CALIFORNIA LEGISLATURE 2007–08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, June 24, 2008

TWO HUNDRED TENTH SESSION DAY FIVE HUNDRED SIXTY-NINTH 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 Tuesday, June 24, 2008

The Assembly met at 7 a.m.

Hon. Ira Ruskin, Assembly Member, 21st 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—77:

Adams	Dymally	Jones	Portantino
Aghazarian	Emmerson	Karnette	Price
Anderson	Eng	Keene	Runner
Arambula	Evans	Krekorian	Ruskin
Beall	Feuer	La Malfa	Salas
Berg	Fuentes	Laird	Saldaña
Berryhill	Fuller	Leno	Silva
Blakeslee	Furutani	Levine	Smyth
Brownley	Gaines	Lieber	Solorio
Caballero	Galgiani	Lieu	Strickland
Calderon	Garcia	Ma	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	Mme. Speaker
DeSaulnier	Huff	Núñez	
DeVore	Huffman	Parra	
Duvall	Jeffries	Plescia	

Quorum present.

At 1:14 p.m., Hon. Rick Keene, 3rd 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 Benoit and Spitzer. Because of illness: Assembly Member Soto.

EXPLANATIONS OF ABSENCE

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

June 24, 2008

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

Dear Speaker Bass: Please excuse me from Check-In Session on Tuesday, June 24, 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

June 18, 2008

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

Dear Mme. Speaker: I would like to be excused from check-in session on Tuesday, June 24, 2008, for legislative business in my district.

Thank you for your consideration. If you have any questions please contact my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member Seventy-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 23, 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 Kevin de León to fill the Democratic vacancy on the Assembly Business and Professions Committee for the Tuesday, June 24 hearing only.

Sincerely,

KAREN BASS Speaker of the Assembly

June 24, 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 Leno to fill the Democratic vacancy on the Assembly Public Safety Committee for today's hearing only.

Sincerely,

KAREN BASS Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Veterans Affairs, on Thursday, June 26, 2008, upon adjournment of Floor Session, in Room 3162.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 148—Anderson. Relative to the Mt. Soledad Cross Memorial Highway.

HOUSE RESOLUTION NO. 31—Villines. Relative to the 4th of July.

AUTHOR'S AMENDMENTS Committee on Appropriations

June 24, 2008

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

Senate Bill No. 1197

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

LENO, Chair

SENATE BILL NO. 1197—An act to amend Section 52321 of the Education Code, relating to regional occupational centers and 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.

REPORTS OF STANDING COMMITTEES Committee on Transportation

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1190 Senate Bill No. 1388

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

DE SAULNIER, Chair

Above bills re-referred to the Committee on Public Safety.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1361

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

DE SAULNIER, Chair

Above bill re-referred to the Committee on Public Safety.

Committee on Revenue and Taxation

Date of Hearing: June 23, 2008

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

Assembly Bill No. 1918

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.

Date of Hearing: June 23, 2008

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

Senate Bill No. 585

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

CALDERON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2008

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

Senate Bill No. 1247

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

CALDERON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2008

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

Senate Bill No. 1562

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.

Date of Hearing: June 23, 2008

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

Senate Joint Resolution No. 27

With the recommendation: Be adopted.

CALDERON, Chair

Above resolution ordered to third reading.

Committee on Banking and Finance

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 1448

With the recommendation: Do pass.

NAVA, Chair

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 1065

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

NAVA, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1670

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

HANCOCK, Chair

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

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1672

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

HANCOCK, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1500

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

HANCOCK, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1714

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

HANCOCK, Chair

Above bill re-referred to the Committee on Utilities and Commerce.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1240 Senate Bill No. 1473 Senate Bill No. 1357 Senate Bill No. 1760

Senate Bill No. 1464

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

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1557 Senate Bill No. 1723

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

HANCOCK, Chair

Committee on Transportation

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Assembly Joint Resolution No. 37

With amendments with the recommendation: Amend, and be adopted as amended.

DE SAULNIER, Chair

Above resolution ordered to second reading.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Joint Resolution No. 32

With the recommendation: Be adopted.

DE SAULNIER, Chair

Above resolution ordered to third reading.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1561

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

DE SAULNIER, Chair

Above bill ordered to second reading.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 947

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

DE SAULNIER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1174 Senate Bill No. 1422 Senate Bill No. 1228 Senate Bill No. 1486

Senate Bill No. 1350

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

DE SAULNIER, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1429

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DE SAULNIER, Chair

Above bill ordered to second reading.

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1567

With the recommendation: Do pass.

