

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, May 15, 2007**

**SIXTY-NINTH SESSION DAY**

**ONE HUNDRED SIXTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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, May 15, 2007

The Assembly met at 7 a.m.  
Hon. Sandré R. Swanson, Assembly Member, 16th 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—74:

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

Quorum present.

**At 1:34 p.m., Hon. Patty Berg, 1st 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 Price.*

*On personal business, and waiving per diem: Assembly Member Richardson.*

*Because of illness: Assembly Members Galgiani, Ruskin, and Soto.*

**EXPLANATIONS OF ABSENCE**

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

May 8, 2007

*The Honorable Fabian Núñez  
Speaker of the Assembly  
State Capitol, Room 319  
Sacramento, California*

Dear Speaker Núñez: I would like to request to be excused from check-in session on Tuesday, May 15, 2007. I will be in my district on legislative business.

Thank you for consideration.

Respectfully,

CURREN D. PRICE, JR., Assembly Member  
Fifty-first District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 15, 2007

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

Assembly Bill No. 845	Assembly Bill No. 1238
Assembly Bill No. 1195	Assembly Bill No. 1678
Assembly Bill No. 429	Assembly Bill No. 513
Assembly Bill No. 916	Assembly Bill No. 1108
Assembly Bill No. 1088	Assembly Bill No. 1702

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 15, 2007

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

Assembly Bill No. 392  
Assembly Bill No. 1670

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

Assembly Chamber, May 15, 2007

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

Assembly Bill No. 155	Assembly Bill No. 944
Assembly Bill No. 374	Assembly Bill No. 1273
Assembly Bill No. 430	Assembly Bill No. 1310
Assembly Bill No. 483	Assembly Bill No. 1687
Assembly Bill No. 779	Assembly Bill No. 1700

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR'S AMENDMENTS**

**Committee on Revenue and Taxation**

May 15, 2007

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 21

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

**ASSEMBLY BILL NO. 21**—An act to add Section 17052.1 to the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 15, 2007

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 724

Assembly Bill No. 797

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

**ASSEMBLY BILL NO. 724**—An act to add Section 11834.255 to the Health and Safety Code, relating to residential facilities.

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.

**ASSEMBLY BILL NO. 797**—An act to amend Sections 1749 and 1749.1 of, and to add Sections 1625.55, 1625.56, 1625.57, and 1749.32 to, the Insurance Code, relating to the Department of Insurance.

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: May 14, 2007

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

Assembly Bill No. 680

Assembly Bill No. 1370

Assembly Bill No. 1746

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

CALDERON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: May 14, 2007

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

Assembly Bill No. 1451

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: May 8, 2007

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 678

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

SOLORIO, Chair

Above bill ordered to second reading.

Date of Hearing: May 8, 2007

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 860

With amendments with the recommendation: Amend, and do pass, as amended.

SOLORIO, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: May 8, 2007

Mr. Speaker: Your Committee on Judiciary reports:  
Assembly Bill No. 980

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

**Assembly Bills Nos. 845, 1195, 916, 1088, 1238, 1678, 513, and 1108,** ordered to third reading;

**Assembly Bills Nos. 429 and 1702,** ordered to the Consent Calendar.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1366**—An act to amend Sections 65400 and 65581 of the Government Code, relating to housing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 830**—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 1574**—An act to add Sections 1098 and 1102.6e to the Civil Code, relating to real estate.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 367**—An act to amend Sections 1463.007 and 1463.010 of, and to add Section 1463.02 to, the Penal Code, and to amend Section 19280 of the Revenue and Taxation Code, relating to courts.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 1178**—An act to amend Section 56.10 of the Civil Code, relating to medical information.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 1677**—An act to add Section 1798.825 to the Civil Code, relating to Internet transactions.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, May 16, 2007.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 15, 2007**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>	
21	0716913	
367	0716769	
724	0716974	
797	0716618	
830	0716752	
1178	0716637	
1574	0716500	
1677	0716635	
<b>Daily Total:</b>		<b>8</b>
<b>Cumulative Total:</b>		<b>1687</b>

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