

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 10, 2007**

**ONE HUNDREDTH SESSION DAY**

**TWO HUNDRED NINETEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, July 10, 2007

The Assembly met at 9 a.m.

Hon. Guy Houston, Assembly Member, 15th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—80:

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

Quorum present.

**At 11:34 a.m., Hon. Patty Berg, 1st District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### SPECIAL COMMITTEE MEETINGS

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

Judiciary, to hold an informational hearing, on Tuesday, July 17, 2007, at 9:30 a.m., in Room 4202;

Select Committee on Alcohol and Drug Abuse, on Tuesday, July 17, 2007, at 10:30 a.m.;

Joint Legislative Committee on Emergency Services and Homeland Security to hold an informational hearing on Wednesday, July 18, 2007, at 1 p.m., in Room 437;

Select Committee on Foster Care to hold a joint informational hearing with the Select Committee on Youth Violence Prevention, on Wednesday, July 18, 2007, at 11 a.m.

**REPORTS OF STANDING COMMITTEES****Committee on Jobs, Economic Development, and the Economy**

Date of Hearing: July 3, 2007

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

Senate Bill No. 341

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

ARAMBULA, Chair

Above bill ordered to second reading.

**Committee on Business and Professions**

Date of Hearing: July 10, 2007

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

Senate Bill No. 534

Senate Bill No. 801

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

ENG, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Transportation**

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 210

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

NAVA, Chair

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

Date of Hearing: July 2, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 432

With the recommendation: Do pass, as amended.

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.

NAVA, Chair

Above bill ordered to second reading.

**Committee on Elections and Redistricting**

Date of Hearing: July 3, 2007

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

Senate Bill No. 884

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

PRICE, Chair

Above bill ordered to second reading.

Date of Hearing: July 3, 2007

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

Senate Bill No. 382

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

PRICE, Chair

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: June 27, 2007

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 776

With the recommendation: Do pass, as amended.

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.

LENO, Chair

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 19

Senate Bill No. 716

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.

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 45

Senate Bill No. 717

Senate Bill No. 974

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

NAVA, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Natural Resources**

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 410

Senate Bill No. 886

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

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 470

Senate Bill No. 562

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

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 2, 2007

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 815

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

HANCOCK, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 836

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

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 771

With the recommendation: Do pass.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 407

With the recommendation: Do pass.

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

JONES, Chair

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 51

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

NAVA, Chair

Above resolution re-referred to the Committee on Appropriations.

**Committee on Judiciary**

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 29

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

JONES, Chair

Above resolution ordered to second reading.

**Committee on Transportation**

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 140

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

NAVA, Chair

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: July 3, 2007

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 133

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

COTO, Chair

Above bill ordered to second reading.

**Committee on Higher Education**

Date of Hearing: July 3, 2007

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 458

Senate Bill No. 673

Senate Bill No. 854

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

PORTANTINO, Chair

Above bills ordered to second reading.

Date of Hearing: July 3, 2007

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 832

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

PORTANTINO, Chair

Above bill ordered to second reading.

**Committee on Water, Parks and Wildlife**

Date of Hearing: July 10, 2007

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

Senate Bill No. 742

Senate Bill No. 1002

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

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

**AUTHOR'S AMENDMENTS****Committee on Natural Resources**

July 10, 2007

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

Senate Bill No. 210

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

HANCOCK, Chair

**SENATE BILL NO. 210**—An act to add Section 43866.5 to, and to add Part 5.5 (commencing with Section 38575) to Division 25.5 of, the Health and Safety Code, relating to air pollution.

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

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

July 10, 2007

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 630

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

LENO, Chair

**SENATE BILL NO. 630**—An act to add Section 15819.70 to the Government Code, and to repeal Section 4 of Chapter 252 of the Statutes of 1998, relating to public works, making an appropriation therefor, 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 Appropriations**

July 10, 2007

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 774

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

LENO, Chair

**SENATE BILL NO. 774**—An act to amend Sections 25214.14, 25214.15, and 25214.16 of the Health and Safety Code, relating to hazardous packaging.

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

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

July 10, 2007

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 197

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

LENO, Chair

**SENATE BILL NO. 197**—An act to amend Section 8263 of the Education Code, relating to child care.

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

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

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 8**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to eminent domain.

Resolution read second time; amendments proposed by the Committee on Judiciary read and adopted; resolution ordered reprinted and to be re-referred to the Committee on Rules.

**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. 976 and 250**, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 698**—An act to amend Section 1255.410 of, and to add Section 1250.115 to, the Code of Civil Procedure, relating to eminent domain.

