

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 11, 2007

**ONE HUNDRED FIRST SESSION DAY
TWO HUNDRED TWENTIETH 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
Wednesday, July 11, 2007

The Assembly met at 9 a.m.

Hon. Martin Garrick, Assembly Member, 74th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

ROLL CALL

The following were placed upon the morning roll call—77:

Adams	Dymally	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	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	
Duvall	Jones	Price	

Quorum present.

At 12:10 p.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.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Anderson and Spitzer.

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

EXPLANATIONS OF ABSENCE

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

July 11, 2007

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

Dear Mr. Speaker: I respectfully request to be excused for Check-In Session Wednesday, July 11, 2007 for legislative business.

If you have any questions, please contact Victoria Stewart in my office at 319-2077. Thank you for your consideration of this request.

Sincerely,

JOEL ANDERSON, Assembly Member
Seventy-seventh District

July 9, 2007

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

Dear Mr. Speaker: I would like to be excused from check-in session on Wednesday, July 11, 2007 for legislative business in my district.

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

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

SPECIAL COMMITTEE MEETINGS

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

Natural Resources, on Thursday, July 12, 2007, upon adjournment of Floor Session.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 11, 2007

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

Assembly Constitutional Amendment No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, July 11, 2007

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

Assembly Bill No. 61
 Assembly Bill No. 104
 Assembly Bill No. 361
 Assembly Bill No. 452
 Assembly Bill No. 470
 Assembly Bill No. 711
 Assembly Bill No. 714
 Assembly Bill No. 745

Assembly Bill No. 905
 Assembly Bill No. 924
 Assembly Bill No. 946
 Assembly Bill No. 1126
 Assembly Bill No. 1208
 Assembly Bill No. 1211
 Assembly Bill No. 1326

And reports the same correctly enrolled, and presented to the Governor on the 11th day of July, 2007, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 11, 2007

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

Assembly Bill No. 1364
 Assembly Bill No. 1495
 Assembly Bill No. 1514
 Assembly Bill No. 1575

Assembly Bill No. 1639
 Assembly Bill No. 1715
 Assembly Bill No. 1718
 Assembly Bill No. 1732

And reports the same correctly enrolled, and presented to the Governor on the 11th day of July, 2007, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

July 11, 2007

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 529

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

CALDERON, Chair

SENATE BILL NO. 529—An act to add Article 1.7 (commencing with Section 7067) to Chapter 8 of Part 1 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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 11, 2007

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

Senate Bill No. 666

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

LENO, 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.

REPORTS OF STANDING COMMITTEES
Committee on Health

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Health reports:
Assembly Joint Resolution No. 30
Assembly Joint Resolution No. 31

With the recommendation: Be adopted.

DYMALLY, Chair

Above resolutions ordered to third reading.

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Health reports:
Senate Bill No. 725

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

DYMALLY, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Human Services reports:
Senate Bill No. 434

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

BEALL, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 10, 2007

Mr. Speaker: Your Committee on Human Services reports:
Senate Bill No. 489

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

BEALL, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: July 11, 2007

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 2

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

SALDAÑA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 11, 2007

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 198

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.

SALDAÑA, Chair

Above bill ordered to second reading.

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:

Assembly Joint Resolution No. 22

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

ARAMBULA, Chair

Above resolution ordered on file.

Committee on Transportation

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 748

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

NAVA, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1036

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 Appropriations

Date of Hearing: July 11, 2007

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 630

With the recommendation: Do pass.

LENO, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: July 3, 2007

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 396

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

JONES, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: July 3, 2007

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 48

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.

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

ASSEMBLY JOINT RESOLUTION NO. 29—Relative to the Local Law Enforcement Hate Crimes Prevention Act.

Resolution read second time, and ordered to third reading.

**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. 690, 406, 880, 127, and 284, ordered to third reading;

Senate Bill No. 1040, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 341—An act to amend Section 7075 of the Government Code, relating to economic development.

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

SENATE BILL NO. 432—An act to amend Sections 21455.7 and 21461 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation 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. 884—An act to add Sections 30327.5 and 30327.6 to the Public Resources Code, relating to coastal resources.

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

SENATE BILL NO. 382—An act to amend Sections 331 and 3500 of the Elections Code, relating to elections.

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

SENATE BILL NO. 776—An act to amend Section 1522 of the Health and Safety Code, and to amend Section 16504.5 of the Welfare and Institutions Code, relating to community care facilities.

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. 19—An act to amend Section 8879.23 of the Government Code, relating to air pollution.

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. 716—An act to add Section 14528 to the Government 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. 815—An act to amend Section 2.1 of Chapter 1333 of the Statutes of 1968, and to amend Sections 2, 3, 4, 7, and 12 of Chapter 543 of the Statutes of 2004, relating to tidelands and submerged lands.

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. 771—An act to amend Section 3344.1 of the Civil Code, relating to deceased personalities.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 407—An act to amend Sections 1037.1, 1037.2, 1037.4, and 1037.5 of the Evidence Code, and to amend Section 679.05 of the Penal Code, relating to domestic violence.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 140—An act to add Section 13452 to the Business and Professions Code, and to add Section 43836 to the Health and Safety Code, relating to fuels.

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 Natural Resources.

SENATE BILL NO. 133—An act to add Article 8 (commencing with Section 12418) to Chapter 1 of Part 6 of Division 2 of the Insurance Code, relating to insurance.

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

SENATE BILL NO. 458—An act to add Article 1.6 (commencing with Section 104165) to Chapter 2 of Part 1 of Division 103 of the Health and Safety Code, relating to lung cancer.

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

SENATE BILL NO. 673—An act to amend Section 69613 of the Education Code, relating to teachers.

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

SENATE BILL NO. 854—An act to amend Section 2146 of, and to add Section 2148 to, the Elections Code, relating to voter registration.

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

SENATE BILL NO. 832—An act to add Section 66407 to the Education Code, relating to postsecondary education.

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

ADJOURNMENT

At 3:55 p.m., the Assembly adjourned until 9:30 a.m., Thursday, July 12, 2007.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 11, 2007**

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

AJR RN
29 0724250

SB RN
19 0723862
133 0724254
140 0724416
341 0722806
382 0724184
432 0724281
458 0723999
529 0724402
666 0724085
673 0724063
716 0724156
776 0723420
815 0723964
832 0724060
854 0724071
884 0724137

Daily Total: 17
Cumulative Total: 2429

O