

CALIFORNIA LEGISLATURE

2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 2, 2008

ONE HUNDRED NINETY-NINTH SESSION DAY

FIVE HUNDRED FORTY-SEVENTH 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
Monday, June 2, 2008

The Assembly met at 6 a.m.

Hon. Guy Houston, Assembly Member, 15th 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—50:

Adams	Furutani	Krekorian	Price
Aghazarian	Gaines	Laird	Salas
Anderson	Galgiani	Lieber	Saldaña
Berryhill	Garcia	Ma	Solorio
Calderon	Hancock	Mendoza	Strickland
Davis	Hayashi	Mullin	Swanson
De La Torre	Hernandez	Nakanishi	Tran
DeSaulnier	Horton	Nava	Villines
Duvall	Houston	Niello	Walters
Dymally	Jeffries	Núñez	Wolk
Emmerson	Jones	Parra	Mme. Speaker
Feuer	Karnette	Plescia	
Fuentes	Keene	Portantino	

Quorum present.

At 2:02 p.m., Hon. Mark DeSaulnier, 11th 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 Arambula, Beall, Benoit, Berg, Blakeslee, Brownley, Caballero, Cook, Coto, De León, DeVore, Eng, Evans, Fuller, Huffman, La Malfa, Leno, Lieu, Maze, Silva, Smyth, and Torrico.

On personal business, and waiving per diem: Assembly Members Carter, Huff, Levine, and Ruskin.

Because of illness: Assembly Members Garrick, Runner, and Soto.

Because of illness in his family: Assembly Member Spitzer.

EXPLANATIONS OF ABSENCE

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

May 20, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I would like to request permission to be excused from Check-in Session on Monday, June 2, 2008, due to a speaking commitment in my district.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at (916) 319-2031.

Sincerely,

JUAN ARAMBULA, Assembly Member
Thirty-first District

May 29, 2008

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

Dear Mme. Speaker: I respectfully request to be excused from the Assembly Check-In Session on Monday, June 2, 2008. I will be in my district during this time attending to legislative business.

Thank you for your attention to this request.

Sincerely,

JIM BEALL, JR., Assembly Member
Twenty-fourth District

May 28, 2008

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

Dear Speaker Bass: Please excuse me from Check-In Session on Monday, June 2, 2008 as I will be in my district attending to legislative business.

Should you have any questions please contact me or my Capitol Director, Kyle Packham at (916) 319-2064.

Sincerely,

JOHN J. BENOIT, Assembly Member
Sixty-fourth District

May 29, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request permission to be excused from Check-In Session on Monday, June 2, 2008 to conduct legislative business in my district office.

Thank you in advance for your time and consideration of this matter.

Sincerely,

PATTY BERG, Assembly Member
First District

May 30, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I am writing to respectfully request that I be excused from Check-in Session on Monday, June 2, 2008, due to important advisory meetings in the district.

I appreciate your consideration of this request. Please contact Stacey Neese in my office at 319-2033 with any questions. Thank you.

Sincerely,

SAM BLAKESLEE, Assembly Member
Thirty-third District

May 29, 2008

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker,

Please excuse me from Check in session on Monday, June 2, 2008, for legislative business. Thank you.

Sincerely,

JULIA BROWNLEY, Assembly Member
Forty-first District

May 29, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from Session on Monday, June 2, 2008, due to legislative business in the district.

Please feel free to contact me or my chief of staff, Megan Taylor at (916) 319-2028, should you have any questions regarding this request.

Kind regards,

ANNA M. CABALLERO, Assembly Member
Twenty-eighth District

May 30, 2008

*Hon. Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: I am respectfully requesting permission to be allowed to remain in my district on Monday, June 2, 2008, on district business. I will return to Sacramento on Wednesday, June 4 with your approval.

I appreciate your consideration of this matter. If you have any questions, please contact Sam Cannon at (916) 319-2065. Thank you in advance for considering this request.

Sincerely,

PAUL COOK, Assembly Member
Sixty-fifth District

May 30, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bass: Please excuse me from check-in session on June 2, 2008, as I will be on legislative business in my district.

Please do not hesitate to call Jessica Golly at 319-2023 with any questions or concerns.

Sincerely,

JOE COTO, Assembly Member
Twenty-third District

May 29, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from session on Monday, June 2, 2008. I will be in my district on legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2045.

