

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 23, 2007
FOURTEENTH SESSION DAY
FIFTY-FIRST 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to
Sue Parker, Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 23, 2007

The Assembly met at 7 a.m.

Hon. Anthony Adams, Assembly Member, 59th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Adams	DeVore	Karnette	Richardson
Aghazarian	Duvall	Keene	Runner
Anderson	Dymally	Krekorian	Ruskin
Arambula	Emmerson	La Malfa	Salas
Bass	Eng	Laird	Saldaña
Beall	Evans	Leno	Silva
Benoit	Feuer	Levine	Smyth
Berg	Fuller	Lieber	Solorio
Berryhill	Gaines	Lieu	Soto
Blakeslee	Garcia	Ma	Spitzer
Brownley	Garrick	Maze	Strickland
Caballero	Hancock	Mendoza	Swanson
Calderon	Hayashi	Mullin	Torrico
Carter	Hernandez	Nakanishi	Tran
Cook	Horton	Nava	Villines
Coto	Houston	Niello	Walters
Davis	Huff	Parra	Wolk
De La Torre	Huffman	Plescia	Mr. Speaker
De León	Jeffries	Portantino	
DeSaulnier	Jones	Price	

Quorum present.

At 12:11 p.m., Hon. Betty Karnette, 54th 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 Alarcón and Galgiani.

EXPLANATIONS OF ABSENCE

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

January 19, 2007

*The Honorable Fabian Núñez, Speaker
California State Assembly
Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I would like permission to be excused from check-in for Tuesday, January 23 and Wednesday, January 24 to allow me to attend legislative business in my District. I shall be in attendance on Thursday, January 25.

I thank you for your favorable consideration.

Yours truly,

RICHARD ALARCÓN, Assembly Member
Thirty-ninth District

January 22, 2007

*The Honorable Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I would like to request that I be excused from Check-In Session on January 23, 2007, as I will be in my district office on legislative business.

If you have any questions, please contact Reichel Feicht of my staff at 319-2017.

Thank you.

Sincerely,

CATHLEEN GALGIANI, Assembly Member
Seventeenth District

COMMUNICATIONS

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

January 23, 2007

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

Dear Dotson: This letter is to advise you that I have made appointments to the membership of the following committees for the 2007–08 Regular Session:

Aging and Long-Term Care

Hon. Patty Berg, Chair
Hon. Joel Anderson, Vice Chair
Hon. Julia Brownley
Hon. Wilmer Amina Carter
Hon. Lloyd Levine
Hon. Mimi Walters

I am increasing the membership of the committee from 5 to 6 members.

Agriculture

Hon. Nicole Parra, Chair
Hon. Doug La Malfa, Vice Chair
Hon. Tom Berryhill
Hon. Mervyn Dymally
Hon. Jean Fuller
Hon. Cathleen Galgiani
Hon. Dave Jones
Hon. Tony Mendoza

Appropriations

Hon. Mark Leno, Chair
Hon. Mimi Walters, Vice Chair
Hon. Anna Caballero
Hon. Mike Davis
Hon. Mark DeSaulnier
Hon. Bill Emmerson
Hon. Jared Huffman
Hon. Betty Karnette
Hon. Paul Krekorian
Hon. Doug La Malfa
Hon. Lloyd Levine
Hon. Ted Lieu
Hon. Fiona Ma
Hon. Alan Nakanishi
Hon. Pedro Nava
Hon. Sharon Runner
Hon. Jose Solorio
One Democratic vacancy

Arts, Entertainment, Sports, Tourism & Internet Media

Hon. Betty Karnette, Chair

Hon. Sharon Runner, Vice Chair

Hon. Richard Alarcón

Hon. Joe Coto

Hon. Mike Davis

Hon. Kevin de León

Hon. George Plescia

Hon. Audra Strickland

Hon. Sandré Swanson

I have reduced the membership of this committee from 10 to 9 members.