DE SAULNIER, Chair

Committee on Utilities and Commerce

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1149 Senate Bill No. 1193 Senate Bill No. 1645

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

LEVINE, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: June 23, 2008

Mme. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 144

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

DE SAULNIER, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Water, Parks and Wildlife

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Concurrent Resolution No. 85

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

WOLK, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 27 Senate Bill No. 1285 Senate Bill No. 994 Senate Bill No. 1690

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

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 404 Senate Bill No. 1166 Senate Bill No. 1262

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

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 1172

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

WOLK, Chair

Committee on Education

Date of Hearing: June 18, 2008

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 1186 Senate Bill No. 1248 Senate Bill No. 1592

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

MULLIN, Chair

Above bills ordered to second reading.

Date of Hearing: June 18, 2008

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 1105

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

MULLIN, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Joint Resolution No. 66

With the recommendation: Be adopted.

WOLK, Chair

Above resolution ordered to third reading.

Committee on Public Safety

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1171 Senate Bill No. 1589 Senate Bill No. 1187 Senate Bill No. 1701 Senate Bill No. 1190 Senate Bill No. 1770 Senate Bill No. 1199

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

SOLORIO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1241 Senate Bill No. 1361 Senate Bill No. 1253 Senate Bill No. 1531

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

recommendation: To Consent Ĉalendar.

SOLORIO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1505

With the recommendation: Do pass, and be re-referred to the Committee on Public Employees, Retirement and Social Security.

JONES, Chair

Above bill re-referred to the Committee on Public Employees, Retirement and Social Security.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1407

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

JONES, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 640

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

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 17, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1583

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

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1177 Senate Bill No. 1396

With the recommendation: Do pass.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1136

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

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1282

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

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1432

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

JONES, Chair

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 691 Senate Bill No. 1606 Senate Bill No. 1565 Senate Bill No. 1633 Senate Bill No. 1604 Senate Bill No. 1649

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

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Concurrent Resolution No. 106 Assembly Joint Resolution No. 65

With the recommendation: Be adopted.

KARNETTE, Chair

Above resolutions ordered to third reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 1200

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

ARAMBULA, Chair

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 983

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

ARAMBULA, Chair

Above bill re-referred to the Committee on Veterans Affairs.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY JOINT RESOLUTION NO. 57—Relative to mercury contaminated seafood.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 1257, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1184—An act to add Section 121023 to the Health and Safety Code, relating to infectious disease reporting, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 1183—An act to add Section 4510.5 to the Welfare and Institutions Code, relating to developmental disabilities.

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

SENATE BILL NO. 1380—An act to amend Sections 18358, 18358.05, 18358.10, 18358.15, 18358.20, 18358.23, 18358.25, and 18358.30 of the Welfare and Institutions Code, relating to foster care.

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

SENATE BILL NO. 1617—An act to add Chapter 1.5 (commencing with Section 4210) to Part 2 of Division 4 of the Public Resources Code, relating to public resources.

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

SENATE BILL NO. 1450—An act to add Section 6363.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

SENATE BILL NO. 1641—An act to repeal and add Section 15653 of the Government Code, and to add Section 19534 to the Revenue and Taxation Code, relating to taxation.

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

SENATE BILL NO. 1386—An act to add Chapter 8 (commencing with Section 13260) to Part 2 of Division 12 of the Health and Safety Code, relating to carbon monoxide.

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

SENATE BILL NO. 1595—An act to amend Sections 51175, 51177, 51178, 51182, 51183, and 51189 of the Government Code, and to amend Sections 4202 and 4291 of, and to add Article 3.6 (commencing with Section 4140) to Chapter 1 of Part 2 of Division 4 of, the Public Resources Code, relating to public resources.

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

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; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 1778—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

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

SENATE BILL NO. 593—An act to add Section 7202 to the Public Contract Code, relating to public contracts.

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

SENATE BILL NO. 1364—An act to add and repeal Part 2.5 (commencing with Section 104340) of Division 103 of the Health and Safety Code, relating to autism spectrum disorders.

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

SENATE JOINT RESOLUTION NO. 28—Relative to nutrition.

Resolution read; amendments proposed by the Committee on Health read and adopted, resolution ordered reprinted and to be placed upon the third reading file.

REPORTS OF STANDING COMMITTEES **Committee on Health**

Date of Hearing: June 24, 2008

Mme. Speaker: Your Committee on Health reports:

Senate Bill No. 200 Senate Bill No. 201

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

DYMALLY, Chair

Above bills re-referred to the Committee on Agriculture.

ADJOURNMENT

At 4:10 p.m., the Assembly adjourned until 7 a.m., Wednesday, June 25, 2008.

KAREN BASS, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 24, 2008

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

28 0820931 **Daily Total:** 15

5211

Cumulative Total: