CALIFORNIA LEGISLATURE 2007–08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 12, 2008

TWO HUNDRED FOURTH SESSION DAY FIVE HUNDRED FIFTY-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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento Thursday, June 12, 2008

The Assembly met at 9:03 a.m.

Hon. Sally \check{J} . Lieber, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Elizabeth Potter reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cook moved a quorum call of the Assembly. Motion carried.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

At 9:15 a.m., Acting Speaker Lloyd Levine, 40th District, presiding

Quorum Present

At 9:16 a.m., Acting Speaker Levine declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—75:

Adams Aghazarian Anderson Arambula Beall Benoit Berg Blakeslee Brownley Caballero Calderon Carter Cook Coto Davis De La Torre De León DeSaulnier	Duvall Dymally Emmerson Eng Evans Feuer Fuentes Fuller Furutani Gaines Galgiani Garcia Garrick Hancock Hayashi Hernandez Horton	Huffman Jeffries Jones Karnette Keene Krekorian La Malfa Laird Leno Levine Lieber Lieber Lieu Maze Mendoza Mullin Nakanishi Nava Niello	Parra Portantino Price Runner Ruskin Salas Saldaña Silva Smyth Solorio Spitzer Strickland Swanson Torrico Tran Villines Walters Wolk
De Leon DeSaulnier DeVore	Horton Houston Huff	Nava Niello Núñez	Wolk
DUTTOIL	11011	THILL	

PRAYER

Upon invitation of Acting Speaker Levine, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, There are times when the thing we desire most in our life is just a sense of joy and peace. We work hard and try to get ahead in our profession, but still, joy and peace can elude us. Grant, O Lord, that in everything we do, we open our hearts to Your will. When we do things God's way, we will get God's results, and we will find joy and peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Levine, Assembly Member Davis then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Torrico, seconded by Assembly Member Runner.

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 Bass and Plescia.

On personal business, and waiving per diem: Assembly Member Ma. Because of illness: Assembly Members Berryhill and Soto.

EXPLANATIONS OF ABSENCE

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

May 13, 2008

Honorable Karen Bass

Speaker, California State Assembly State Capitol, Room 219

Sacramento, California

Dear Mme. Speaker,

This letter is to respectfully request a session excuse for Thursday, June 12, 2008. I have legislative business in my district.

Thank you for your prompt attention.

Sincerely,

GEORGE A. PLESCIA, Assembly Member Seventy-fifth District

(NOTE: For letter explaining the absence of Assembly Member Bass on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for June 11, 2008.)

COMMUNICATIONS

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

June 12, 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 Jim Silva to replace Assemblymember Audra Strickland on the Assembly Health Committee for the Tuesday, June 17 hearing only.

Sincerely,

KAREN BASS Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Local Government, on Wednesday, June 25, 2008, at 1:30 p.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 12, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1770

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Speaker Emeritus Núñez was granted unanimous consent that Assembly Rule 118 be suspended permitting Chilean guests on the Assembly Floor and at the Rostrum accompanying Her Excellency Michelle Bachelet Jeria, President of Chile, during her visit to the Assembly.

REQUEST FOR PHOTOGRAPHER

Speaker Emeritus Núñez was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RE-REFERENCE OF BILLS

Assembly Member Torrico was granted unanimous consent that the following bills be re-referred as noted:

Senate Bill No. 623 from the Committee on Veterans Affairs to the Committee on Rules;

Senate Bill No. 1505 from the Committee on Business and Professions to the Committee on Rules;

Senate Bill No. 1518 from the Committee on Water, Parks and Wildlife to the Committee on Rules:

Senate Bill No. 1550 from the Committee on Business and Professions to the Committee on Natural Resources, and to the Committee on Jobs, Economic Development, and the Economy;

Senate Bill No. 640 from the Committee on Local Government to the Committee on Rules.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 191 be referred from the third reading file to the Committee on Rules.

