

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 28, 2007

NINETY-FIFTH SESSION DAY

TWO HUNDRED SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to
Sue Parker, Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 28, 2007

The Assembly met at 9:34 a.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 Silva 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 9:46 a.m., Speaker pro Tempore Lieber declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—79:

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

PRAYER

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

Lord, The Book of Proverbs states, "as a person thinks within himself, so he is." (23:7) In other words, our life will follow our thoughts. Help us to remember, Lord, that we cannot think negative thoughts and expect to live a positive life. Guide us to reject any thought that would lead us away from the truth and let our mind dwell on the good things of God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Lieber, Assembly Member Soto 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 Member was granted leave of absence for the day:

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

ENGROSSMENT AND ENROLLMENT

Assembly Chamber, June 28, 2007

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

Assembly Concurrent Resolution No. 57

Assembly Concurrent Resolution No. 58

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, June 28, 2007

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

Assembly Bill No. 1551

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

RE-REFERENCE OF BILLS

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

Senate Bill No. 434 from the Committee on Aging and Long-Term Care, to the Committee on Rules;

Senate Bill No. 524 from the Committee on Elections and Redistricting, to the Committee on Rules;

Senate Bill No. 853 from the Committee on Public Employees, Retirement and Social Security, to the Committee on Rules.

RECESS

By unanimous consent, at 9:52 a.m., Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Niello introduced and presented a resolution to Bill Cather in recognition of 33 years of service to the Department of Motor Vehicles.

Assembly Member Beall introduced and welcomed Debbie Hart, Gary Hart, Garret Hart, and Kiki Forsyth.

Assembly Member Bass on behalf of Speaker Núñez introduced His Excellency John Bruton, European Union Ambassador and Head of Delegation of the European Commission to the United States. Ambassador Bruton was accompanied by his daughter Mary Elizabeth Bruton and Kevin Gilna, Senior Outreach Advisor to the European Commission Delegation in Washington, D.C. Without objection, Ambassador Bruton addressed the assemblage.

RECONVENED

At 10:02 a.m., the Assembly reconvened.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 59—Relative to the Lieutenant Jared M. Landaker Memorial Highway.

Resolution read; amendments proposed by the Committee on Appropriations read and adopted; resolution ordered reprinted and to be placed upon the Consent Calendar.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

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

Senate Bills Nos. 718 and 362, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 192—An act to amend and repeal Sections 1351.2 and 1367.01 of the Health and Safety Code, relating to health care service plans.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 894—An act to amend Sections 5919 and 5924 of, and to add Sections 5917.6, 5917.7, 5923.6, and 5923.7 to, the Corporations Code, relating to nonprofit public benefit corporations.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 629—An act to repeal Section 557.6 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 739—An act to amend Section 10127.7 of, and to add Section 789.105 to, the Insurance Code, relating to life insurance.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 357—An act to amend Sections 10202, 10202.8, 10203.4, and 10270.5 of the Insurance Code, relating to life insurance.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1038—An act to amend Sections 742, 1063.1, 1872.8, and 10168.25 of, and to repeal Section 12964 of, the Insurance Code, relating to insurance.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 425—An act to amend Section 29551 of the Government Code, to amend Sections 11361.5 and 117560 of the Health and Safety Code, to amend Sections 530.5, 647, 977, 1054.5, 1170.11, and 1538.5 of the Penal Code, and to amend Sections 827 and 6608.8 of the Welfare and Institutions Code, relating to public safety.

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

SENATE BILL NO. 350—An act to amend Sections 127400, 127405, 127425, 127430, 127440, and 127444 of the Health and Safety Code, relating to hospitals.

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 Judiciary.

SENATE BILL NO. 33—An act to amend Sections 12810.3 and 23123 of, and to add Section 23124 to, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 37—An act to add Chapter 1.5 (commencing with Section 6920) to Part 2 of Division 6 of the Elections Code, relating to presidential elections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 50—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 second time, and ordered to third reading.

SENATE BILL NO. 112—An act to amend Sections 44279.1 and 44830 of the Education Code, relating to teachers.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 180—An act to amend Sections 1151.6, 1156, 1156.2, 1156.3, 1156.4, 1157, 1160.3, and 1160.6 of, and to add Section 1156.35 to, the Labor Code, relating to employment.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 304—An act to add Section 6357 to the Penal Code, relating to prisons.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 353—An act to amend Section 6320 of the Family Code, relating to protective orders.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 354—An act to amend Section 7114 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 443—An act to amend Section 1644.5 of the Health and Safety Code, relating to public health.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 608—An act to amend Section 2610 of the Family Code, to amend Sections 20037.6, 20037.7, 20037.8, 20037.9, 20037.10, 20037.11, 20037.12, 20195, 20475, 20479, 21252, 22126, 75006, 75028.5, 75507, and 75552 of, and to add Sections 75080.1 and 75580.1 to, the Government Code, relating to public employees' retirement.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 943—An act to add Chapter 3.12 (commencing with Section 15820.100) to Part 10b of Division 3 of Title 2 of the Government Code, relating to prisons, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1049—An act to amend Section 2607.5 of the Business and Professions Code, relating to physical therapy, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 102—An act to amend Section 1645 of the Health and Safety Code, relating to blood transfusions.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 104—An act to amend Sections 1516, 1526.8, and 1596.792 of the Health and Safety Code, and to amend Sections 11400, 11402, and 11462.7 of the Welfare and Institutions Code, relating to community care facilities.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 196—An act to amend Section 44325 of the Education Code, relating to teacher credentialing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 221—An act to amend Section 9350.6 of the Government Code, relating to the Legislators' Retirement System.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 293—An act to add and repeal Section 7310 of the Elections Code, relating to elections.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 363—An act to amend Section 44230.5 of the Education Code, relating to teacher credentialing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 500—An act to amend Sections 1789.13 and 1789.25 of the Civil Code, relating to credit service organizations.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 525—An act to add Section 11519.1 to the Government Code, and to amend Section 11703.2 of the Vehicle Code, relating to administrative hearings.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 538—An act to amend Sections 18000, 18007, 18008, 18008.7, and 18028 of, and to amend the heading of Part 2 (commencing with Section 18000) of Division 13 of, the Health and Safety Code, relating to housing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 581—An act to amend Section 20230 of, to add Section 16641.5 to, to add Article 7 (commencing with Section 50980) to Chapter 4.5 of Part 1 of Division 1 of Title 5 of, and to repeal and add Chapter 4.5 (commencing with Section 50950) of Part 1 of Division 1 of Title 5 of, the Government Code, relating to firefighters.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 589—An act to amend Section 18554 of the Health and Safety Code, relating to mobilehome parks.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 692—An act to add Section 12301.8 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 706—An act to amend Section 11571.1 of the Health and Safety Code, relating to controlled substances.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 744—An act to amend Sections 113709, 113725.1, 113751, 113789, 113818, 113907, 113909, 113945.1, 113947.1, 113947.3, 113949.1, 113949.2, 113949.5, 113961, 113967, 113977, 113982, 113984, 113984.1, 113986, 113996, 114000, 114029, 114035, 114039, 114039.1, 114039.4, 114039.5, 114060, 114074, 114091, 114099.2, 114099.3, 114149.1, 114185.1, 114192, 114245.1, 114254, 114257, 114259.1, 114259.4, 114259.5, 114271, 114276, 114299, 114311, 114323, 114325, 114326, 114358, 114371, 114380, 114393, 114417.1, 114417.6, and 114419 of, to repeal Sections 114056 and 114155 of, and to repeal and add Section 113953.4 of, the Health and Safety Code, relating to food facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 797—An act to amend Sections 7026.1 and 7028 of the Business and Professions Code, relating to contractors, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 998—An act to amend Sections 1502, 2117, 6210, 8210, 25404, 28711, 31119, and 31155 of, and to add Sections 25530.1, 28716, 29105, 29538, 31204, and 31400.1 to, the Corporations Code, and to amend Sections 22050, 22105, 22109, 22112, 50123, and 50205 of, and to add Sections 12332, 12404, 17703, 22169, 22170, 23011.5, 23015, 30218, 30609, and 50512 to, the Financial Code, relating to business.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1037—An act to amend Sections 350, 697, 708, 1520, 1521, and 1522 of, to add Section 691.1 to, and to repeal and add Section 1501.2 of, the Financial Code, relating to financial institutions.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1039—An act to amend Sections 650, 1246, 1265.1, 2541.3, and 2541.6 of the Business and Professions Code, to amend Sections 49452.8 and 51796 of the Education Code, to amend Sections 298.5, 307, 355, 358, and 422 of the Family Code, to amend Sections 1322, 8592.1, and 8593.6 of the Government Code, to amend Sections 1266.9, 1522.08, 1575.7, 1728.1, 1797.153, 100105, 100922, 105440, 109277, 110242, 110806, 113763, 113774, 115730, 123371, 123485, 124250, 124900, 125002, 125118, 125335, 125342, 127446, 130501, and 131006 of the Health and Safety Code, to amend Sections 12693.325, 12693.98, and 12693.98a of the Insurance Code, to amend Sections 830.3, 1203.097, 7501, 7502, 7510, and 13823.15 of the Penal Code, to amend Sections 13557 and 32601 of the Water Code, to amend Sections 14043.46, 14087.54, 15904, and 16953.3 of the Welfare and Institutions Code, and to amend Section 2 of Chapter 610 of the Statutes of 2006, relating to health.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 484—An act to add Section 101.13 to the Streets and Highways Code, relating to transportation.

