financial Statements
June 30, 2009 (With Independent Auditors' Report Thereon)
(Pursuant to Government Code Section 8880.43)**

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, California State Lottery, dated October 27, 2009, referred by the Speaker to the Committee on Governmental Organization.

**Border Health Status Report, 2006–08
(Pursuant to Health and Safety Code Section 475)**

Above transmitted report, together with letter of transmittal from Monica Wagoner, Deputy Director, Legislative and Governmental Affairs, Department of Public Health, dated October 23, 2009, referred by the Speaker to the Committee on Health.

**Juvenile Justice in California, 2008
(Pursuant to Penal Code Sections 13010(g) and 13012(d))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated October 20, 2009, referred by the Speaker to the Committee on Public Safety.

**Asset Forfeiture, Annual Report, 2008
(Pursuant to Health and Safety Code Section 11495)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated October 15, 2009, referred by the Speaker to the Committee on Public Safety.

**California Department of Education: Part II
(Pursuant to Item 6110-001-001, Supplemental Report, 2008–09 Budget Act)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated November 3, 2009, referred by the Speaker to the Committee on Education.

**Actuarial Valuations for the Defined Benefit Program
(Pursuant to Education Code Section 22311.5)**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, California State Teachers' Retirement System, dated November 3, 2009, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

SPECIAL COMMITTEE MEETINGS

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

Accountability and Administrative Review, to hold an informational hearing, Wednesday, November 18, 2009, at 10 a.m., in Room 437;

Select Committee on the Safety and Protection of At-Risk Communities in California, to hold a hearing, Thursday, November 19, 2009, at 9 a.m., at the Ontario Police Department in Ontario, California;

Select Committee on Workforce Development within the Developmentally Disabled Community, to hold an informational hearing, Friday, November 20, 2009, at 10 a.m., at the Milton Marks Conference Center of the California State Building, in San Francisco, California;

Health, to hold an informational hearing, Tuesday, December 1, 2009, at 10 a.m., at the Oakland City Council Chambers, in Oakland, California;

Budget Subcommittee Number 4 on State Administration, to hold a hearing, Thursday, December 3, 2009, at 1:30 p.m., in Room 447;

Transportation, to hold a hearing, Friday, December 4, 2009, at 9:30 a.m., at the Los Angeles County Metropolitan Transit Authority, in Los Angeles, California;

Transportation, to hold a hearing, Tuesday, December 8, 2009, at 1:30 p.m., at Sacramento Regional Transit, in Sacramento, California.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, November 6, 2009

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

Assembly Bill No. 1358

And reports the same correctly enrolled, and presented to the Governor on the 6th day of November, 2009, at 11:15 a.m.

E. DOTSON WILSON, Chief Clerk

KAREN BASS, Speaker

SUE PARKER, Assistant Chief Clerk