SUSPEND ASSEMBLY RULE 56 and JOINT RULE 62(a)

Assembly Member Torrico was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Local Government to notice hearing of Senate Bills Nos. 1093 and 1617 on Wednesday, June 18, 2008 pending re-referral to the committee.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Torrico announced his intention to request that Senate Bill No. 53 be removed from the inactive file.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bills Nos. 298 and 1543, on request of Assembly Member Torrico.

ACTION RESCINDED ON SENATE BILL NO. 567

Assembly Member Torrico was granted unanimous consent to rescind the action whereby the Assembly, on September 11, 2007 (Assembly Journal, page 3233), passed Senate Bill No. 567, and whereby the bill was ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS CONSIDERATION OF SENATE AMENDMENTS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1781 (Committee on Budget)—An act relating to the Budget Act of 2008.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—1

Laird

NOES-66

Adams	Duvall	Jeffries	Portantino
Aghazarian	Dymally	Jones	Runner
Anderson	Emmerson	Karnette	Ruskin
Arambula	Eng	Keene	Salas
Beall	Evans	Krekorian	Saldaña
Benoit	Feuer	La Malfa	Silva
Berg	Fuentes	Leno	Smyth
Blakeslee	Furutani	Levine	Solorio
Caballero	Gaines	Lieber	Spitzer
Calderon	Galgiani	Lieu	Strickland
Carter	Garrick	Maze	Swanson
Cook	Hancock	Mendoza	Torrico
Coto	Hayashi	Mullin	Tran
Davis	Hernandez	Nakanishi	Walters
De La Torre	Horton	Nava	Wolk
DeSaulnier	Huff	Niello	
DeVore	Huffman	Parra	

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1107—An act to amend Sections 798.34 and 799.9 of, and to add Sections 798.29.6 and 799.11 to, the Civil Code, relating to mobilehome parks.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1220—An act to amend Section 50675.1 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1613—An act to amend Section 136.5 of the Streets and Highways Code, relating to public contracts.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 1207—An act to amend Section 35160.5 of the Education Code, relating to public schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

SENATE BILL NO. 1274—An act to amend the heading of Article 2 (commencing with Section 52720) of Chapter 11 of Part 28 of Division 4 of Title 2 of, and to add Section 52730 to, the Education Code, relating to patriotic exercises.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 400 (Corbett)—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member De La Torre.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-68

Adams Aghazarian Anderson Arambula Beall Benoit Berg Blakeslee Caballero Calderon Carter Cook Coto Davis De La Torre DeSaulnier	Duvall Dymally Emmerson Eng Evans Feuer Fuentes Furutani Gaines Galgiani Garrick Hancock Hayashi Hernandez Horton Houston	Huffman Jeffries Jones Karnette Keene Krekorian La Malfa Laird Leno Levine Lieber Lieu Maze Mendoza Mullin Nakanishi	Niello Parra Portantino Price Runner Ruskin Salas Saldaña Silva Smyth Solorio Spitzer Strickland Swanson Torrico Tran
DeSaulnier DeVore	Houston Huff	Nakanishi Nava	Tran Wolk

NOES—None

The question being on the passage of the bill. Bill passed by the following vote:

AYES-68

Adams	Duvall	Huffman	Niello
Aghazarian	Dymally	Jeffries	Parra
Anderson	Emmerson	Jones	Portantino
Arambula	Eng	Karnette	Price
Beall	Evans	Keene	Runner
Benoit	Feuer	Krekorian	Ruskin
Berg	Fuentes	La Malfa	Salas
Blakeslee	Furutani	Laird	Saldaña
Caballero	Gaines	Leno	Silva
Calderon	Galgiani	Levine	Smyth
Carter	Garrick	Lieber	Solorio
Cook	Hancock	Lieu	Spitzer
Coto	Hayashi	Maze	Strickland
Davis	Hernandez	Mendoza	Swanson
De La Torre	Horton	Mullin	Torrico
DeSaulnier	Houston	Nakanishi	Tran
DeVore	Huff	Nava	Wolk

NOES-None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Resolution

ASSEMBLY JOINT RESOLUTION NO. 60 (Evans)—Relative to a speech shield law for America's journalists.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

Consent Calendar—Senate Bills

SENATE CONCURRENT RESOLUTION NO. 86 (Denham)—Relative to local history instruction.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

SENATE JOINT RESOLUTION NO. 23 (Aanestad)—Relative to the federal Secure Rural Schools and Community Self-Determination Act of 2000.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

SENATE BILL NO. 602 (Torlakson)—An act to amend Section 51241 of the Education Code, relating to physical education.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

AYES-68

Adams	Dymally	Huffman	Niello
Aghazarian	Emmerson	Jeffries	Parra
Anderson	Eng	Jones	Portantino
Arambula	Evans	Karnette	Price
Beall	Feuer	Keene	Runner
Benoit	Fuentes	Krekorian	Ruskin
Berg	Fuller	La Malfa	Salas
Blakeslee	Furutani	Laird	Saldaña
Caballero	Gaines	Leno	Silva
Calderon	Galgiani	Levine	Smyth
Carter	Garrick	Lieber	Solorio
Cook	Hancock	Lieu	Spitzer
Davis	Hayashi	Maze	Swanson
De La Torre	Hernandez	Mendoza	Torrico
DeSaulnier	Horton	Mullin	Tran
DeVore	Houston	Nakanishi	Walters
Duvall	Huff	Nava	Wolk

NOES-None

SPECIAL RECOGNITION

The Members of the Assembly joined Acting Speaker Levine in extending best wishes to Assembly Member Duvall on the occasion of his birthday.

COMMUNICATIONS

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

June 12, 2008

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 members to the Budget Conference Committee on AB 1781:

Assemblymember John Laird Assemblymember Mark Leno Assemblymember Roger Niello

Sincerely,

KAREN BASS Speaker of the Assembly

At 9:57 a.m., Speaker Emeritus Núñez, 46th District, presiding RECESS FOR ADDRESS

By

HER EXCELLENCY MICHELLE BACHELET JERIA PRESIDENT OF THE REPUBLIC OF CHILE

At 9:59 a.m., by unanimous consent, Speaker Emeritus Núñez declared the Regular Session of the Assembly recessed.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Speaker Emeritus Núñez appointed Assembly Members Villines, Saldaña, Wolk, Runner, Hayashi, and Carter as a Select Committee on Escort to escort Her Excellency Michelle Bachelet Jeria, President of the Republic of Chile, to the Rostrum.

INTRODUCTION OF DISTINGUISHED GUESTS

Speaker Emeritus Núñez introduced Hon. Paul E. Simons, United States Ambassador to the Republic of Chile; His Excellency Alejandro Foxley, Chilean Foreign Minister; and His Excellency Mariano Fernández, Ambassador of Chile to the White House.

Speaker Emeritus Núñez also welcomed members of the Chilean Parliament.

PRESENTATION OF HER EXCELLENCY MICHELLE BACHELET JERIA

Speaker Emeritus Núñez then presented Her Excellency Michelle Bachelet Jeria, President of the Republic of Chile, whereupon she delivered her address.

RECONVENED

At 10:24 a.m., the Assembly reconvened.

Hon. Sally Lieber, Speaker pro Tempore of the Assembly, presiding.

ADDRESS PRINTED AS APPENDIX TO JOURNAL

Speaker pro Tempore Lieber was granted unanimous consent that the address by Her Excellency Michelle Bachelet Jeria be printed as a separate Appendix to the Assembly Journal.

Price Runner Ruskin Salas Saldaña Silva Smyth Solorio Spitzer Strickland Swanson Torrico Tran Villines Walters

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2293 (De León)—An act to add Section 25503.40 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES-66

Adams	Duvall	Jones
Aghazarian	Dymally	Karnette
Anderson	Emmerson	Keene
Arambula	Eng	Krekorian
Benoit	Evans	La Malfa
Berg	Feuer	Laird
Blakeslee	Fuentes	Leno
Brownley	Fuller	Levine
Caballero	Furutani	Lieu
Calderon	Galgiani	Maze
Cook	Hancock	Mendoza
Coto	Hayashi	Mullin
Davis	Hernandez	Nakanishi
De La Torre	Horton	Nava
De León	Houston	Niello
DeSaulnier	Huff	Parra
DeVore	Huffman	Portantino