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 Rules.

**SENATE BILL NO. 419**—An act to amend Sections 32631, 32632, 32633, 32634, 32639, 32645, 32646, and 32661 of the Public Resources Code, relating to the San Diego River Conservancy.

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

**SENATE BILL NO. 980**—An act to amend Sections 25300, 25302.5, and 25303 of the Public Resources Code, relating to energy.

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 Appropriations.

**SENATE BILL NO. 187**—An act to add Section 2932.3 to the Fish and Game Code, relating to the Salton Sea.

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

**SENATE BILL NO. 387**—An act to add Sections 1625.3, 1625.4, and 1625.5 to the Business and Professions Code, and to amend Section 13407 of the Corporations Code, relating to dentistry.

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. 690**—An act to amend Section 13300 of the Penal Code, relating to crime.

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

**SENATE BILL NO. 406**—An act to amend Sections 49110, 49110.1, 49111, and 49117 of, and to add Section 49110.2 to, the Education Code, relating to pupils.

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

**SENATE BILL NO. 880**—An act to amend, repeal, and add Section 653o of the Penal Code, relating to crime.

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



**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 Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 284**—An act to add and repeal Chapter 5.8 (commencing with Section 2697) of Division 2 of the Business and Professions Code, relating to athletic trainers.

Bill read second time; amendments proposed by the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media read and adopted; bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1040**—An act to amend Sections 25302.5 and 25534 of the Public Resources Code, to amend Sections 5, 20, 216, 228.5, 353.11, 366.2, 380, 387, 387.5, 394.5, 395.5, 399.12, 701.8, 761.3, 848, 2774.5, 2827, 2852, 3302, 7000, 8340, and 9604 of, to amend and renumber Section 399.25 of, to add Section 224.3 to, to repeal Section 399.1 of, to repeal the heading of Article 15 of Chapter 2.3 of, and to repeal the heading of Article 5 of Chapter 2.5 of, Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce 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. 713**—An act to amend Section 50199.20 of, and to repeal Chapter 3.7 (commencing with Section 50199.50) of Part 1 of Division 31 of, the Health and Safety Code, and to amend Sections 12206, 17058, and 23610.5 of, and to repeal Sections 17053.14, 23608.2, and 23608.3 of, the Revenue and Taxation Code, relating to housing.

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

**SENATE BILL NO. 1001**—An act to amend Sections 13201, 13205, and 13388 of, and to add Sections 13194, 13230, and 13232 to, the Water Code, relating to water quality.

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

**SENATE BILL NO. 701**—An act to add and repeal Division 10.5 (commencing with Section 12200) of the Public Resources Code, relating to forest resources.

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

**SENATE BILL NO. 473**—An act to add Section 11006 to the Government Code, relating to state agencies.

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

**SENATE BILL NO. 306**—An act to amend Section 129765 of, and to add Section 130061.5 to, the Health and Safety Code, relating to health facilities.

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

**SENATE BILL NO. 370**—An act to amend Section 14133.8 of, to add Sections 14132.69 and 14132.71 to, and to repeal Sections 14132.5 and 14132.7 of, the Welfare and Institutions Code, relating to Medi-Cal.

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

**SENATE BILL NO. 490**—An act to add Section 49431.7 to the Education Code, relating to pupil nutrition.

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

**SENATE BILL NO. 564**—An act to amend Sections 124174 and 124174.2 of, and to add Section 124174.6 to, the Health and Safety Code, relating to child health.

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

**SENATE BILL NO. 633**—An act to amend Section 1262.5 of the Health and Safety Code, relating to persons with disabilities.

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

**SENATE BILL NO. 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; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 840**—An act to add Division 113 (commencing with Section 140000) to the Health and Safety Code, relating to health care coverage.

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

**SENATE BILL NO. 137**—An act to amend Section 123870 of the Health and Safety Code, relating to children's health.

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

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

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

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Wednesday, July 11, 2007.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 10, 2007**

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

**ACA RN**

8 0724058

**SB RN**

127 0724021  
137 0723854  
187 0724023  
197 0723961  
210 0723041  
284 0723944  
306 0724045  
370 0724040  
387 0724159  
406 0723402  
419 0723966  
473 0724134  
490 0724101  
564 0724147  
630 0724413  
633 0724150  
645 0724072  
690 0723222  
698 0724015  
701 0723967  
713 0724110  
774 0724239  
785 0724154  
840 0724042  
880 0724053  
980 0724012  
1001 0724081  
1040 0724025

**Daily Total: 29****Cumulative Total: 2412**