Banking and Finance

Hon. Ted Lieu, Chair

Hon. Ted Gaines, Vice Chair

Hon. Joe Coto

Hon. Guy Houston

Hon. Tony Mendoza

Hon. Nicole Parra

Hon. Sandré Swanson

Hon. Alberto Torrico

Hon. Mimi Walters

Hon. Lois Wolk

Budget

Hon. John Laird, Chair

Hon. Roger Niello, Vice Chair

Hon. Juan Arambula

Hon. Jim Beall

Hon. John Benoit

Hon. Patty Berg

Hon. Sam Blakeslee

Hon. Julia Brownley

Hon. Paul Cook

Hon. Hector De La Torre

Hon. Chuck DeVore

Hon. Michael Duvall

Hon. Mervyn Dymally

Hon. Mike Feuer

Hon. Jean Fuller

Hon. Mary Hayashi

Hon. Ed Hernandez

Hon. Bob Huff

Hon. Dave Jones

Hon. Bill Maze

Hon. Gene Mullin

Hon. Laura Richardson

Hon. Ira Ruskin

Hon. Jim Silva

Hon. Sandré Swanson

Hon. Lois Wolk

Budget Subcommittee #1—Health and Human Services

Hon. Patty Berg, Chair
Hon. Jim Beall
Hon. Hector De La Torre
Hon. Ed Hernandez
Hon. Bill Maze
Hon. Roger Niello

Budget Subcommittee #2—Education Finance

Hon. Julia Brownley, Chair
Hon. Michael Duvall
Hon. Mervyn Dymally
Hon. Jean Fuller
Hon. Gene Mullin
Hon. Sandré Swanson

Budget Subcommittee #3—Resources

Hon. Ira Ruskin, Chair
Hon. Sam Blakeslee
Hon. Julia Brownley
Hon. Hector De La Torre
Hon. Dave Jones
Hon. Jim Silva

Budget Subcommittee #4—State Administration

Hon. Juan Arambula, Chair
Hon. Paul Cook
Hon. Chuck DeVore
Hon. Mary Hayashi
Hon. Gene Mullin
Hon. Sandré Swanson

Budget Subcommittee #5—Information Technology & Transportation

Hon. Mike Feuer, Chair
Hon. John Benoit
Hon. Bob Huff
Hon. Laura Richardson
Hon. Lois Wolk

Business and Professions

Hon. Mike Eng, Chair
Hon. Bill Emmerson, Vice Chair
Hon. Karen Bass
Hon. Wilmer Amina Carter
Hon. Mary Hayashi
Hon. Ed Hernandez
Hon. Shirley Horton
Hon. Bill Maze
Hon. Curren Price
Hon. Alberto Torrico

Education

Hon. Gene Mullin, Chair
Hon. Martin Garrick, Vice Chair
Hon. Julia Brownley
Hon. Joe Coto
Hon. Mike Eng
Hon. Loni Hancock
Hon. Bob Huff
Hon. Betty Karnette
Hon. Alan Nakanishi
Hon. Jose Solorio
One Democratic vacancy

Elections and Redistricting

Hon. Curren Price, Chair
Hon. Anthony Adams, Vice Chair
Hon. Mark Leno
Hon. Lloyd Levine
Hon. Tony Mendoza
Hon. Roger Niello
Hon. Lori Saldaña

Environmental Safety and Toxic Materials

Hon. Jared Huffman, Chair
Hon. Cameron Smyth, Vice Chair
Hon. Mike Eng
Hon. Noreen Evans
Hon. Mike Feuer
Hon. Kevin Jeffries
Hon. Pedro Nava

Governmental Organization

Hon. Alberto Torrico, Chair
Hon. George Plescia, Vice Chair
Hon. Charles Calderon
Hon. Kevin de León
Hon. Noreen Evans
Hon. Bonnie Garcia
Hon. Kevin Jeffries
Hon. Lloyd Levine
Hon. Tony Mendoza
Hon. Anthony Portantino
Hon. Curren Price
Hon. Laura Richardson
Hon. Jim Silva
Hon. Nell Soto
Hon. Van Tran

Health

Hon. Mervyn Dymally, Chair
Hon. Alan Nakanishi, Vice Chair
Hon. Karen Bass
Hon. Patty Berg
Hon. Hector De La Torre
Hon. Kevin de León
Hon. Bill Emmerson
Hon. Ted Gains
Hon. Loni Hancock
Hon. Mary Hayashi
Hon. Ed Hernandez
Hon. Sally Lieber
Hon. Fiona Ma
Hon. Mary Salas
Hon. Audra Strickland
I have increased the membership of this committee from 14 to
15 members.