NOES-1

Beall

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 242 (Torlakson)—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Leno.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-73

	AIL	.0 70	
Adams	Dymally	Jeffries	Price
Aghazarian	Emmerson	Jones	Runner
Anderson	Eng	Karnette	Ruskin
Arambula	Evans	Keene	Salas
Beall	Feuer	Krekorian	Saldaña
Benoit	Fuentes	La Malfa	Silva
Berg	Fuller	Laird	Smyth
Blakeslee	Furutani	Leno	Solorio
Brownley	Gaines	Levine	Spitzer
Caballero	Galgiani	Lieber	Strickland
Calderon	Garcia	Lieu	Swanson
Carter	Garrick	Maze	Torrico
Cook	Hancock	Mendoza	Tran
Coto	Hayashi	Mullin	Villines
Davis	Hernandez	Nakanishi	Walters
De La Torre	Horton	Nava	Wolk
De León	Houston	Niello	
DeSaulnier	Huff	Parra	
DeVore	Huffman	Portantino	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

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

NOES-None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1458 (Committee on Local Government)—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 third time.

Motion to Amend

Assembly Member Caballero moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file. **SENATE BILL NO. 1126 (Cedillo)**—An act to amend Section 186.22a of the Penal Code, relating to criminal street gangs, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member De León.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-73

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

NOES-None

The question being on the passage of the bill. Bill passed by the following vote:

AYES-73

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

NOES—None

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

Assembly Member Torrico was granted unanimous consent that Senate Bill No. 227 be re-referred from the Committee on Education to the Committee on Governmental Organization.

ANNOUNCEMENTS

Speaker pro Tempore Lieber announced the following session schedule:

Monday, June 16, 2008, Floor Session, noon.

Tuesday, June 17, 2008, Check-in Session, 7 a.m.–3 p.m.

Wednesday, June 18, 2008, Check-in Session, 7 a.m.-3 p.m.

Thursday, June 19, 2008, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Davis was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pat Tobin, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lucille Blaha, of Bermuda Dunes and Cathy Zaitz, of Canyon Lake.

Assembly Member Duvall was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kathryn Delia, of Long Beach.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beatrice Schneiderman, of Beverly Hills.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alice Virginia Jensen, of Edgewood, and Merri Ann Pursley, of Lancaster.

Assembly Member Spitzer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stanley Taylor, of Corona.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patrick Theisen Donlon, of Davis; Carrie O. Blasingame, Joseph William Calbert, Susan Alice Carson, Coralee Hicks-Moody, Alexander Hubbard, Jr., Terry Ivery Johnson, Mark Marino, Alice Ann McLemore, Matilde C. Servantes, and Ria Still, of Fairfield; Leah Campbell and Michael Edward Savoy, of Suisun City; and Edgar Walter Thompson and Urquhart Aden Danbacher, of Vacaville.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 110, Assembly Constitutional Amendment No. 8, Assembly Bill No. 1840, and Senate Bill No. 606 were continued until the next legislative day.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 1781, Concurrence: Caballero, Evans, Horton, Jeffries, Maze, Mendoza, Smyth, Spitzer, and Walters—No.

Senate Bill No. 400 and Urgency: Adams, Anderson, Caballero, Evans, Garrick, Houston, Jeffries, Keene, La Malfa, Maze, Mendoza, Niello, Smyth, and Spitzer—Aye.

Consent Calendar: Caballero, Evans, Horton, Houston, Jeffries, Mendoza, Smyth, Spitzer, and Walters—Aye.

Assembly Bill No. 2293: Anderson, Evans, Houston, Niello, and Smyth—Aye.

Senate Bill No. 242 and Urgency: Niello and Smyth—Aye.

Senate Bill No. 1126 and Urgency: Niello—Aye.

MOTION TO ADJOURN

At 10:37 a.m., Assembly Member Torrico moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

Assembly

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:38 a.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE SENATE

Senate Chamber, June 12, 2008

Mme. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Ducheny, Machado and Dutton as a Committee on Conference concerning:

Assembly Bill No. 1781

GREGORY P. SCHMIDT, Secretary of the Senate By David Valverde, Assistant Secretary

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

11000	
Bill No.	Committee
3084	Ed.
Assembly Constitutional	!
Amendment No.	
5	Higher Ed. and Appr.
10	L. Gov., Trans. and Appr.
11	
	Budget and Rls.
	Rev. & Tax. and Trans.
14	
15	
16	Higher Ed.
18	E. & R.
Assembly Concurrent	
Resolution No.	Committee
142	Rls.
145	Ed.

Assembly Joint	
Resolution No.	Committee
42	
64	Ed. A.,E.,S.T., & I.M.
66	
Senate	w.,1. & w.
Bill No.	Committee
349	
1060	A.,E.,S.,T., & I.M. and B. & P.
1174	
1183	
1200	J., E.D., & E. and G.O.
1254	Fd and Appr
1269	Ed. and Appr.
1293	L. Gov.
1294	B. & P. and Health
1307	
1308	
1362	L. & E. and B. & P.
1406	
1407	
1491	
1499	
	Nat. Res. and L. Gov.
1553	
1561	
1562 1582	
	H. & C.D. and G.O.
1608	
1614	
1633	
	Nat. Res. and B. & P.
1672 1681	
	B. & P. Hum. S. and J., E.D., & E.
1699	I. Gov.
1712	
1714	Nat. Res. and U. & C.
1749	
1753	
1760	Nat. Res. Nat. Res. and Jud.
1764	
1778	
Senate Constitutional	. •
	Committee
Amendment No. 4	Rev. & Tax.

Senate Concurrent
Resolution No. Committee
117 ______V.A.
Senate Joint
Resolution No. Committee
19 ______B. & P.
32 ______Trans.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 12, 2008

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

Assembly Bill No. 1545 Assembly Bill No. 2597

And reports the same correctly enrolled, and presented to the Governor on the 12th day of June, 2008, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS Committee on Transportation

June 12, 2008

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

Senate Bill No. 1561 Senate Bill No. 1574

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

DE SAULNIER, Chair

SENATE BILL NO. 1561—An act relating to transportation.

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. 1574—An act to add Division 24 (commencing with Section 81000) to the Food and Agricultural Code, relating to biomass-based diesel.

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 Education

June 12, 2008

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

Senate Bill No. 1269

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

MULLIN, Chair

SENATE BILL NO. 1269—An act to amend Section 51210.3 of the Education Code, relating to science 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 Appropriations

June 12, 2008

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

Senate Bill No. 658

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

LENO, Chair

SENATE BILL NO. 658—An act to add Sections 42270 and 42271 to, and to repeal Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of Division 3 of Title 2 of, the Education Code, relating to school 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.

AUTHOR'S AMENDMENTSCommittee on Education

June 12, 2008

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

Senate Bill No. 1629

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

MULLIN, Chair

SENATE BILL NO. 1629—An act to add Article 14.5 (commencing with Section 8300) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to state preschool programs.

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 Public Safety

June 12, 2008

Mme. Speaker: The Chair of your Committee on Public Safety reports:

Senate Bill No. 1019

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

SOLORIO, Chair

SENATE BILL NO. 1019—An act to amend Section 832.7 of the Penal Code, relating to peace officer records.

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 Public Safety

June 12, 2008

Mme. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Joint Resolution No. 42

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

SOLORIO, Chair

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ASSEMBLY JOINT RESOLUTION NO. 42—Relative to immigration.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Housing and Community Development

June 12, 2008

Mme. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 1299 Senate Bill No. 1598

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

SALDAÑA, Chair

SENATE BILL NO. 1299—An act relating to residential real property.

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. 1598—An act to add Article 1.5 (commencing with Section 104497) to Chapter 1 of Part 3 of Division 103 of the Health and Safety Code, relating to smoking.

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 12, 2008

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

Senate Bill No. 1582

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

JONES, Chair

SENATE BILL NO. 1582—An act to add and repeal Chapter 4.5 (commencing with Section 72435) of Division 38 of the Public Resources Code, relating to ocean resources.

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 12, 2008

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

Senate Bill No. 1168

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

DYMALLY, Chair

SENATE BILL NO. 1168—An act to amend Section 1373 of the Health and Safety Code, and to amend Sections 10277 and 10278 of the Insurance Code, relating to health care.

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 12, 2008

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

Senate Bill No. 1359

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

LENO, Chair

SENATE BILL NO. 1359—An act to amend Sections 113733, 113735, 113769, 113789, 113801, 113821, 113871, 113876, 113879, 113930, 113932, 113939, 113947, 113949.1, 113949.2, 113950.5, 113953, 113969, 113976, 113982, 113986, 113996, 114002, 114004, 114021, 114041, 114089, 114099.6, 114117, 114159, 114163, 114185, 114185.5, 114250, 114252, 114279, 114286, 114358, 114371, 114380, and 114387 of, to add Sections 113747.1, 113778.4, 113794.4, 114099.7, 114118, and 114130.6 to, to add the heading of Chapter 10.5 (commencing with Section 114332) to Part 7 of Division 104 of, to repeal Sections 113915, 114020.1, 114245.8, 114435, and 114436 of, and to repeal the heading of Article 13.5 (commencing with Section 114332) of Chapter 10 of Part 7 of Division 104 of, the Health and Safety Code, relating to food 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.

AUTHOR'S AMENDMENTS Committee on Environmental Safety and Toxic Materials

June 12, 2008

Mme. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 509

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

HUFFMAN, Chair

SENATE BILL NO. 509—An act to add Article 6 (commencing with Section 108670) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to consumer product safety.

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 Business and Professions

June 12, 2008

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Senate Bill No. 1054 Senate Bill No. 1779

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

ENG, Chair

SENATE BILL NO. 1054—An act to add Sections 10087 and 10177.6 to, and to add and repeal Section 10134 of, the Business and Professions Code, relating to real estate.

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. 1779**—An act to amend Sections 128.5, 149, 683, 733, 800, 801, 803, 2089.5, 2096, 2102, 2107, 2135, 2175, 2307, 2335, 2486, 2488, 2570.5, 2570.6, 2760.1, 3503, 3517, 3518, 3625, 3633.1, 3635, 3636, 3685, 3750.5, 3753.5, 3773, 4022.5, 4027, 4040, 4051, 4059.5, 4060, 4062, 4076, 4081, 4110, 4111, 4126.5, 4174, 4231, 4301, 4305, 4329, 4330, 4980.03, 4980.30, 4980.43, 4982, 4989.54, 4992.3, 4996.2, 4996.17, 4996.18, and 4996.23 of, to amend and renumber Section 2570.185 of, to add Sections 2570.36, 4036.5, 4980.04, and 4990.09 to, and to repeal Sections 2172, 2173, 2174, 4981, 4994.1, 4996.20, and 4996.21 of, the Business and Professions Code, to amend Section 8659 of the Government Code, and to amend Sections 11150 and 11165 of the Health and Safety Code, relating to healing arts.

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 Utilities and Commerce

June 12, 2008

Mme. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Senate Bill No. 312 Senate Bill No. 1460

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

LEVINE, Chair

SENATE BILL NO. 312—An act to amend Section 311.5 of the Public Utilities Code, relating to the Public Utilities Commission.

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. 1460—An act to add Section 2853 to the Public Utilities Code, relating to solar energy.

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 12, 2008

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

Senate Bill No. 349

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

DYMALLY, Chair

SENATE BILL NO. 349—An act to add Section 1363.08 to the Health and Safety Code, and to add Section 10113.92 to the Insurance Code, relating to health care coverage.

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 Rules

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 120

With the recommendation: That the resolution be re-referred to the Committee on Jobs, Economic Development, and the Economy.

LIEU, Chair

Above resolution re-referred to the Committee on Jobs, Economic Development, and the Economy.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 153

With the recommendation: That the bill be re-referred to the Committee on Revenue and Taxation.

LIEU, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 155

With the recommendation: That the bill be re-referred to the Committee on Transportation.

LIEU, Chair

Above bill re-referred to the Committee on Transportation.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 200 Senate Bill No. 201

With the recommendation: That the bills be re-referred to the Committees on Health and Agriculture.

LIEU, Chair

Above bills re-referred to the Committees on Health and Agriculture.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 493

With the recommendation: That the bill be re-referred to the Committee on Education.

LIEU, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 691

With the recommendation: That the bill be re-referred to the Committees on Business and Professions and Judiciary.

LIEU, Chair

Above bill re-referred to the Committees on Business and Professions and Judiciary.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 973

With the recommendation: That the bill be re-referred to the Committee on Health.

LIEU, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Senate Bill No. 899

With the recommendation: That the bill be re-referred to the Committee on Water, Parks and Wildlife.

LIEU, Chair

Above bill re-referred to the Committee on Water, Parks and Wildlife.

Date of Hearing: June 12, 2008

Mme. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 140

With the recommendation: Be adopted.

LIEU, Chair

Above resolution ordered to third reading.

Committee on Health

Date of Hearing: June 10, 2008

Mme. Speaker: Your Committee on Health reports:

Assembly Concurrent Resolution No. 137

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

DYMALLY, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: June 10, 2008

Mme. Speaker: Your Committee on Health reports:

Assembly Joint Resolution No. 58

With the recommendation: Be adopted.

DYMALLY, Chair

Above resolution ordered to third reading.

Committee on Governmental Organization

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1211

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

PRICE, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1346

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials with recommendation: To Consent Calendar.

PRICE, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1696 Senate Bill No. 1732

With the recommendation: Do pass.

PRICE, Chair

Above bills ordered to second reading.

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1560

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

PRICE, Chair

Above bill ordered to second reading.

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 902

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

PRICE, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Labor and Employment

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 569

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

SWANSON, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: June 11, 2008

Mme. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 1352

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

SWANSON, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: June 10, 2008

Mme. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 1230

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

HUFFMAN, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: June 10, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1509

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.

Committee on Health

Date of Hearing: June 10, 2008

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 1349

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

DYMALLY, Chair

Above bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento June 12, 2008

To the Members of the California State Assembly:

Assembly Bill 2597, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 2597 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER

INTRODUCTION OF GUESTS

Assembly Member Silva, of the 67th Assembly District, introduced Orange County Business Council members.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Torrico, the Assembly adjourned until 12 noon, Monday, June 16, 2008, out of respect to the memory of Pat Tobin, on motion of Assembly Member Davis; out of respect to the memory of Lucille Blaha and Cathy Zaitz, on motion of Assembly Member Benoit; out of respect to the memory of Kathryn Delia, on motion of Assembly Member Duvall; out of respect to the memory of Beatrice Schneiderman, on motion of Assembly Member Levine; out of respect to the memory of Alice Virginia Jensen and Merri Ann Pursley, on motion of Assembly Member Runner; out of respect to the memory of Stanley Taylor, on motion of Assembly Member Spitzer; and out of respect to the memory of Patrick Theisen Donlon, Carrie O. Blasingame, Joseph William Calbert, Susan Alice Carson, Coralee Hicks-Moody, Alexander Hubbard, Jr., Terry Ivery Johnson, Mark Marino, Alice Ann McLemore, Matilde C. Servantes, Ria Still, Leah Campbell, Michael Edward Savoy, Edgar Walter Thompson, and Urquhart Aden Danbacher, on motion of Assembly Member Wolk.

SALLY J. LIEBER, Speaker pro Tempore

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 12, 2008

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

AJR	RN
42	0816723
SB	RN
SD	
312	0819857
349	0814133
509	0820136
658	0820003
1019	0820210
1054	0819918
1168	0820179
1207	0820100
1269	0819635
1274	0819263
1299	0819981
1359	0819997
1458	0819354
1460	0819989
1561	0818386
1574	0819631
1582	0818043
1598	0820243
1613	0819403
1629	0819978
1779	0819669

Daily Total: 22 **Cumulative Total:** 5038