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, and to be placed upon the Consent Calendar.

SENATE BILL NO. 684—An act to amend Section 14035.55 of the Government Code, relating to transportation.

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, and to be placed upon the Consent Calendar.

SENATE CONCURRENT RESOLUTION NO. 32—Relative to the Army Sergeant Brud Joseph Cronkrite Memorial Bridge.

Resolution read second time; amendments proposed by the Committee on Appropriations read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

SENATE CONCURRENT RESOLUTION NO. 37—Relative to the Lewis E. Platt Memorial Highway.

Resolution read second time; amendments proposed by the Committee on Appropriations read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

SENATE BILL NO. 795—An act to amend Section 8778 of, and to add Section 8778.5 to, the Health and Safety Code, relating to cemeteries.

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

SENATE BILL NO. 39—An act to amend Section 827 of, and to add Sections 826.7 and 10850.4 to, the Welfare and Institutions Code, relating to child abuse and neglect.

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

SENATE BILL NO. 127—An act to amend Sections 1102.3, 1102.3a, 1103.3, and 1368 of the Civil Code, relating to property disclosures.

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 Judiciary.

SENATE BILL NO. 753—An act to amend Sections 50650.5 and 50786 of the Health and Safety Code, relating to housing.

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. 541—An act to amend Section 798.74 of the Civil Code, relating to mobilehomes.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 163—An act to add Section 380.1 to the Streets and Highways Code, relating to transportation.

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. 67—An act to repeal and add Section 23109.2 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

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. 1017—An act to amend Section 331 of, and to add Section 378.5 to, the Public Utilities Code, relating to electricity.

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

THIRD READING OF ASSEMBLY BILLS

HOUSE RESOLUTION NO. 16 (Garcia)—Relative to National HIV/AIDS Testing Day.

Resolution read, and adopted.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 796 (Runner)—An act to add Section 904.8 to the Penal Code, relating to grand juries.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 641 (Corbett)—An act to amend Section 1936, of and to repeal Section 1936.5 of, the Civil Code, relating to vehicle rentals.

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

Bill passed by the following vote:

AYES—78

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

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 685 (Karnette)—An act to amend Sections 39807.5, 47646, 48915.5, 56021.1, 56026, 56026.3, 56027, 56028.5, 56030, 56032, 56040, 56043, 56045, 56046, 56050, 56055, 56100, 56101, 56125, 56129, 56138, 56146, 56156, 56167, 56167.5, 56168, 56170, 56172, 56174, 56174.5, 56175, 56194, 56205, 56240, 56243, 56245, 56300, 56302, 56320, 56321.5, 56322, 56328, 56330, 56331, 56337, 56340, 56341.1, 56342, 56342.1, 56342.5, 56343.5, 56345.5, 56347, 56351, 56351.5, 56352, 56361.5, 56362, 56363.1, 56363.3, 56363.5, 56365, 56366.1, 56366.2, 56366.3, 56366.8, 56369, 56383, 56425, 56426.25, 56426.6, 56426.9, 56431, 56440, 56441.11, 56443, 56454, 56456, 56473, 56475, 56476, 56500, 56500.5, 56500.6, 56501, 56504, 56504.5, 56506, 56507, 56508, 56601.5, 56606, 56836.04, 56845, 56851, and 56863 of, to repeal Article 13 (commencing with Section 49580) of Chapter 9 of Part 27 of Division 4 of Title 2 of, and to repeal Chapter 9 (commencing with Section 56875) of Part 30 of Division 4 of Title 2 of, the Education Code, and to amend Sections 7570, 7571, 7572.5, 7576, 7579.5, 7579.6, 7585, 7586.5, 7586.6, 7586.7, 95001, 95003, 95006, 95007, 95008, 95014, 95016, 95018, 95020, 95024, 95026, 95028, and 95029 of the Government Code, relating to special education.

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—78

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

NOES—None

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 278 (Lowenthal)—An act to amend Section 48205 of the Education Code, relating to pupils.

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

Bill passed by the following vote:

AYES—79

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 134 (Cedillo)—An act to amend Section 31663.1 of the Government Code, relating to county employees' retirement.

Bill read third time.

Motion to Amend

Assembly Member Hernandez moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 100 (Ducheny)—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 third time, and presented by Assembly Member Laird.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—78

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

NOES—1

Anderson

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—78

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

NOES—1

Anderson

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 165 (Ashburn)—An act to amend Section 654.3 of the Welfare and Institutions Code, relating to juveniles.

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

Bill passed by the following vote:

AYES—48

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

NOES—26

Adams	Emmerson	La Malfa	Smyth
Anderson	Fuller	Maze	Spitzer
Benoit	Gaines	Nakanishi	Strickland
Berryhill	Garrick	Niello	Villines
Blakeslee	Houston	Plescia	Walters
Calderon	Huff	Runner	
DeVore	Keene	Silva	

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received and ordered printed in the Journal, and the accompanying documents referred to the Committee on Governmental Organization:

**MEMORANDUM OF AGREEMENT
Between the Pechanga Band of Luiseño Indians,
a federally recognized Indian Tribe,
and the STATE OF CALIFORNIA**

WHEREAS, This Memorandum of Agreement (“MOA”) is entered into on a government-to-government basis by and between the Pechanga Band of Luiseño Indians, a federally recognized sovereign Indian Tribe (hereafter “Tribe”), and the State of California, a sovereign State of the United States (hereinafter “State”); and,

WHEREAS, the Tribe is mindful of important public policy goals and principles which the Governor and Members of the California Legislature desire to secure for all Californians; and,

WHEREAS, the Tribe and the State entered into a Tribal-State Gaming Compact in 1999 and have negotiated an Amendment to the Compact that was executed by the Tribe and the State on August 28, 2006 (hereafter collectively the “Amended Compact”); and,

WHEREAS, the provisions of this MOA are intended to express the mutual intent of the parties to set further agreements between the parties in furtherance of these public policy goals and principles.

NOW THEREFORE, The Tribe and the State further agree to the following:

Section 101. Child, Family, and Spousal Support Earnings Withholding and Assignment Orders.

Sec. 101.1 The Tribe and the State share a deep and mutual concern about the efficacy of the State’s beleaguered child support system. As a matter of comity with the State and its political subdivisions, the Tribe agrees to continue to honor state court writs of garnishment and agency wage garnishment orders pertaining to state wage assignment laws governing child, family, and spousal support concerning employees of the Tribe’s Gaming Facility pursuant to the Compliance section of this MOA.

Section 102. Worker’s Compensation.

Sec. 102.1 The Tribe agrees that, if it has not entered into the State’s workers’ compensation system, that it will submit to the State Gaming Agency which, for purposes of this MOA, shall be the California Gambling Control Commission, a copy of the Tribe’s workers’ compensation policy, manuals, schedules, and other relevant ordinances and documents upon the effective date of this MOA, in accordance with Sections 10.3(a) and 15.8 of the Amended Compact, and not less than once every five years thereafter. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 103. Problem Gambling.**Sec. 103.1** The Tribe agrees to:

(a) Train Gaming Facility supervisors and gaming floor employees on responsible gaming, and to identify and manage problem gambling.

(b) Display at all public entrances, automated teller machines, and exits of the Gaming Facility signage bearing a toll-free helpline number where patrons may obtain assistance for gambling problems.

(c) Maintain a self-exclusion program whereby a self-identified problem gambler may request the halt of promotional mailings, the revocation of privileges for casino services, denial of or restraint on the issuance of credit and check cashing services, and exclusion from the Gaming Facility.

(d) Establish an involuntary exclusion program that allows a gaming operation to halt promotional mailings, deny or restrain the issuance of credit and check cashing services, and deny access to the Gaming Facility to patrons who have exhibited signs of problem gambling.

(e) Make diligent efforts to prevent underage individuals from loitering in the area of the Gaming Facility where gaming activities take place.

(f) Assure that advertising and marketing of gaming activities at the Gaming Facility contain both a responsible gaming message and on printed advertisements, include a toll-free helpline telephone number for problem gamblers, where practical.

(g) This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 104. Minimum Internal Control Standards (MICS).

Sec. 104.1 So long as the National Indian Gaming Commission does not have the authority to adopt, enforce, and audit minimum internal control standards (MICS) for class III gaming devices and facilities and the State Gaming Agency does not have regulations in effect that contain internal control standards that are no less stringent than those contained in the MICS of the National Indian Gaming Commission, the Tribe agrees to maintain in full force and effect and implement minimum internal control standards for class III gaming that are no less stringent than those contained in the Minimum Internal Control Standards of the National Indian Gaming Commission (25 C.F.R. 542), as they existed on October 19, 2006, and, during that period, to submit to enforcement and auditing by the State Gaming Agency to ensure that the Tribe is in compliance with such MICS. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact or any regulation that may be adopted by the State Gaming Agency.

Sec. 104.2 Subject to the confidentiality provisions of the Amended Compact, the Tribe agrees to provide to the State Gaming Agency a copy of the annual financial audit required under Section 8.1.8 of the Amended Compact, as well as a copy of any Class III audit provided to the National Indian Gaming Commission.

Section 105. Compliance.

