

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 25, 2007

**NINETY-SECOND SESSION DAY
TWO HUNDRED FOURTH 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 25, 2007

The Assembly met at 12:05 p.m.
Hon. Sally 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.

Quorum Present

At 12:19 p.m., Speaker pro Tempore Lieber declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, Your invisible power is a tremendous positive and creative force that always brings goodness. When we live our lives according to Your will, we will be in concert with Your positive and creative grace. Help us, Lord, to embrace Your goodness and to allow it to influence our lives and our attitudes. Only then can we achieve truly great things and become all that You intend for us to be.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Lieber, Assembly Member Runner 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 Bass, seconded by Assembly Member Blakeslee.

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 Gaines.

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

Because of illness: Assembly Member Karnette.

EXPLANATIONS OF ABSENCE

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

June 25, 2007

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

Dear Mr. Speaker,

I write to you today to respectfully request an excuse from session today, June 25, 2007. I am conducting legislative business in my district, concerning the Lake Tahoe area fire.

If you have any questions please contact Steve Davey at 319-2004. Thank you for your prompt attention.

Sincerely,

TED GAINES, Assembly Member
Fourth District

COMMUNICATIONS

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

June 25, 2007

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Ted Lieu to replace Assemblymember Karen Bass on the Assembly Business and Professions Committee for the Tuesday, June 26 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 25, 2007

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

Dear Dotson: Please be advised that I have appointed Assemblymember Joe Coto to replace Assemblymember Betty Karnette on the Assembly Transportation Committee for today’s hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 25, 2007

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

Dear Dotson: Please be advised that I have appointed Assemblymember Curren Price to replace Assemblymember Karen Bass on the Assembly Health Committee for the Tuesday, June 26 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
814 -----	B. & P. and Pub. S.
<i>Assembly Concurrent</i>	
<i>Resolution No.</i>	<i>Committee</i>
62 -----	Trans.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 22, 2007

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

Assembly Bill No. 304

Assembly Bill No. 1174

Assembly Bill No. 951

Assembly Bill No. 1194

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of June, 2007, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 22, 2007

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

Assembly Concurrent Resolution No. 17

And reports the same correctly enrolled, and presented to the Secretary of State on the 22nd day of June, 2007, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 25, 2007

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

Assembly Bill No. 501

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 25, 2007

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

House Resolution No. 16

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 25, 2007

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

Assembly Bill No. 766

Assembly Bill No. 1323

And reports the same correctly enrolled, and presented to the Governor on the 25th day of June, 2007, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS
Committee on Human Services

June 25, 2007

Mr. Speaker: The Chair of your Committee on Human Services reports:

Senate Bill No. 348

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

BEALL, Chair

SENATE BILL NO. 348—An act to add Section 11401.3 to the Welfare and Institutions Code, relating to foster 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 Governmental Organization

June 25, 2007

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Senate Bill No. 839

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

TORRICO, Chair

SENATE BILL NO. 839—An act to amend Sections 12551, 12552, 12700, 12702, and 12726 of, and to add Sections 12556, 12557, 12703, 12704, 12706, 12727, and 12728 to, the Health and Safety Code, and to add Section 15301 to the Vehicle Code, relating to fireworks.

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 Natural Resources

June 25, 2007

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 65
 Senate Bill No. 697

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

HANCOCK, Chair

SENATE BILL NO. 65—An act to amend Section 40460 of 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.

SENATE BILL NO. 697—An act to amend Section 12209 of the Public Contract Code, and to amend Sections 42240 and 42241 of the Public Resources Code, relating to compost.

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 Housing and Community Development

June 25, 2007

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

Senate Bill No. 546

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

SALDAÑA, Chair

SENATE BILL NO. 546—An act to amend Section 50408 of the Health and Safety Code, relating to 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 Revenue and Taxation

June 25, 2007

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1527

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

CALDERON, Chair

ASSEMBLY BILL NO. 1527—An act to add and repeal Sections 17052.13, 17052.14, 23613, and 23614 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Health

Date of Hearing: June 19, 2007

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 119
Senate Bill No. 260

Senate Bill No. 320
Senate Bill No. 991

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

DYMALLY, Chair

Above bills ordered to second reading.

Date of Hearing: June 12, 2007

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 1750

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.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Senate Bill No. 134, on request of Assembly Member Bass.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member De La Torre announced that the Committee on Rules would meet on Tuesday, June 26, 2007, Wednesday, June 27, 2007, and Friday, June 29, 2007 upon call of the chair, in the Tom Bane Rules Committee Room.

RE-REFERENCE OF BILLS

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

Senate Bill No. 38 from the Committee on Revenue and Taxation to the Committee on Local Government and to be returned to the Committee on Revenue and Taxation;

Senate Bill No. 65 from the Committee on Natural Resources to the Committee on Rules;

Senate Bill No. 240 from the Committee on Natural Resources to the Committee on Transportation and to be returned to the Committee on Natural Resources;

Senate Bill No. 348 from the Committee on Human Services to the Committee on Rules;

Senate Bill No. 890 from the Committee on Education to the Committee on Higher Education and to be returned to the Committee on Education.

RECESS

By unanimous consent, at 12:23 p.m., Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Wolk and La Malfa introduced and presented a resolution to Derek Moore, the National Wrestling Champion from University of California at Davis. Derek was joined by David Moore, his father; Greg Warzecka, Director of Athletics at the University of California at Davis; Lennie Zalesky, University of California at Davis Head Wrestling Coach; and his wife, Maria Zalesky.

Assembly Member Portantino on behalf of Speaker Núñez introduced the following legislators from the parliament of Umbria, Italy: the Honorable Mauro Tippolotti, Delegation Leader, President of the Regional Legislature; the Honorable Enrico Melasecche Germini, Vice President Regional Legislature; Aldo Bruni, Secretary General of the Regional Government; Stefano Cimicchi, Managing Director of the Regional Executive Agency of Tourism and Promotion of Umbria; Walter Orlandi, General Manager, Regional Hospital; Professor José M. Kenny; Professor Elda Gaino, Chancellor Delegate for International Relations; and Eleonora Bigi, International Relations, Regional Government.

RECONVENED

At 12:28 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 447—An act relating to pupils.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 272—An act to add Section 66025.8 to the Education Code, relating to postsecondary education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Veterans Affairs.

SENATE BILL NO. 855—An act to amend Sections 90011, 90012, 90013, 90014, 90016, 90027, 90040, 90047, and 90073 of the Education Code, relating to the California State University.

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

SENATE BILL NO. 100—An act to make an appropriation in augmentation of the Budget Act of 2006, relating to contingencies and emergencies, and declaring the urgency thereof, to take effect immediately.

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.

SENATE BILL NO. 125—An act to amend Sections 19601 and 19605.35 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 249—An act to amend Section 19618.2 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 317—An act to amend Section 19512 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 715—An act to add Section 5275 to the Business and Professions Code, relating to advertising.

Bill read second time, and ordered to Consent Calendar.

SPECIAL RECOGNITION

Assembly Member Soto arose to thank all Members of the Assembly for their concern and support during her illness.

The Members of the Assembly joined Speaker pro Tempore Lieber in welcoming Assembly Member Soto back after her absence due to an illness.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1685 (Garrick)—An act to amend Sections 8427, 8482.55, and 8484 of the Education Code, relating to before and after school programs, and declaring the urgency thereof, to take effect immediately.

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 concurred in Senate amendments by the following vote:

AYES—77

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

NOES—None

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS

SENATE JOINT RESOLUTION NO. 6 (Kehoe)—Relative to the “Don’t Ask, Don’t Tell” military policy.

Resolution read, presented by Assembly Member Laird, and adopted by the following vote:

AYES—43

Arambula	DeSaulnier	Krekorian	Price
Bass	Dymally	Laird	Ruskin
Beall	Eng	Leno	Salas
Berg	Evans	Levine	Saldaña
Brownley	Feuer	Lieber	Solorio
Caballero	Fuentes	Lieu	Soto
Carter	Hancock	Ma	Swanson
Coto	Hayashi	Mendoza	Torrico
Davis	Hernandez	Mullin	Wolk
De La Torre	Huffman	Nava	Mr. Speaker
De León	Jones	Portantino	

NOES—30

Adams	Duvall	Keene	Smyth
Aghazarian	Emmerson	La Malfa	Spitzer
Anderson	Fuller	Maze	Strickland
Benoit	Garcia	Nakanishi	Tran
Berryhill	Garrick	Niello	Villines
Blakeslee	Houston	Plescia	Walters
Cook	Huff	Runner	
DeVore	Jeffries	Silva	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 611 (Steinberg)—An act to add Section 15657.01 to the Welfare and Institutions Code, relating to elder and dependent adult financial abuse.

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

Bill passed by the following vote:

AYES—67

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

NOES—8

Berryhill	Fuller	Runner	Villines
Duvall	Huff	Silva	Walters

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 34 (Alquist)—Relative to San José State University's 2007 sesquicentennial anniversary celebration.

Resolution read, presented by Assembly Member Coto, and adopted by the following vote:

AYES—77

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

NOES—None

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 283 (Maldonado)—An act to amend Section 71000 of the Education Code, relating to community colleges.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Above bill ordered enrolled.

JOINT RULE 62(a) WAIVED

Assembly Member Bass was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting pending audit requests for hearing in the Committee on Joint Legislative Audit on Wednesday, June 27, 2007, at 9 a.m., in Room 444.

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. 23 (Hancock)—Relative to education.

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 BILL NO. 271 (Cedillo)—An act to amend Section 186.22a of the Penal Code, relating to criminal street gangs.

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.)*

SENATE BILL NO. 138 (Calderon)—An act to amend Section 2782 of the Civil Code, relating to construction contracts.

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.)*

SENATE BILL NO. 183 (Corbett)—An act to amend Section 15657.3 of the Welfare and Institutions Code, relating to elderly and dependent adults.

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.)*

SENATE BILL NO. 313 (Scott)—An act to amend Sections 7630, 7822, 7841, 8604, and 8802 of the Family Code, relating to adoption.

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.)*

SENATE BILL NO. 649 (Committee on Judiciary)—An act to amend Sections 6455, 12606, and 12606.2 of the Business and Professions Code, to amend Sections 399, 580, 586, 688.010, 688.030, 904.1, and 904.2 of, and to add Section 904.3 to, the Code of Civil Procedure, to amend Sections 25564, 29733, 43039, and 59289 of the Food and Agricultural Code, to amend Sections 12965 and 12980 of the Government Code, and to amend Sections 977 and 977.2 of the Penal Code, relating to trial court restructuring.

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.)*

SENATE BILL NO. 822 (Aanestad)—An act to amend Section 43.8 of the Civil Code, relating to immunity.

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.)*

SENATE CONCURRENT RESOLUTION NO. 39 (Torlakson)—Relative to physical fitness.

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 Roll Call

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

AYES—77

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

NOES—None**ANNOUNCEMENTS**

Assembly Member Tran announced the birth of his son, Alex Tyson Tran, born on June 22, 2007.

* * *

Speaker pro Tempore Lieber announced the following session schedule:

Tuesday, June 26, 2007, Check-in Session, 7 a.m.–3 p.m. and Floor Session, Upon Call of Speaker;

Wednesday, June 27, 2007, Check-in Session, 7 a.m.–3 p.m. and Floor Session, Upon Call of Speaker;

Thursday, June 28, 2007, Floor Session, 9:30 a.m.;

Friday, June 29, 2007, Floor Session, Upon Call of Speaker.

CAUCUS ANNOUNCEMENTS

Assembly Member Bass announced that the Democratic Caucus would meet today, upon adjournment of Floor session, in the Assembly Lounge.

ADJOURN IN MEMORY

Assembly Member DeSaulnier was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeffrey R. Dodge, of Martinez.

Assembly Member Lieu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Christine Omoto Beezley, of Redondo Beach.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stephanie Mullin, of Sonora.

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 Cameron Payne, of Corona and John Sorenson, of Yorba Linda.

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 Karl Polanshek, of Davis; Eva Nadine Alley, Joseph Katleba, Joseph Romeo Soucy Sr., Roberto Ugarte, and James Ralph Yokom, of Dixon; Doris Oucille Allen, Austin Wright Lyons, and Vivian R. Schneider, of Fairfield; Lyndia Kay Jefferies, of Suisun City; Anthony Bevilacqua, Keith Craig Blean, Jr., Candace Theresa Robinson, and Hazel Marie Shorter, of Vacaville; and Rita Ann Charter, of Woodland.

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. 1685, Concurrence: Hancock, Houston, Huff, Huffman, La Malfa, Levine, Price, and Torrico—Aye.

Senate Joint Resolution No. 6: Spitzer—No.

Senate Bill No. 611: Galgiani and Spitzer—Aye.

Senate Concurrent Resolution No. 34: Galgiani and Spitzer—Aye;

Senate Bill No. 283: Galgiani, Levine, Silva, and Spitzer—Aye.

Consent Calendar: Hancock, Solorio, and Spitzer—Aye.

MOTION TO ADJOURN

At 1:08 p.m., Assembly Member Bass moved that the Assembly do now adjourn.

Assembly Member Blakeslee seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:08 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 17—Eng. Relative to labor relations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 25, 2007

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

Assembly Concurrent Resolution No. 60

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of June, 2007, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS**Committee on Business and Professions**

June 25, 2007

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Senate Bill No. 534

Senate Bill No. 731

Senate Bill No. 1047

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

ENG, Chair

SENATE BILL NO. 534—An act to amend Sections 101, 205, 1601.1, 1616.5, 1621, 1670.1, 1680, 1721, 1721.5, 1725, 1741, 1742, 1742.1, 1743, 1744, 1770, 1771, 4999.2, and 4999.7 of, to add Article 9 (commencing with Section 1900) to Chapter 4 of Division 2 of, and to repeal Sections 1760, 1760.5, 1761, 1762, 1763, 1764, 1765, 1766, 1768, 1769, 1772, 1774, and 1775 of, the Business and Professions Code, to amend Section 44876 of the Education Code, and to amend Sections 1348.8 and 128160 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.

SENATE BILL NO. 731—An act to add and repeal Chapter 10.5 (commencing with Section 4600) of Division 2 of the Business and Professions Code, relating to massage therapy.

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. 1047—An act to amend Sections 6533, 7058, 7071.6, 7071.9, 9812.5, 9830.5, 9831, 9832.5, 9841, 9847.5, 9848, 9849, 9851, 9853, 9855.7, 9855.8, 9855.9, 9860, 9862.5, 9863, 9873, 19008.1, 19129, 19132, and 19170.5 of, and to add Sections 101.7 and 9884.20 to, the Business and Professions Code, relating to professions and vocations.

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 Elections and Redistricting**

June 25, 2007

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Senate Bill No. 439

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

PRICE, Chair

SENATE BILL NO. 439—An act to amend Section 15342 of the Elections Code, relating to elections.

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 25, 2007

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Senate Bill No. 355

Senate Bill No. 963

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

ENG, Chair

SENATE BILL NO. 355—An act to amend Section 7026.1 of the Business and Professions Code, relating to contractors, 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.

SENATE BILL NO. 963—An act to amend Sections 4001 and 4003 of, and to repeal and add Section 101.1 of, the Business and Professions Code, relating to regulatory boards.

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 Agriculture

June 25, 2007

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

Senate Bill No. 470

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

PARRA, Chair

SENATE BILL NO. 470—An act to add Section 9144 to the Food and Agricultural Code, relating to agriculture.

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 25, 2007

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Senate Bill No. 166

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

PORTANTINO, Chair

SENATE BILL NO. 166—An act to add Section 71095 to the Education Code, relating to emergency planning.

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 25, 2007

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Senate Bill No. 980
Senate Bill No. 1040

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

LEVINE, Chair

SENATE BILL NO. 980—An act to add Section 9503 to the Public Utilities Code, relating to 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.

SENATE BILL NO. 1040—An act to amend Sections 5, 20, and 2852 of, to amend and renumber Section 399.25 of, to repeal the heading of Article 15 of Chapter 2.3 of, and to repeal the heading of Article 5 of Chapter 2.5 of, Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

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 25, 2007

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 303

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

CABALLERO, Chair

SENATE BILL NO. 303—An act to amend Sections 65301, 65563, 65564, 65582, 65583, 65583.2, 65584.09, 65585, and 65860 of, to add Sections 65300.1, 65564.1, 65564.2, 65564.3, 65564.4, 65564.5, 65564.6, 65564.7, 65564.8, 65583.3, 65588.2, and 65588.3 to, and to repeal and add Section 65588 of, the Government Code, relating to land use planning.

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 25, 2007

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 258

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

WOLK, Chair

SENATE BILL NO. 258—An act relating to water.

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 25, 2007

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

Senate Bill No. 48
Senate Bill No. 306

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

DYMALLY, Chair

SENATE BILL NO. 48—An act to add Section 12803.2 to the Government Code, to add Section 1367.08 to, and to add Article 3.11 (commencing with Section 1357.20) and Article 4.1 (commencing with Section 1366.10) to Chapter 2.2 of Division 2 of, the Health and Safety Code, to amend Sections 12693.43, 12693.70, 12693.73, and 12693.755 of, to add Section 10127.19 to, to add Article 14.9 (commencing with Section 1069) to Chapter 1 of Part 2 of Division 1 of, to add Chapter 1.6 (commencing with Section 10199.10) and Chapter 8.1 (commencing with Section 10760) to Part 2 of Division 2 of, and to add Part 6.45 (commencing with Section 12699.201) to Division 2 of, the Insurance Code, to add Part 8.8 (commencing with Section 2200) to Division 2 of the Labor Code, to amend Section 19552 of, to add Section 17054.2 to, and to add Chapter 11 (commencing with Section 19901) to Part 10.2 of Division 2 of, the Revenue and Taxation Code, to amend Section 131 of, and to add Division 1.2 (commencing with Section 4800) to, the Unemployment Insurance Code, and to amend Sections 14005.23, 14005.30, and 14008.85 of, to add Sections 14005.335 and 14005.34 to, and to add Article 7 (commencing with Section 14199.10) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage, 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.

SENATE BILL NO. 306—An act to amend Section 129765 of the Health and Safety Code, relating to health 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 Public Safety

June 25, 2007

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

Senate Bill No. 568

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

SOLORIO, Chair

SENATE BILL NO. 568—An act to add and repeal Section 1369.1 of the Penal Code, relating to criminal procedure.

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 25, 2007

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 645

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

CABALLERO, Chair

SENATE BILL NO. 645—An act to amend Section 20133 of, and to add and repeal Section 20785 of, the Public Contract Code, relating to public contracts.

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 Employees, Retirement and Social Security

June 25, 2007

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 853

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

HERNANDEZ, Chair

SENATE BILL NO. 853—An act to add Sections 22943 and 22943.5 to the Government Code, relating to public employees' benefits, 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.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 864

With the recommendation: That the bill be re-referred to the Committee on Public Safety and the Committee on Insurance.

DE LA TORRE, Chair

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

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 529

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

DE LA TORRE, Chair

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

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 300

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

DE LA TORRE, Chair

Above bill re-referred to the Committee on Natural Resources.

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 16

With the recommendation: Be adopted.

DE LA TORRE, Chair

Above resolution ordered to third reading.

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 30

Senate Concurrent Resolution No. 54

With the recommendation: Be adopted.

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

DE LA TORRE, Chair

Above resolutions ordered to the Consent Calendar.

INTRODUCTION OF GUESTS

Assembly Member Berg, of the 1st Assembly District, introduced 4-H members from Humboldt County.

Assembly Member Jones, of the 9th Assembly District, introduced students from Grant Joint Union High School.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Bass, the Assembly adjourned until 7 a.m., Tuesday, June 26, 2007, out of respect to the memory of Jeffrey R. Dodge, on motion of Assembly Member DeSaulnier; out of respect to the memory of Dr. Christine Omoto Beezley, on motion of Assembly Member Lieu; out of respect to the memory of Stephanie Mullin, on motion of Assembly Member Mullin; out of respect to the memory of Cameron Payne and John Sorenson, on motion of Assembly Member Spitzer; and out of respect to the memory of Karl Polanshek, Eva Nadine Alley, Joseph Katleba, Joseph Romeo Soucy Sr., Roberto Ugarte, James Ralph Yokom, Doris Oucille Allen, Austin Wright Lyons, Vivian R. Schneider, Lyndia Kay Jefferies, Anthony Bevilacqua, Keith Craig Blean, Jr., Candace Theresa Robinson, Hazel Marie Shorter, and Rita Ann Charter, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 25, 2007**

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

AB	RN
1527	0722494

SB	RN
48	0722921
65	0721439
100	0722799
166	0721944
258	0720825
272	0722517
303	0722769
306	0722419
348	0722477
355	0722767
439	0722710
470	0723031
534	0722600
546	0722506
568	0722118
645	0722932
697	0722364
731	0722804
839	0722657
853	0722995
855	0722519
963	0722753
980	0723008
1040	0722545
1047	0717201

Daily Total:	26
Cumulative Total:	2210