Sincerely,

KEVIN DE LEÓN, Assembly Member
Forty-fifth District

May 30, 2008

Hon. Karen Bass
Speaker of the Assembly
State Capitol, Room 3193
Sacramento, California

Dear Mme. Speaker: I respectfully request to be excused from Check-in Session on Monday, June 2, 2008, due to legislative business. Your consideration of this request is greatly appreciated. If you have any questions please do not hesitate to contact me or my staff.

Most Sincerely,

CHUCK DE VORE, Assembly Member
Seventieth District

May 29, 2008

The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Bass: I respectfully request to be excused from check-in session on Monday, June 2, 2008, so that I can attend to legislative business in my district.

Thank you for your consideration of this matter. Should you have any questions or concerns regarding this request, please feel free to contact me or my scheduler Tahiza Landeros de Reilly at 319.2049.

Kind regards,

MIKE ENG, Assembly Member
Forty-ninth District

May 30, 2008

The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Bass: Please excuse me from Session on Monday, June 2, 2008 due to legislative business that I must attend to in my district. Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member
Seventh District

May 28, 2008

The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Assembly Speaker Bass: This letter is a request to be excused from Check-In Session on Monday, June 2, 2008, for legislative business in the district.

Thank you for your consideration in this matter.

Sincerely,

JEAN FULLER, Assembly Member
Thirty-second District

May 30, 2008

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request permission to be excused from Check-In Session on June 2, 2008, for legislative business in my district.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

JARED HUFFMAN, Assembly Member
Sixth District

May 29, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker,

I am respectfully requesting permission to be excused from check-in session on Monday, June 2, 2008. I will be in my district attending to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please contact me at 319-2002.

Sincerely,

DOUG LA MALFA, Assembly Member
Second District

May 21, 2008

*The Honorable Karen Bass
Speaker, State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker Bass: I respectfully request permission to be excused from check in Session Monday, June 2, 2008. I have legislative business that has previously been planned in my San Francisco district office and would appreciate your consideration in my not having to return to the Capitol until Wednesday, June 4, 2008.

Thank you for your consideration of my request. If you have any questions regarding this request, please contact Linda Forrest in my Capitol office.

Sincerely,

MARK LENO, Assembly Member
Thirteenth District

May 30, 2008

*The Honorable Karen Bass
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully ask permission to be excused from Check-in Session on Monday, June 2, 2008, due to legislative business. If you have any questions or concerns please contact Jeanette Garcia in my office at 319-2053.

Sincerely,

TED W. LIEU, Assembly Member
Fifty-third District

May 29, 2008

*The Honorable Karen Bass
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California*

Dear Speaker Bass: I am requesting to be excused from check-in session on Monday, June 2, 2008, due to legislative business.

Thank you for your consideration.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

May 28, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I am writing this letter to request to be excused from Check-in Session on Monday, June 2, 2008. I have legislative business to attend to in my district.

Please contact me or my chief of staff, Paul Dress, at 916-319-2067 if there is anything else you or your staff need from me regarding this request.

Sincerely,

JIM SILVA, Assembly Member
Sixty-seventh District

May 29, 2008

*The Honorable Karen Bass
Speaker of the Assembly
State Capitol, Room 219*

Dear Mme. Speaker: I am respectfully requesting to be excused from Check-in Session on Monday, June 2, 2008, due to legislative business in my district.

Should you have any questions, please contact Donda Scholl in my office at 319-2038.

Thank you for your attention to this matter.

Sincerely,

CAMERON M. SMYTH, Assembly Member
Thirty-eighth District

May 29, 2008

*The Honorable Karen Bass
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: I respectfully request permission to be excused from Check-in session on Monday, June 2, 2008. I have been invited to speak at the California School for the Blind Commencement ceremony in my district.

Your favorable approval of this request is appreciated.

Sincerely,

ALBERTO TORRICO, Assembly Member
Twentieth District

COMMUNICATIONS

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

June 2, 2008

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

Dear Dotson: Please be advised that I have appointed Assemblymember Mark DeSaulnier to replace Assemblymember Nell Soto on the Assembly Local Government Committee for the Wednesday, June 4 hearing only.

Sincerely,

KAREN BASS
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Governmental Organization, on Thursday, June 5, 2008, upon adjournment of Floor Session;

Business and Professions, on Tuesday, June 10, 2008, at 9 a.m., in Room 127;

Housing and Community Development, on Wednesday, June 11, 2008, at 9 a.m., in Room 126.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Cook to introduce a bill relating to curriculum: social science.

Request No. 08 16920.

KAREN BASS
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 3084—Cook and Ma (Coauthor: Salas). An act to amend Section 51221.4 of the Education Code, relating to curriculum, and declaring the urgency thereof, to take effect immediately.

**AUTHOR'S AMENDMENTS
Committee on Human Services**

June 2, 2008

Mme. Speaker: The Chair of your Committee on Human Services reports:
Senate Bill No. 1175

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

BEALL, Chair

SENATE BILL NO. 1175—An act to amend Section 15432 of the Government Code, and to add Section 4688.6 to the Welfare and Institutions Code, relating to regional center housing.

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 Water, Parks and Wildlife**

June 2, 2008

Mme. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 1262

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

WOLK, Chair

SENATE BILL NO. 1262—An act to amend Section 13007 of the Fish and Game Code, relating to sport fishing.

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 Local Government

June 2, 2008

Mme. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 1458
Senate Bill No. 1548

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

CABALLERO, Chair

SENATE BILL NO. 1458—An act to amend Sections 25643, 50078.1, 54251, 56036, 56375, and 57075 of, to amend and renumber Section 25210 of, to add Chapter 2.5 (commencing with Section 25210) to, and to repeal Chapter 2.2 (commencing with Section 25210.1) of, Part 2 of Division 2 of Title 3 of, the Government Code, to amend Section 5470 of the Health and Safety Code, to repeal Section 20394.3 of the Public Contract Code, to amend Sections 5621, 13031, and 13215 of, and to repeal Section 13030 of, the Public Resources Code, to amend Section 97.41 of the Revenue and Taxation Code, to amend Section 1179.5 of the Streets and Highways Code, and to amend Sections 22976, 22981, and 22982 of the Water Code, relating to local government.

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.

SENATE BILL NO. 1548—An act to amend Section 40600 of, and to add Section 40600.5 to, the Health and Safety Code, relating to air pollution.

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 Higher Education

June 2, 2008

Mme. Speaker: The Chair of your Committee on Higher Education reports:
Senate Bill No. 1457

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

PORTANTINO, Chair

SENATE BILL NO. 1457—An act to amend Section 69981 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

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

June 2, 2008

Mme. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 483

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

LENO, Chair

SENATE BILL NO. 483—An act to amend Section 789.8 of the Insurance Code, and to amend Sections 14005, 14015, and 14018 of, to amend and renumber Section 14002 of, and to add Sections 14006.01, 14006.15, 14006.41, 14009.6, 14009.7, 14015.1, and 14015.2 to, the Welfare and Institutions Code, relating to Medi-Cal.

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 Judiciary

June 2, 2008

Mme. Speaker: The Chair of your Committee on Judiciary reports:

Senate Bill No. 1140

Senate Bill No. 1370

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

JONES, Chair

SENATE BILL NO. 1140—An act to amend Sections 15610.30 and 15657.5 of, and to add Sections 15657.6 and 15657.7 to, the Welfare and Institutions Code, relating to financial abuse.

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.

SENATE BILL NO. 1370—An act to amend Sections 48907, 48950, 66301, and 94367 of the Education Code, relating to education.

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 Health

June 2, 2008

Mme. Speaker: The Chair of your Committee on Health reports:

Senate Bill No. 775

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

DYMALLY, Chair

SENATE BILL NO. 775—An act to amend Sections 105310 and 124130 of, and to add Sections 124166, 124167, and 124168 to, the Health and Safety Code, relating to childhood lead poisoning.

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 Local Government

May 19, 2008

Mme. Speaker: Your Committee on Local Government reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2601

CABALLERO, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Budget

April 30, 2008

Mme. Speaker: Your Committee on Budget reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1838

LAIRD, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Housing and Community Development

June 2, 2008

Mme. Speaker: Your Committee on Housing and Community Development reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2322

SALDAÑA, Chair

Above bill ordered filed with the Chief Clerk.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 2, 2008

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

Assembly Bill No. 1893

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of June, 2008, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:50 p.m., the Assembly adjourned until 9:30 a.m., Thursday, June 5, 2008.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 2, 2008**

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

SB	RN	
483	0816078	
775	0810543	
1140	0814778	
1175	0816609	
1262	0815824	
1370	0816435	
1457	0816957	
1458	0816934	
1548	0816936	
Daily Total:		9
Cumulative Total:		4911

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