To the extent that a remedy to ensure compliance with this MOA does not exist within the Amended Compact, applicable law, federal and state policy, and any other agreements between the Tribe and pertinent governmental entities or parties, the Tribe agrees to the following provisions:

In recognition of the government-to-government relationship of the Tribe and the State (the "MOA Parties"), the MOA Parties shall make their best efforts to resolve disputes that occur under this MOA by good faith negotiations whenever possible. Therefore, the MOA Parties hereby establish a threshold requirement that disputes between the MOA Parties concerning this MOA first be subjected to a process of meeting and conferring in good faith in order to foster a spirit of cooperation and efficiency in the administration and monitoring of performance and compliance by each other with the terms and provisions of this MOA, as follows:

(a) Either MOA Party shall give the other, as soon as possible after an event giving rise to a dispute under this MOA ("Dispute"), a written notice setting forth, with specificity, the issues to be resolved.

(b) The MOA Parties shall meet and confer in a good faith attempt to resolve the Dispute through negotiation not later than 10 days after receipt of the notice, unless both MOA Parties agree in writing to an extension of time.

(c) If the Dispute is not resolved to the satisfaction of the MOA Parties within 30 calendar days after the first meeting, then either MOA Party may seek to have the dispute resolved by an arbitrator in accordance with this section as follows:

(i) For disputes concerning this MOA, the Tribe consents to binding arbitration before a single arbitrator, who shall be a retired judge, in accordance with the streamlined arbitration rules and procedures of JAMS (or if those rules no longer exist, the closest equivalent). The sole issue shall be whether or not there has been material compliance with the provision or provisions of this MOA that are the subject of the Dispute, and the sole award shall be either a determination that no material non-compliance has occurred, or a determination that a material non-compliance has occurred and the setting of a reasonable time in which the violating party shall correct the non-compliance. Any corrections awarded shall be reasonable, taking all circumstances into account.

(ii) Any arbitration shall be held on the Tribe's reservation or, if unreasonably inconvenient under the circumstances, at such other location as the MOA Parties may agree.

(iii) Each MOA Party shall bear its own costs, attorney's fees and one-half of the costs and expenses of the arbitration, unless the arbitrator rules otherwise. The provisions of Section 1283.05 of that California Code of Civil Procedure shall apply; provided that no discovery authorized by that section may be conducted without leave of the arbitrator.

(iv) The award of the arbitrator shall be a reasoned decision with findings of fact and conclusions of law in writing and shall be binding.

(v) To effectuate its consent to arbitration, the Tribe shall, in the exercise of its sovereignty, waive its right to assert sovereign immunity in connection with the arbitrator’s jurisdiction and in any action brought in federal court or, if the federal court declines to hear the action, in any action brought in the courts of the State of California that are located in the Riverside County, including courts of appeal (collectively and in said order, the “Court of Competent Jurisdiction”), to (1) enforce the MOA Parties’ obligation to arbitrate, (2) confirm, correct, modify, or vacate the arbitral award rendered in the arbitration, or (3) enforce or execute a judgment based upon the award. The Tribe agrees not to assert, and will waive any defense, alleging improper venue or forum non conveniens as to any Court of Competent Jurisdiction. Either MOA Party may bring an action in the Court of Competent Jurisdiction to compel arbitration under this MOA, to enforce an arbitration award, and to correct, modify or vacate an arbitration award. However, in actions seeking to correct, modify or vacate an award, the standard of review to be applied by said court to the arbitrator’s findings of fact and conclusions of law will be the same as that applied by an appellate court reviewing a decision of a trial court hearing the Dispute and sitting without a jury.

Section 106. Effective Date

Sec. 106.1 This MOA shall be effective upon the effective date of the Amended Compact between the Pechanga Band of Luiseño Indians and the State of California, entered into August 28, 2006, and shall remain in full force and effect through December 31, 2030.

The undersigned sign this MOA on behalf of the State of California and the Pechanga Band of Luiseño Indians.

STATE OF CALIFORNIA

PECHANGA BAND
OF LUISEÑO INDIANS

By: Arnold Schwarzenegger
Governor of the State of California

By: Mark A. Macarro
Chairman of the Pechanga Band
of Luiseño Indians

Executed this _____ day of _____,
2007, at Sacramento,
California

Executed this _____ day of _____,
2007, at Sacramento,
California

**MEMORANDUM OF AGREEMENT
Between Agua Caliente Band of Cahuilla Indians,
a federally recognized Indian Tribe,
and the STATE OF CALIFORNIA**

WHEREAS, This Memorandum of Agreement (“MOA”) is entered into on a government-to-government basis by and between the Agua Caliente Band of Cahuilla Indians, a federally recognized sovereign Indian Tribe (hereafter “Tribe”), and the State of California, a sovereign State of the United States (hereinafter “State”); and,

WHEREAS, the Tribe is mindful of important public policy goals and principles which the Governor and Members of the California Legislature desire to secure for all Californians; and,

WHEREAS, the Tribe and the State entered into a Tribal-State Gaming Compact in 1999 and have negotiated an Amendment to the Compact that was executed by the Tribe and the State on August 8, 2006 (hereafter collectively the “Amended Compact”); and,

WHEREAS, the provisions of this MOA are intended to express the mutual intent of the parties to set further agreements between the parties in furtherance of these public policy goals and principles.

NOW THEREFORE, The Tribe and the State further agree to the following:

Section 101. Child, Family, and Spousal Support Earnings Withholding and Assignment Orders.

Sec. 101.1 The Tribe and the State share a deep and mutual concern about the efficacy of the State’s beleaguered child support system. As a matter of comity with the State and its political subdivisions, the Tribe agrees to continue to require that its Tribal Gaming Facility employees comply with state court and agency orders pertaining to child, family, and spousal support concerning employees.

Section 102. Worker’s Compensation.

Sec. 102.1 The Tribe agrees that, if it has not entered into the State’s workers’ compensation system, that it will submit to the State via the State Gaming Agency which, for purposes of this MOA, shall be the California Gambling Control Commission, in an electronic format acceptable to said Agency, a copy of the Tribe’s workers’ compensation policy, manuals, schedules, and other relevant ordinances and documents upon the effective date of this MOA, in accordance with Sections 10.3(a) and 15.8 of the Amended Compact, and thereafter as such policy manuals, schedules and other relevant documents may be amended, rescinded or otherwise modified. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 103. Problem Gambling.

Sec. 103.1 The Tribe agrees to:

(a) Train Gaming Facility supervisors and gaming floor employees on responsible gaming, and to identify and manage problem gambling.

(b) Display at all public entrances, automated teller machines, and exits of the Gaming Facility signage bearing a toll-free helpline number where patrons may obtain assistance for gambling problems.

(c) Maintain a self-exclusion program whereby a self-identified problem gambler may request the halt of promotional mailings, the revocation of privileges for casino services, denial of or restraint on the issuance of credit and check cashing services, and exclusion from the Gaming Facility.

(d) Establish an involuntary exclusion program that allows a gaming operation to halt promotional mailings, deny or restrain the issuance of credit and check cashing services, and deny access to the Gaming Facility to persons who have exhibited signs of problem gambling.

(e) Make diligent efforts to prevent underage individuals from loitering in the area of the Gaming Facility where gaming activities take place.

(f) Reasonably assure that advertising and marketing of gaming activities at the Gaming Facility contain both a responsible gaming

message and on printed advertisements, include a toll-free helpline telephone number for problem gamblers, where practical.

(g) This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 104. Minimum Internal Control Standards (MICS).

Sec. 104.1 So long as the National Indian Gaming Commission does not have the authority to adopt, enforce, and audit minimum internal control standards (MICS) for class III gaming devices and facilities and the State Gaming Agency does not have regulations in effect that contain internal control standards that are no less stringent than those contained in the MICS of the National Indian Gaming Commission, the Tribe agrees to maintain in full force and effect and implement minimum internal control standards for class III gaming that are no less stringent than those contained in the Minimum Internal Control Standards of the National Indian Gaming Commission (25 C.F.R. 542), as they existed on October 19, 2006, and, during that period, to submit to enforcement and auditing by the State Gaming Agency to ensure that the Tribe is in compliance with such MICS. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact or any regulation that may be adopted by the State Gaming Agency.

Sec. 104.2 Subject to the confidentiality provisions of the Amended Compact, the Tribe agrees to provide to the State Gaming Agency a copy of the annual financial audit required under Section 8.1.8 of the Amended Compact, as well as a copy of any Class III audit provided to the National Indian Gaming Commission.

Section 105. Compliance.

Because the parties desire that the terms of this MOA be enforceable, the parties to this MOA agree to the following enforcement provisions, invocation of which shall be limited to the parties to this MOA, and not by any other person or entity. This MOA is not intended to, and shall not be construed to, create any right on the part of a third party to bring any action to enforce its provisions.

To the extent that a remedy to ensure compliance with this MOA does not exist within the Amended Compact, applicable law, federal and state policy, and any other agreements between the Tribe and pertinent governmental entities or parties, the Tribe agrees to the following provisions:

In recognition of the government-to-government relationship of the Tribe and the State (the "MOA Parties"), the MOA Parties shall make their best efforts to resolve disputes that occur under this MOA by good faith negotiations whenever possible. Therefore, the MOA Parties hereby establish a threshold requirement that disputes between the MOA Parties concerning this MOA first be subjected to a process of meeting and conferring in good faith in order to foster a spirit of

cooperation and efficiency in the administration and monitoring of performance and compliance by each other with the terms and provisions of this MOA, as follows:

(a) Either MOA Party shall give the other, as soon as possible after an event giving rise to a dispute under this MOA (“Dispute”), a written notice setting forth, with specificity, the issues to be resolved.

(b) The MOA Parties shall meet and confer in a good faith attempt to resolve the Dispute through negotiation not later than 10 days after receipt of the notice, unless both MOA Parties agree in writing to an extension of time.

(c) If the Dispute is not resolved to the satisfaction of the MOA Parties within 30 calendar days after the first meeting, then either MOA Party may seek to have the dispute resolved by an arbitrator in accordance with this section as follows:

(i) For disputes concerning this MOA, the Tribe and the State consent to binding arbitration before a single arbitrator, who shall be a retired judge, in accordance with the streamlined arbitration rules and procedures of JAMS (or if those rules no longer exist, the closest equivalent). The sole issue shall be whether or not there has been material compliance with the provision or provisions of this MOA that are the subject of the Dispute, and the sole award shall be either a determination that no material non-compliance has occurred, or a determination that a material non-compliance has occurred and the setting of a reasonable time in which the violating party shall correct the non-compliance. Any corrections awarded shall be reasonable, taking all circumstances into account.

(ii) Any arbitration shall be held on the Tribe’s reservation or, if unreasonably inconvenient under the circumstances, at such other location in Riverside County as the MOA Parties may agree. If the parties are unable to agree on a location, the arbitrator shall determine the location.

(iii) Each MOA Party shall bear its own costs, attorney’s fees and one-half of the costs and expenses of the arbitration, unless the arbitrator rules otherwise. The provisions of Section 1283.05 of the California Code of Civil Procedure shall apply; provided that no discovery authorized by that section may be conducted without leave of the arbitrator.

(iv) The award of the arbitrator shall be a reasoned decision with findings of fact and conclusions of law in writing and shall be binding.

(v) To effectuate its consent to arbitration, the Tribe and the State shall both, in the exercise of its sovereignty, waive its right to assert sovereign immunity in connection with the arbitrator’s jurisdiction and in any action brought in federal court or, if the federal court declines to hear the action, in any action brought in the courts of the State of California that are located in Riverside County, including courts of appeal (collectively and in said order, the “Court of Competent Jurisdiction”), to (1) enforce the MOA Parties’ obligation to arbitrate, (2) confirm, correct, modify, or vacate the arbitral award rendered in the arbitration, or (3) enforce or execute a judgment based upon the award. Both the Tribe and the State agree not to assert, and will waive any

defense, alleging improper venue or forum non conveniens as to any Court of Competent Jurisdiction. Either MOA Party may bring an action in the Court of Competent Jurisdiction to compel arbitration under this MOA, to enforce an arbitration award, and to correct, modify or vacate an arbitration award. However, in actions seeking to correct, modify or vacate an award, the standard of review to be applied by said court to the arbitrator’s findings of fact and conclusions of law will be the same as that applied by an appellate court reviewing a decision of a trial court hearing the Dispute and sitting without a jury.

Section 106. Effective Date

Sec. 106.1 This MOA shall be effective upon the effective date of the Amended Compact between the Agua Caliente Band of Cahuilla Indians and the State of California, entered into August 8, 2006, and shall remain in full force and effect through December 31, 2030.

The undersigned sign this MOA on behalf of the State of California and the Agua Caliente Band of Cahuilla Indians.

STATE OF CALIFORNIA

AGUA CALIENTE BAND
OF CAHUILLA INDIANS

By: Arnold Schwarzenegger
Governor of the State of California

By: Richard M. Milanovich
Chairman of the Agua Caliente Band
of Cahuilla Indians

Executed this _____ day of _____,
2007, at Sacramento,
California

Executed this _____ day of _____,
2007, at Sacramento,
California

**MEMORANDUM OF AGREEMENT
Between Sycuan Band of the Kumeyaay Nation,
a federally recognized Indian Tribe,
and the STATE OF CALIFORNIA**

WHEREAS, This Memorandum of Agreement (“MOA”) is entered into on a government-to-government basis by and between the Sycuan Band of the Kumeyaay Nation, a federally recognized sovereign Indian Tribe (hereafter “Tribe”), and the State of California, a sovereign State of the United States (hereinafter “State”); and,

WHEREAS, the Tribe is mindful of important public policy goals and principles which the Governor and Members of the California Legislature desire to secure for all Californians; and,

WHEREAS, the Tribe and the State entered into a Tribal-State Gaming Compact in 1999 and have negotiated an Amendment to the Compact that was executed by the Tribe and the State on August 30, 2006 (hereafter collectively the “Amended Compact”); and,

WHEREAS, the provisions of this MOA are intended to express the mutual intent of the parties to set further agreements between the parties in furtherance of these public policy goals and principles.

NOW THEREFORE, The Tribe and the State further agree to the following:

Section 101. Child, Family, and Spousal Support Earnings Withholding and Assignment Orders.

Sec. 101.1 The Tribe and the State share a deep and mutual concern about the efficacy of the State's beleaguered child support system. As a matter of comity with the State and its political subdivisions, the Tribe agrees to continue to require that its Tribal Gaming Facility employees comply with state court and agency orders pertaining to child, family, and spousal support concerning employees.

Section 102. Worker's Compensation.

Sec. 102.1 The Tribe agrees that, if it has not entered into the State's workers' compensation system, that it will submit to the State via the State Gaming Agency which, for purposes of this MOA, shall be the California Gambling Control Commission, in an electronic format acceptable to said Agency, a copy of the Tribe's workers' compensation policy, manuals, schedules, and other relevant ordinances and documents upon the effective date of this MOA, in accordance with Sections 10.3(a) and 15.8 of the Amended Compact, and thereafter as such policy manuals, schedules and other relevant documents may be amended, rescinded or otherwise modified. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 103. Problem Gambling.

Sec. 103.1 The Tribe agrees to:

- (a) Train Gaming Facility supervisors and gaming floor employees on responsible gaming, and to identify and manage problem gambling.
- (b) Display at all public entrances, automated teller machines, and exits of the Gaming Facility signage bearing a toll-free helpline number where patrons may obtain assistance for gambling problems.
- (c) Maintain a self-exclusion program whereby a self-identified problem gambler may request the halt of promotional mailings, the revocation of privileges for casino services, denial of or restraint on the issuance of credit and check cashing services, and exclusion from the Gaming Facility.
- (d) Establish an involuntary exclusion program that allows a gaming operation to halt promotional mailings, deny or restrain the issuance of credit and check cashing services, and deny access to the Gaming Facility to persons who have exhibited signs of problem gambling.
- (e) Make diligent efforts to prevent underage individuals from loitering in the area of the Gaming Facility where gaming activities take place.
- (f) Reasonably assure that advertising and marketing of gaming activities at the Gaming Facility contain both a responsible gaming message and on printed advertisements, include a toll-free helpline telephone number for problem gamblers, where practical.
- (g) This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 104. Minimum Internal Control Standards (MICS).

Sec. 104.1 So long as the National Indian Gaming Commission does not have the authority to adopt, enforce, and audit minimum internal control standards (MICS) for class III gaming devices and facilities and the State Gaming Agency does not have regulations in effect that contain internal control standards that are no less stringent than those contained in the MICS of the National Indian Gaming Commission, the Tribe agrees to maintain in full force and effect and implement minimum internal control standards for class III gaming that are no less stringent than those contained in the Minimum Internal Control Standards of the National Indian Gaming Commission (25 C.F.R. 542), as they existed on October 19, 2006, and, during that period, to submit to enforcement and auditing by the State Gaming Agency to ensure that the Tribe is in compliance with such MICS. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact or any regulation that may be adopted by the State Gaming Agency.

Sec. 104.2 Subject to the confidentiality provisions of the Amended Compact, the Tribe agrees to provide to the State Gaming Agency a copy of the annual financial audit required under Section 8.1.8 of the Amended Compact, as well as a copy of any Class III audit provided to the National Indian Gaming Commission.

Section 105. Compliance.

Because the parties desire that the terms of this MOA be enforceable, the parties to this MOA agree to the following enforcement provisions, invocation of which shall be limited to the parties to this MOA, and not by any other person or entity. This MOA is not intended to, and shall not be construed to, create any right on the part of a third party to bring any action to enforce its provisions.

To the extent that a remedy to ensure compliance with this MOA does not exist within the Amended Compact, applicable law, federal and state policy, and any other agreements between the Tribe and pertinent governmental entities or parties, the Tribe agrees to the following provisions:

In recognition of the government-to-government relationship of the Tribe and the State (the "MOA Parties"), the MOA Parties shall make their best efforts to resolve disputes that occur under this MOA by good faith negotiations whenever possible. Therefore, the MOA Parties hereby establish a threshold requirement that disputes between the MOA Parties concerning this MOA first be subjected to a process of meeting and conferring in good faith in order to foster a spirit of cooperation and efficiency in the administration and monitoring of performance and compliance by each other with the terms and provisions of this MOA, as follows:

(a) Either MOA Party shall give the other, as soon as possible after an event giving rise to a dispute under this MOA ("Dispute"), a written notice setting forth, with specificity, the issues to be resolved.

(b) The MOA Parties shall meet and confer in a good faith attempt to resolve the Dispute through negotiation not later than 10 days after receipt of the notice, unless both MOA Parties agree in writing to an extension of time.

(c) If the Dispute is not resolved to the satisfaction of the MOA Parties within 30 calendar days after the first meeting, then either MOA Party may seek to have the dispute resolved by an arbitrator in accordance with this section as follows:

(i) For disputes concerning this MOA, the Tribe and the State consent to binding arbitration before a single arbitrator, who shall be a retired judge, in accordance with the streamlined arbitration rules and procedures of JAMS (or if those rules no longer exist, the closest equivalent). The sole issue shall be whether or not there has been material compliance with the provision or provisions of this MOA that are the subject of the Dispute, and the sole award shall be either a determination that no material non-compliance has occurred, or a determination that a material non-compliance has occurred and the setting of a reasonable time in which the violating party shall correct the non-compliance. Any corrections awarded shall be reasonable, taking all circumstances into account.

(ii) Any arbitration shall be held on the Tribe's reservation or, if unreasonably inconvenient under the circumstances, at such other location in San Diego County as the MOA Parties may agree. If the parties are unable to agree on a location, the arbitrator shall determine the location.

(iii) Each MOA Party shall bear its own costs, attorney's fees and one-half of the costs and expenses of the arbitration, unless the arbitrator rules otherwise. The provisions of Section 1283.05 of that California Code of Civil Procedure shall apply; provided that no discovery authorized by that section may be conducted without leave of the arbitrator.

(iv) The award of the arbitrator shall be a reasoned decision with findings of fact and conclusions of law in writing and shall be binding.

(v) To effectuate its consent to arbitration, the Tribe and the State shall both, in the exercise of its sovereignty, waive its right to assert sovereign immunity in connection with the arbitrator's jurisdiction and in any action brought in federal court or, if the federal court declines to hear the action, in any action brought in the courts of the State of California that are located in the San Diego County, including courts of appeal (collectively and in said order, the "Court of Competent Jurisdiction"), to (1) enforce the MOA Parties' obligation to arbitrate, (2) confirm, correct, modify, or vacate the arbitral award rendered in the arbitration, or (3) enforce or execute a judgment based upon the award. Both the Tribe and the State agree not to assert, and will waive any defense, alleging improper venue or forum non conveniens as to any Court of Competent Jurisdiction. Either MOA Party may bring an action in the Court of Competent Jurisdiction to compel arbitration under this MOA, to enforce an arbitration award, and to correct, modify or vacate an arbitration award. However, in actions seeking to correct, modify or vacate an award, the standard of review to be applied by said court to the arbitrator's findings of fact and conclusions of law will be the same as that applied by an appellate court reviewing a decision of a trial court hearing the Dispute and sitting without a jury.

Section 106. Effective Date

Sec. 106.1 This MOA shall be effective upon the effective date of the Amended Compact between the Sycuan Band of the Kumeyaay Nation and the State of California, entered into August 30, 2006, and shall remain in full force and effect through December 31, 2030.

The undersigned sign this MOA on behalf of the State of California and the Sycuan Band of the Kumeyaay Nation.

STATE OF CALIFORNIA

SYCUAN BAND
OF THE KUMEYAAY NATION

By: Arnold Schwarzenegger
Governor of the State of California

By: Daniel J. Tucker
Chairman of the Sycuan Band
of the Kumeyaay Nation

Executed this _____ day of _____,
2007, at Sacramento,
California

Executed this _____ day of _____,
2007, at Sacramento,
California

**MEMORANDUM OF AGREEMENT
Between the MORONGO BAND OF MISSION INDIANS,
a federally recognized Indian Tribe,
and the STATE OF CALIFORNIA**

WHEREAS, This Memorandum of Agreement (“MOA”) is entered into on a government-to-government basis by and between the Morongo Band of Mission Indians, a federally recognized sovereign Indian Tribe (hereafter “Tribe”), and the State of California, a sovereign State of the United States (hereinafter “State”); and,

WHEREAS, the Tribe is mindful of important public policy goals and principles which the Governor and Members of the California Legislature desire to secure for all Californians; and,

WHEREAS, the Tribe and the State entered into a Tribal-State Gaming Compact in 1999 and have negotiated an Amendment to the Compact that was executed by the Tribe and the State on August 29, 2006 (hereafter collectively the “Amended Compact”); and,

WHEREAS, the provisions of this MOA are intended to express the mutual intent of the parties to set further agreements between the parties in furtherance of these public policy goals and principles.

NOW THEREFORE, The Tribe and the State further agree to the following :

Section 101. Child, Family, and Spousal Support Earnings Withholding and Assignment Orders.

Sec. 101.1 The Tribe and the State share a deep and mutual concern about the efficacy of the State’s beleaguered child support system. As a matter of comity with the State and its political subdivisions, the Tribe agrees to continue to require that its Tribal Gaming Facility employees comply with state court and agency orders pertaining to child, family, and spousal support concerning employees.

Section 102. Worker’s Compensation.

Sec. 102.1 The Tribe agrees that, if it has not entered into the State’s workers’ compensation system, that it will submit to the State, via the State Gaming Agency which, for purposes of this MOA, shall be

the California Gambling Control Commission, in an electronic format acceptable to said Agency, a copy of the Tribe's workers' compensation policy, manuals, schedules, and other relevant ordinances and documents upon the effective date of this MOA, in accordance with Sections 10.3(a) and 15.8 of the Amended Compact, and thereafter as such policy manuals, schedules and other relevant documents may be amended, rescinded or otherwise modified. This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 103. Problem Gambling.

Sec. 103.1 The Tribe agrees to:

(a) Continue to train Gaming Facility supervisors and gaming floor employees on responsible gaming, and to identify and manage problem gambling.

(b) Display at all public entrances, automated teller machines, and exits of the Gaming Facility signage bearing a toll-free helpline number where patrons may obtain assistance for gambling problems.

(c) Continue to maintain a self-exclusion program whereby a self-identified problem gambler may request the halt of promotional mailings, the revocation of privileges for casino services, denial of or restraint on the issuance of credit and check cashing services, and exclusion from the Gaming Facility.

(d) Establish an involuntary exclusion program that allows a gaming operation to halt promotional mailings, deny or restrain the issuance of credit and check cashing services, and deny access to the Gaming Facility to patrons who have exhibited signs of problem gambling.

(e) Continue to make diligent efforts to prevent underage individuals from loitering in the area of the Gaming Facility where gaming activities take place.

(f) Reasonably assure that advertising and marketing of gaming activities at the Gaming Facility contain both a responsible gaming message and on printed advertisements, include a toll-free helpline telephone number for problem gamblers, where practical.

(g) This section is intended to supplement the Amended Compact and is not intended to supersede or negate any provision of the Amended Compact.

Section 104. Minimum Internal Control Standards (MICS).

Sec. 104.1 So long as the National Indian Gaming Commission does not have the authority to adopt, enforce, and audit minimum internal control standards (MICS) for class III gaming devices and facilities and the State Gaming Agency does not have regulations in effect that contain internal control standards that are no less stringent than those contained in the MICS of the National Indian Gaming Commission, the Tribe agrees to maintain in full force and effect and implement minimum internal control standards for class III gaming that are no less stringent than those contained in the Minimum Internal Control Standards of the National Indian Gaming Commission (25 C.F.R. 542), as they existed on October 19, 2006, and, during that period, to submit to enforcement and auditing by the State Gaming Agency to ensure that the Tribe is in compliance with such MICS. This section is intended to supplement the Amended Compact

and is not intended to supersede or negate any provision of the Amended Compact or any regulation that may be adopted by the State Gaming Agency.

Sec. 104.2 Subject to the confidentiality provisions of the Amended Compact, the Tribe agrees to provide to the State Gaming Agency a copy of the annual financial audit required under Section 8.1.8 of the Amended Compact, as well as a copy of any Class III audit provided to the National Indian Gaming Commission.

Section 105. Compliance.

Because the parties desire that the terms of this MOA be enforceable, the parties to this MOA agree to the following enforcement provisions, invocation of which shall be limited to the parties to this MOA, and not by any other person or entity. This MOA is not intended to, and shall not be construed to, create any right on the part of a third party to bring any action to enforce its provisions.

To the extent that a remedy to ensure compliance with this MOA does not exist within the Amended Compact, applicable law, federal and state policy, and any other agreements between the Tribe and pertinent governmental entities or parties, the Tribe agrees to the following provisions:

In recognition of the government-to-government relationship of the Tribe and the State (the "MOA Parties"), the MOA Parties shall make their best efforts to resolve disputes that occur under this MOA by good faith negotiations whenever possible. Therefore, the MOA Parties hereby establish a threshold requirement that disputes between the MOA Parties concerning this MOA first be subjected to a process of meeting and conferring in good faith in order to foster a spirit of cooperation and efficiency in the administration and monitoring of performance and compliance by each other with the terms and provisions of this MOA, as follows:

(a) Either MOA Party shall give the other, as soon as possible after an event giving rise to a dispute under this MOA ("Dispute"), a written notice setting forth, with specificity, the issues to be resolved.

(b) The MOA Parties shall meet and confer in a good faith attempt to resolve the Dispute through negotiation not later than 10 days after receipt of the notice, unless both MOA Parties agree in writing to an extension of time.

(c) If the Dispute is not resolved to the satisfaction of the MOA Parties within 30 calendar days after the first meeting, then either MOA Party may seek to have the dispute resolved by an arbitrator in accordance with this section as follows:

(i) For disputes concerning this MOA, the Tribe and the State consent to binding arbitration before a single arbitrator, who shall be a retired judge, in accordance with the streamlined arbitration rules and procedures of JAMS (or if those rules no longer exist, the closest equivalent). The sole issue shall be whether or not there has been material compliance with the provision or provisions of this MOA that are the subject of the Dispute, and the sole award shall be either a determination that no material non-compliance has occurred, or a determination that a material non-compliance has occurred and the setting of a reasonable time in which the violating party shall correct the non-compliance.

Any corrections awarded shall be reasonable, taking all circumstances into account.

(ii) Any arbitration shall be held on the Tribe's reservation or, if unreasonably inconvenient under the circumstances, at such other location in Riverside County as the MOA Parties may agree. If the MOA Parties are unable to agree on a location, the arbitrator shall determine the location.

(iii) Each MOA Party shall bear its own costs, attorney's fees and one-half of the costs and expenses of the arbitration, unless the arbitrator rules otherwise. The provisions of Section 1283.05 of that California Code of Civil Procedure shall apply; provided that no discovery authorized by that section may be conducted without leave of the arbitrator.

(iv) The award of the arbitrator shall be a reasoned decision with findings of fact and conclusions of law in writing and shall be binding.

(v) To effectuate their respective consents to arbitration, the State and the Tribe each shall, in the exercise of its respective sovereignty, waive its right to assert sovereign immunity in connection with the arbitrator's jurisdiction and in any action brought in federal court or, if the federal court declines to hear the action, in any action brought in the courts of the State of California that are located in Riverside County, including courts of appeal (collectively and in said order, the "Court of Competent Jurisdiction"), to (1) enforce the MOA Parties' obligation to arbitrate, (2) confirm, correct, modify, or vacate the arbitral award rendered in the arbitration, or (3) enforce or execute a judgment based upon the award. The Tribe and the State agree not to assert, and will waive any defense, alleging improper venue or forum non conveniens as to any Court of Competent Jurisdiction. Either MOA Party may bring an action in the Court of Competent Jurisdiction to compel arbitration under this MOA, to enforce an arbitration award, and to correct, modify or vacate an arbitration award. However, in actions seeking to correct, modify or vacate an award, the standard of review to be applied by said court to the arbitrator's findings of fact and conclusions of law will be the same as that applied by an appellate court reviewing a decision of a trial court hearing the Dispute and sitting without a jury.

Section 106. Effective Date

Sec. 106.1 This MOA shall be effective upon the effective date of the Amended Compact between the Morongo Band of Mission Indians and the State of California, entered into August 29, 2006, and shall remain in full force and effect through December 31, 2030.

The undersigned sign this MOA on behalf of the State of California and the Morongo Band of Mission Indians.

STATE OF CALIFORNIA

MORONGO BAND
OF MISSION INDIANS

By: Arnold Schwarzenegger
Governor of the State of California

By: Robert Martin
Chairman of the Morongo Band
of Mission Indians

Executed this ____ day of _____,
2007, at Sacramento,
California

Executed this ____ day of _____,
2007, at Sacramento,
California

RECEIPT

I acknowledge receipt this 28th day of June 2007, at 10:20 a.m., of the Governor’s Morango, Sycuan, Agua Caliente, and Pechanga Memorandum of Agreement delivered to me by Jacque Roberts.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

CAUCUS ANNOUNCEMENTS

At 10:29 a.m., Assembly Member Bass was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

Assembly Member Blakeslee was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 10:30 a.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 1:28 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 566 (Ridley-Thomas)—An act to amend Section 13500 of the Penal Code, relating to law enforcement.

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

Bill passed by the following vote:

AYES—55

Aghazarian	DeSaulnier	Karnette	Portantino
Arambula	Dymally	Krekorian	Price
Bass	Emmerson	Laird	Ruskin
Beall	Eng	Leno	Salas
Berg	Evans	Levine	Saldaña
Berryhill	Feuer	Lieber	Smyth
Brownley	Fuentes	Lieu	Solorio
Caballero	Galgiani	Ma	Spitzer
Carter	Hancock	Mendoza	Strickland
Cook	Hayashi	Mullin	Swanson
Coto	Hernandez	Nakanishi	Tran
Davis	Houston	Nava	Wolk
De La Torre	Huffman	Parra	Mr. Speaker
De León	Jones	Plescia	

NOES—15

Adams	Duvall	Keene	Silva
Anderson	Gaines	La Malfa	Villines
Blakeslee	Garrick	Maze	Walters
DeVore	Huff	Niello	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 969 (Aanestad)—An act to amend Section 4826 of, and to add and repeal Section 4836.1 of, the Business and Professions Code, relating to veterinary medicine.

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

Bill passed by the following vote:

AYES—73

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

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 Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 28 (Ma)—Relative to human trafficking.

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

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

HOUSE RESOLUTION NO. 15 (Soto)—Relative to Pain Awareness Month.

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. 813 (Wiggins)—An act to amend Section 8026 of the Elections Code, relating to elections.

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 JOINT RESOLUTION NO. 3 (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 CONCURRENT RESOLUTION NO. 45 (Battin)—Relative to California Indian Heritage Month.

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 CONCURRENT RESOLUTION NO. 46 (Machado)—Relative to California Anti-Bullying Week.

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 CONCURRENT RESOLUTION NO. 47 (Battin)—Relative to California Hispanic Heritage Month.

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 CONCURRENT RESOLUTION NO. 48 (Harman)—Relative to Child Awareness Week.

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. 125 (Harman)—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 third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

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

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

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. 317 (Denham)—An act to amend Section 19512 of the Business and Professions Code, relating to horse racing.

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. 715 (Lowenthal)—An act to add Section 5275 to the Business and Professions Code, relating to advertising.

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. 30 (Padilla)—Relative to American Diabetes Alert Day.

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 CONCURRENT RESOLUTION NO. 54 (Perata)—Relative to 9-1-1 for Kids Safety Education Month.

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, and any urgency clauses to the bills adopted, by the following vote:

AYES—75

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

NOES—None**CAUCUS ANNOUNCEMENTS**

At 1:35 p.m., Assembly Member Bass was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

Assembly Member Villines was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 1:36 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 3:34 p.m., the Assembly reconvened.

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

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. 104, on request of Assembly Member Bass.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 589, on request of Assembly Member Bass.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Bass was granted unanimous consent to suspend Assembly Rule 63 to take up Senate Bills Nos. 106, 175, and 903 without reference to committee or file for consideration.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 106—An act to add Section 12012.52 to the Government Code, relating to gaming.

Bill read second time.

SENATE BILL NO. 175—An act to add Section 12012.51 to the Government Code, relating to gaming.

Bill read second time.

SENATE BILL NO. 903—An act to add Section 12012.49 to the Government Code, relating to gaming.

Bill read second time.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Bass.

Resolved, That Senate Bills Nos. 106, 175, and 903 present cases of urgency, as that term is used in Article IV, Section 8 (b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage.

Resolution read, and adopted by the following vote:

AYES—75

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

NOES—None

Article IV, Section 8 (b) of the Constitution was declared dispensed with.

**CONSIDERATION OF SENATE BILL NO. 106
BY UNANIMOUS CONSENT**

SENATE BILL NO. 106 (Wiggins)—An act to add Section 12012.52 to the Government Code, relating to gaming.

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

Bill passed by the following vote:

AYES—70

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

NOES—1

Ruskin

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1738

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Núñez was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1738, without reference to file.

ASSEMBLY BILL NO. 1738 (Coto)—An act to add Sections 12012.465, 12012.485, 12012.495, and 12012.515 to the Government Code, relating to gaming.

Bill presented by Assembly Member Núñez.

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—75

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

NOES—None

Above bill ordered enrolled.

**CONSIDERATION OF SENATE BILL NO. 175
BY UNANIMOUS CONSENT**

SENATE BILL NO. 175 (Ducheny)—An act to add Section 12012.51 to the Government Code, relating to gaming.

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

Bill passed by the following vote:

AYES—61

Adams	De La Torre	Jeffries	Price
Aghazarian	De León	Karnette	Runner
Anderson	DeVore	Keene	Salas
Arambula	Duvall	Krekorian	Silva
Bass	Emmerson	La Malfa	Smyth
Beall	Evans	Laird	Solorio
Benoit	Feuer	Lieber	Soto
Berg	Fuentes	Lieu	Spitzer
Berryhill	Fuller	Maze	Strickland
Blakeslee	Galgiani	Mendoza	Tran
Caballero	Garcia	Mullin	Villines
Calderon	Garrick	Nakanishi	Walters
Carter	Hayashi	Nava	Mr. Speaker
Cook	Horton	Niello	
Coto	Houston	Parra	
Davis	Huff	Plescia	

NOES—9

Brownley	Huffman	Ruskin
DeSaulnier	Leno	Swanson
Hancock	Ma	Wolk

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 903 BY UNANIMOUS CONSENT

SENATE BILL NO. 903 (Padilla)—An act to add Section 12012.49 to the Government Code, relating to gaming.

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

Bill passed by the following vote:

AYES—61

Adams	De La Torre	Jeffries	Price
Aghazarian	De León	Karnette	Runner
Anderson	DeVore	Keene	Salas
Arambula	Duvall	Krekorian	Silva
Bass	Emmerson	La Malfa	Smyth
Beall	Evans	Laird	Solorio
Benoit	Feuer	Lieber	Soto
Berg	Fuentes	Lieu	Spitzer
Berryhill	Fuller	Maze	Strickland
Blakeslee	Galgiani	Mendoza	Tran
Caballero	Garcia	Mullin	Villines
Calderon	Garrick	Nakanishi	Walters
Carter	Hayashi	Nava	Mr. Speaker
Cook	Horton	Niello	
Coto	Houston	Parra	
Davis	Huff	Plescia	

NOES—9

Brownley	Huffman	Ruskin
DeSaulnier	Leno	Swanson
Hancock	Ma	Wolk

RECESS

By unanimous consent, at 3:49 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 4:55 p.m., the Assembly reconvened.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 28, 2007

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

Assembly Bill No. 1738

And reports the same correctly enrolled, and presented to the Governor on the 28th day of June, 2007, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

CAUCUS ANNOUNCEMENTS

At 4:56 p.m., Assembly Member Bass was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

Assembly Member Villines was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 4:57 p.m., Speaker pro Tempore Lieber declared the Assembly recessed.

RECONVENED

At 5:19 p.m., the Assembly reconvened.

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

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Bass was granted unanimous consent to suspend Assembly Rule 63 to take up Senate Bills Nos. 174 and 957 without reference to committee or file for consideration.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 174—An act to add Section 12012.48 to the Government Code, relating to gaming.

Bill read second time.

SENATE BILL NO. 957—An act to add Section 12012.46 to the Government Code, relating to gaming.

Bill read second time.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Bass.

Resolved, That Senate Bills Nos. 174 and 957 present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage.

Resolution read, and adopted by the following vote:

AYES—78

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

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**CONSIDERATION OF SENATE BILL NO. 957
BY UNANIMOUS CONSENT**

SENATE BILL NO. 957 (Torlakson)—An act to add Section 12012.46 to the Government Code, relating to gaming.

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

Bill passed by the following vote:

AYES—52

Adams	Coto	Houston	Plescia
Aghazarian	Davis	Huff	Runner
Anderson	DeVore	Jeffries	Salas
Arambula	Duvall	Keene	Silva
Bass	Emmerson	La Malfa	Smyth
Beall	Evans	Lieber	Solorio
Benoit	Fuentes	Lieu	Soto
Berryhill	Fuller	Maze	Spitzer
Blakeslee	Galgiani	Mendoza	Strickland
Caballero	Garcia	Mullin	Tran
Calderon	Garrick	Nakanishi	Villines
Carter	Hayashi	Niello	Walters
Cook	Horton	Parra	Mr. Speaker

NOES—11

Brownley	Hancock	Leno	Swanson
DeSaulnier	Huffman	Ma	Wolk
Feuer	Laird	Ruskin	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 174
BY UNANIMOUS CONSENT**

SENATE BILL NO. 174 (Ducheny)—An act to add Section 12012.48 to the Government Code, relating to gaming.

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

Bill passed by the following vote:

AYES—50

Adams	Coto	Huff	Salas
Aghazarian	Davis	Jeffries	Silva
Anderson	DeVore	Keene	Smyth
Arambula	Duvall	La Malfa	Solorio
Bass	Emmerson	Lieber	Soto
Beall	Fuentes	Lieu	Spitzer
Benoit	Fuller	Maze	Strickland
Berryhill	Galgiani	Mendoza	Tran
Blakeslee	Garcia	Nakanishi	Villines
Caballero	Garrick	Niello	Walters
Calderon	Hayashi	Parra	Mr. Speaker
Carter	Horton	Plescia	
Cook	Houston	Runner	

NOES—13

Brownley	Hancock	Ma	Wolk
DeSaulnier	Huffman	Mullin	
Evans	Laird	Ruskin	
Feuer	Leno	Swanson	

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Lieber announced the following session schedule:

Monday, July 2, 2007, Check-in Session, 7 a.m.–3 p.m.;
 Tuesday, July 3, 2007, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon Call of the Speaker;
 Wednesday, July 4, 2007, Holiday;
 Thursday, July 5, 2007, Floor Session, 12 noon;
 Friday, July 6, 2007, Floor Session, Upon Call of Speaker.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Bass requested unanimous consent that Senate Bill No. 924 be re-referred from the Committee on Veterans Affairs to the Committee on Appropriations.

Assembly Member Blakeslee withheld unanimous consent.

Motion to Re-refer

Assembly Member Bass moved that Senate Bill No. 924 be re-referred from the Committee on Veterans Affairs to the Committee on Appropriations.

Assembly Member De León seconded the motion.

Motion carried by the following vote:

AYES—43

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

NOES—33

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

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Bass announced that the Committee on Rules would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dorothy Aguero, Jim Handley, Jr., and Patrick McCrary, of Manteca.

Assembly Member Arambula was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bhagwan K. Dhaliwal, of San Joaquin.

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 Jill Ann Logan Bedecarre, of Clayton.

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elsie J. Hawkins, of Washington, D.C.

Assembly Member Evans was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul David Butler and Josephine Osborn, of Santa Rosa.

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

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Major General G. Walter Titus, of Danville.

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 Frank Warren Reed, Jr., of Davis; Jerry Michael Holland, Joseph Patrick Mahoney, Bonnie Joyce Nelson, Robert Eugene Parscal, Gerald A. Philipp, and Clifton Alva Williams, of Fairfield; Hugh Soret Kennedy, of Rio Vista; Diana Lyn Dicero and Hershel Smith, of Vacaville; Janice Marie Kaber, of West Sacramento; Jerry L. Joy, Rosaline Mae Rooker, and Estelle Frances Taylor, of Woodland.

VOTE ADDS

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

Senate Bill No. 796: Brownley, Galgiani, Levine, Ma, and Strickland—Aye.

Senate Bill No. 641: Anderson, Berryhill, Galgiani, Horton, Houston, Huff, Levine, Ma, and Strickland—Aye.

Assembly Bill No. 685, Concurrence: Berryhill, DeVore, Houston, Huff, Levine, Ma, and Strickland—Aye.

Senate Bill No. 278: Berryhill, Levine, Ma, and Strickland—Aye.

Senate Bill No. 100 and Urgency: Berryhill, Galgiani, Levine, and Ma—Aye; Anderson—No.

Senate Bill No. 165: Garcia, Jones, Levine, and Ma—Aye; Berryhill, Fuller, Houston, Keene, Strickland, and Villines—No.

Senate Bill No. 566: Hancock, Houston, Ma, Smyth, Solorio, Strickland, and Tran—Aye; Huff, Keene, Niello, Silva, and Villines—No.

Senate Bill No. 969: DeSaulnier, Hancock, Horton, Houston, Huff, Jones, Keene, Ma, Smyth, Solorio, and Strickland—Aye.

Consent Calendar: Horton, Houston, Huff, Jones, Keene, Ma, Smyth, and Strickland—Aye.

Senate Bills Nos. 106, 175, and 903, Resolution to Invoke Constitution: Berryhill, Houston, La Malfa, and Salas—Aye.

Senate Bill No. 106: Houston and Ma—Aye.

Assembly Bill No. 1738, Concurrence: Brownley—Aye.

Senate Bill No. 175: Brownley—No.

Senate Bill No. 903: Brownley—No.

Senate Bills Nos. 174 and 957, Resolution to Invoke Constitution: Galgiani and La Malfa—Aye.

Senate Bill No. 957: Galgiani and Hayashi—Aye.

Senate Bill No. 174: Hayashi and Salas—Aye.

MOTION TO ADJOURN

At 5:28 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 5:29 p.m., Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 29—Eng (Coauthors: Caballero, Davis, Laird, Leno, Ruskin, and Solorio) (Coauthors: Senators Kehoe and Migden). Relative to the Local Law Enforcement Hate Crimes Prevention Act.

AUTHOR'S AMENDMENTS Committee on Public Safety

June 28, 2007

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

Senate Bill No. 172

Senate Bill No. 391

Senate Bill No. 568

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

SOLORIO, Chair

SENATE BILL NO. 172—An act to amend Sections 290.04, 290.05, 290.3, 290.46, 3000, 5054.1, and 5054.2 of, and to amend and renumber Sections 288.3 and 3005 of, the Penal Code, relating to sex offenders, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 391—An act to add Section 3060.9 to the Penal Code, relating to corrections.

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. 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 Environmental Safety and Toxic Materials

June 28, 2007

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

Senate Bill No. 1001

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

HUFFMAN, Chair

SENATE BILL NO. 1001—An act to amend Sections 13201 and 13205 of, and to add Sections 13194, 13230, and 13232 to, the Water Code, relating to water quality.

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 28, 2007

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

Senate Bill No. 666

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

ENG, Chair

SENATE BILL NO. 666—An act to add Sections 7574.5, 7574.6, and 7574.7 to the Business and Professions Code, relating to security services.

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 28, 2007

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

Senate Bill No. 412

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

LEVINE, Chair

SENATE BILL NO. 412—An act to amend, repeal, and add Sections 25302 and 25303 of, and to add Chapter 6.5 (commencing with Section 25571) to Division 15 of the Public Resources 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

June 28, 2007

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

Senate Bill No. 732

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

CABALLERO, Chair

SENATE BILL NO. 732—An act to amend Sections 75076 and 75077 of, and to add Chapter 12 (commencing with Section 75100) to, and Chapter 13 (commencing with Section 75120) to, Division 43 of, the Public Resources Code, and to amend Section 10533 of, and to add Sections 10544 and 10544.5 to, the Water Code, relating to the environment.

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 28, 2007

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

Senate Bill No. 523

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

JONES, Chair

SENATE BILL NO. 523—An act to amend, repeal, and add Section 4505 of the Family Code, relating to child support.

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 28, 2007

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

Senate Bill No. 261

Senate Bill No. 771

Senate Bill No. 661

Senate Bill No. 785

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

DYMALLY, Chair

SENATE BILL NO. 261—An act to amend Section 1797.199 of, and to add Section 1797.1991 to, the Health and Safety Code, relating to emergency medical services.

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. 661—An act to add Section 655.7 to, and to repeal Section 655.6 of, the Business and Professions Code, relating to the 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. 771—An act to amend Section 125290.30 of the Health and Safety Code, relating to stem cell research.

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. 785—An act to add Sections 5777.7, 11376, 11380.9, and 16125 to the Welfare and Institutions Code, relating to public social services.

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 Education

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 490

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

MULLIN, Chair

Above bill ordered to the Committee on Health.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 946

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

MULLIN, Chair

Above bill re-referred to the Committee on Higher Education.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 537

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

MULLIN, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 924

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

PRICE, Chair

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

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Senate Bill No. 854

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

PRICE, Chair

Above bill re-referred to the Committee on Higher Education.

Committee on Local Government

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 418

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

CABALLERO, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 2

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

CABALLERO, Chair

Above bill re-referred to the Committee on Housing and Community Development.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 964

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

CABALLERO, Chair

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

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 886

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

CABALLERO, Chair

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

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 162

Senate Bill No. 604

Senate Bill No. 416

Senate Bill No. 719

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

CABALLERO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 114

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

CABALLERO, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 562

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

PARRA, Chair

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

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 470

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

PARRA, Chair

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

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 770

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

PARRA, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 839

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

TORRICO, Chair

Above bill re-referred to the Committee on Transportation.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 544

Senate Bill No. 624

Senate Bill No. 762

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

TORRICO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 190

Senate Bill No. 296

Senate Bill No. 449

Senate Bill No. 520

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

TORRICO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 233

Senate Bill No. 493

With the recommendation: Do pass.

CABALLERO, Chair

Above bills ordered to second reading.

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 437

Senate Bill No. 699

Senate Bill No. 819

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 bills be placed on the Consent Calendar.

CABALLERO, Chair

Above bills ordered to second reading.

Committee on Governmental Organization

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 519

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.

TORRICO, Chair

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 10

Senate Bill No. 516

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

CABALLERO, Chair

Above bills ordered to second reading.

Committee on Agriculture

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 281

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

PARRA, Chair

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

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 556

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

PARRA, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: June 26, 2007

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1

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

ENG, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: June 26, 2007

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 275

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

DYMALLY, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 889

Senate Bill No. 956

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

NAVA, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: June 26, 2007

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 768

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

JONES, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: June 25, 2007

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

Senate Bill No. 332

Senate Bill No. 428

Senate Bill No. 1012

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

LEVINE, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: June 26, 2007

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 63

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.

Committee on Insurance

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 869

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

COTO, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 528
Senate Bill No. 981

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

SALDAÑA, Chair

Above bills ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: June 25, 2007

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Senate Joint Resolution No. 7

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

LEVINE, Chair

Above resolution ordered to second reading.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

June 28, 2007

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 281

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

ENG, Chair

SENATE BILL NO. 281—An act to add Section 4059 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 28, 2007

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Senate Bill No. 946

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

PORTANTINO, Chair

SENATE BILL NO. 946—An act to amend Section 60641 of, and to add Sections 78213.5 and 78213.8 to, the Education Code, relating to community colleges.

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.

MESSAGES FROM THE SENATE

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 140 | Assembly Bill No. 965 |
| Assembly Bill No. 181 | Assembly Bill No. 1175 |
| Assembly Bill No. 227 | Assembly Bill No. 1196 |
| Assembly Bill No. 265 | Assembly Bill No. 1287 |
| Assembly Bill No. 332 | Assembly Bill No. 1283 |
| Assembly Bill No. 390 | Assembly Bill No. 1376 |
| Assembly Bill No. 432 | Assembly Bill No. 1462 |
| Assembly Bill No. 473 | Assembly Bill No. 1513 |
| Assembly Bill No. 485 | Assembly Bill No. 1568 |
| Assembly Bill No. 542 | Assembly Bill No. 1640 |
| Assembly Bill No. 775 | Assembly Bill No. 1678 |
| Assembly Bill No. 913 | Assembly Bill No. 1698 |
| Assembly Bill No. 957 | Assembly Bill No. 1716 |

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

Above bills ordered enrolled.

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 10
- Assembly Concurrent Resolution No. 20
- Assembly Concurrent Resolution No. 25
- Assembly Concurrent Resolution No. 26
- Assembly Concurrent Resolution No. 27
- Assembly Concurrent Resolution No. 30
- Assembly Concurrent Resolution No. 31
- Assembly Concurrent Resolution No. 39
- Assembly Concurrent Resolution No. 41
- Assembly Joint Resolution No. 14
- Assembly Joint Resolution No. 17
- Assembly Joint Resolution No. 19

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

Above resolutions ordered enrolled.

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- | | |
|---------------------|-------------------------------|
| Senate Bill No. 170 | Senate Bill No. 330 |
| Senate Bill No. 183 | Senate Bill No. 649 |
| Senate Bill No. 313 | Senate Joint Resolution No. 5 |

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

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 328 | Assembly Bill No. 774 |
| Assembly Bill No. 361 | Assembly Bill No. 1023 |
| Assembly Bill No. 470 | Assembly Bill No. 1208 |
| Assembly Bill No. 711 | Assembly Bill No. 1364 |
| Assembly Bill No. 714 | Assembly Bill No. 1514 |
| Assembly Bill No. 745 | Assembly Bill No. 1575 |
| Assembly Bill No. 749 | |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

- Assembly Concurrent Resolution No. 4
- Assembly Concurrent Resolution No. 22
- Assembly Concurrent Resolution No. 35

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- Senate Bill No. 198
- Senate Bill No. 586

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

Senate Chamber, June 28, 2007

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Senate Concurrent Resolution No. 50
- Senate Concurrent Resolution No. 51
- Senate Concurrent Resolution No. 55
- Senate Concurrent Resolution No. 59

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 198—An act to amend Section 11139.3 of the Government Code, relating to homeless youth, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 586—An act to add Section 53545.9 to, and to add Chapter 8.5 (commencing with Section 50705) to Part 2 of Division 31 of, the Health and Safety Code, relating to housing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 50—Relative to child abuse and neglect.

SENATE CONCURRENT RESOLUTION NO. 51—Relative to the Lieutenant Michael Elvin Walker Memorial Highway.

SENATE CONCURRENT RESOLUTION NO. 55—Relative to autism spectrum disorders.

SENATE CONCURRENT RESOLUTION NO. 59—Relative to Valley Fever Awareness Month.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
63 -----	Trans.

House

<i>Resolution No.</i>	<i>Committee</i>
17 -----	L. & E.

<i>Senate</i>	<i>Committee</i>
<i>Bill No.</i>	
133 -----	Ins.
542 -----	Pub. S.
558 -----	L. Gov.
725 -----	Hum. S. and Health
863 -----	G.O.

AUTHOR'S AMENDMENTS
Committee on Local Government

June 28, 2007

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

Senate Bill No. 558

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

CABALLERO, Chair

SENATE BILL NO. 558—An act 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 Insurance

June 28, 2007

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

Senate Bill No. 133

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

COTO, Chair

SENATE BILL NO. 133—An act to add and repeal Section 29485 of the Government Code, relating to federal forest reserve funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

June 28, 2007

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

Senate Bill No. 906

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

COTO, Chair

SENATE BILL NO. 906—An act to add Section 4608.1 to the Labor Code, relating to workers' compensation.

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 28, 2007

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Senate Bill No. 863

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

TORRICO, Chair

SENATE BILL NO. 863—An act to amend Section 19401 of the Business and Professions Code, relating to horse racing.

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.

ADJOURNMENT

At 6 p.m., pursuant to the motion by Assembly Member Bass, the Assembly adjourned until 7 a.m., Monday, July 2, 2007, out of respect to the memory of Dorothy Aguero, Jim Handley, Jr., and Patrick McCrary, on motion of Assembly Member Aghazarian; out of respect to the memory of Bhagwan K. Dhaliwal, on motion of Assembly Member Arambula; out of respect to the memory of Jill Ann Logan Bedecarre, on motion of Assembly Member DeSaulnier; out of respect to the memory of Elsie J. Hawkins, on motion of Assembly Member Dymally; out of respect to the memory of Paul David Butler and Josephine Osborn, on motion of Assembly Member Evans; out of respect to the memory of Hildreth Baker, on motion of Assembly Member Feuer; out of respect to the memory of Major General G. Walter Titus, on motion of Assembly Member Houston; out of respect to the memory of Frank Warren Reed, Jr., Jerry Michael Holland, Joseph Patrick Mahoney, Bonnie Joyce Nelson, Robert Eugene Parscal, Gerald A. Philipp, Clifton Alva Williams, Hugh Soret Kennedy, Diana Lyn Dicero, Hershel Smith, Janice Marie Kaber, Jerry L. Joy, Rosaline Mae Rooker and Estelle Frances Taylor, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 28, 2007

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

ACR	RN	SB	RN
59	0722276	568	0723230
		661	0723302
		666	0723157
SB	RN	684	0722271
39	0723068	732	0723423
67	0722999	753	0722966
127	0723002	771	0723264
133	0723080	785	0723249
134	0722624	795	0723069
163	0723126	863	0722871
172	0723135	906	0722639
261	0723353	946	0723261
281	0723365	1001	0721372
350	0723125	1017	0723215
391	0723298		
412	0722935	SCR	RN
425	0722530	32	0722273
484	0722277	37	0722279
523	0723028		
558	0723131		
Daily Total:		33	
Cumulative Total:		2295	

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