Higher Education

Hon. Anthony Portantino, Chair
Hon. Shirley Horton, Vice Chair
Hon. Juan Arambula
Hon. Jim Beall
Hon. Paul Cook
Hon. Cathleen Galgiani
Hon. Ira Ruskin

Housing and Community Development

Hon. Lori Saldaña, Chair
Hon. Bonnie Garcia, Vice Chair
Hon. Karen Bass
Hon. Loni Hancock
Hon. Gene Mullin
Hon. Sharon Runner
Hon. André Swanson

Human Services

Hon. Jim Beall, Chair
Hon. Tom Berryhill, Vice Chair
Hon. Mike Davis
Hon. Mark DeSaulnier
Hon. Paul Krekorian
Hon. Laura Richardson
Hon. Todd Spitzer

Insurance

Hon. Joe Coto, Chair
Hon. John Benoit, Vice Chair
Hon. Patty Berg
Hon. Charles Calderon
Hon. Kevin de León
Hon. Michael Duvall
Hon. Noreen Evans
Hon. Martin Garrick
Hon. Sally Lieber
Hon. Nicole Parra

Jobs, Economic Development, and the Economy

Hon. Juan Arambula, Chair
Hon. Jim Silva, Vice Chair
Hon. Anna Caballero
Hon. Bonnie Garcia
Hon. Curren Price
Hon. Mary Salas

Judiciary

Hon. Dave Jones, Chair
Hon. Van Tran, Vice Chair
Hon. Anthony Adams
Hon. Noreen Evans
Hon. Mike Feuer
Hon. Rick Keene
Hon. Paul Krekorian
Hon. John Laird
Hon. Sally Lieber

Labor and Employment

Hon. Sandré Swanson, Chair
Hon. Audra Strickland, Vice Chair
Hon. Mark DeSaulnier
Hon. Ted Gaines
Hon. Cathleen Galgiani
Hon. John Laird
Hon. Mark Leno
Hon. Ira Ruskin

Local Government

Hon. Anna Caballero, Chair
Hon. Guy Houston, Vice Chair
Hon. Hector De La Torre
Hon. Sally Lieber
Hon. Lori Saldaña
Hon. Cameron Smyth
Hon. Nell Soto

Natural Resources

Hon. Loni Hancock, Chair
Hon. Jean Fuller, Vice Chair
Hon. Greg Aghazarian
Hon. Richard Alarcón
Hon. Julia Brownley
Hon. Rick Keene
Hon. John Laird
Hon. Lori Saldaña
Hon. Lois Wolk

I have reduced the membership of this committee from 10 to
9 members.

Public Employees, Retirement and Social Security

Hon. Ed Hernandez, Chair
Hon. Kevin Jeffries, Vice Chair
Hon. Joel Anderson
Hon. Gene Mullin
Hon. Nell Soto
Hon. Alberto Torrico

Public Safety

Hon. Jose Solorio, Chair
Hon. Greg Aghazarian, Vice Chair
Hon. Joel Anderson
Hon. Hector De La Torre
Hon. Mark Leno
Hon. Fiona Ma
Hon. Anthony Portantino

Revenue and Taxation

Hon. Charles Calderon, Chair
Hon. Chuck DeVore, Vice Chair
Hon. Juan Arambula
Hon. Mike Eng
Hon. Mike Feuer
Hon. Mary Hayashi
Hon. Fiona Ma
Hon. George Plescia
Hon. Todd Spitzer

I have increased the membership of this committee from 8 to
9 members.

Rules

Hon. Hector De La Torre, Chair
Hon. Sam Blakeslee, Vice Chair
Hon. Anthony Adams
Hon. Greg Aghazarian
Hon. Richard Alarcón
Hon. John Benoit
Hon. Wilmer Amina Carter
Hon. Mike Davis
Hon. Mark DeSaulnier
Hon. Paul Krekorian
Hon. Tony Mendoza
Hon. Loni Hancock, Democratic Alternate
Hon. Todd Spitzer, Republican Alternate

Transportation

Hon. Pedro Nava, Chair
Hon. Michael Duvall, Vice Chair
Hon. Wilmer Amina Carter
Hon. Mark DeSaulnier
Hon. Cathleen Galgiani
Hon. Martin Garrick
Hon. Shirley Horton
Hon. Guy Houston
Hon. Bob Huff
Hon. Betty Karnette
Hon. Anthony Portantino
Hon. Ira Ruskin
Hon. Jose Solorio
Hon. Nell Soto

I have increased the membership of this committee from 13 to
14 members.

Utilities and Commerce

Hon. Lloyd Levine, Chair
Hon. Rick Keene, Vice Chair
Hon. Karen Bass
Hon. Sam Blakeslee
Hon. Mike Davis
Hon. Mervyn Dymally
Hon. Jared Huffman
Hon. Dave Jones
Hon. Paul Krekorian
Hon. Laura Richardson
Hon. Cameron Smyth
Hon. Van Tran

I have increased the membership of this committee from 11 to
12 members.

Veterans' Affairs

Hon. Mary Salas, Chair
Hon. Paul Cook, Vice Chair
Hon. Jim Beall
Hon. Wilmer Amina Carter
Hon. Chuck DeVore
Hon. Ted Lieu
Hon. Sharon Runner
Hon. Lori Saldaña
Hon. Lois Wolk

Water, Parks and Wildlife

Hon. Lois Wolk, Chair
Hon. Bill Maze, Vice Chair
Hon. Joel Anderson
Hon. Tom Berryhill
Hon. Anna Caballero
Hon. Charles Calderon
Hon. Jared Huffman
Hon. Doug La Malfa
Hon. Ted Lieu
Hon. Gene Mullin
Hon. Pedro Nava
Hon. Nicole Parra
Hon. Mary Salas

Joint Legislative Audit Committee

Hon. Nell Soto, Chair
Hon. Lloyd Levine
Hon. Fiona Ma
Hon. Alan Nakanishi
Hon. George Plescia
Hon. Todd Spitzer
Hon. Alberto Torrico

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 169—Levine. An act to add Section 6530.5 to the Government Code, relating to joint powers authorities.

ASSEMBLY BILL NO. 170—Saldana. An act to add Section 8238 to the Education Code, relating to child care.

ASSEMBLY BILL NO. 171—Beall. An act to amend Section 69740 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 172—Bass. An act to add and repeal Chapter 1.5 (commencing with Section 16040) of Part 4 of Division 9 of the Welfare and Institutions Code, relating to foster care, and making an appropriation therefor.

ASSEMBLY BILL NO. 173—Alarcon and Dymally. An act to amend Sections 41506 and 52890 of, to add Section 52380.5 to, to add Article 7 (commencing with Section 52900) to Chapter 12 of, and to add Chapter 6.7 (commencing with Section 52076) to, Part 28 of Division 4 of Title 2 of, the Education Code, relating to academic performance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 174—Price. An act to amend Section 19702 of the Government Code, relating to state civil services.

ASSEMBLY BILL NO. 175—Price. An act to amend Section 69435 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 176—Jones (Principal coauthor: Beall). An act to amend, repeal, and add Section 11475.3 of the Welfare and Institutions Code, relating to CalWORKs.

ASSEMBLY BILL NO. 177—Bass. An act to amend Section 1 of Chapter 58 of the Statutes of 1997, relating to charter schools.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 24, 2007.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk