

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 17, 2007**

**ONE HUNDRED FOURTH SESSION DAY  
TWO HUNDRED TWENTY-SIXTH 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 17, 2007

The Assembly met at 7 a.m.

Hon. Anthony Adams, Assembly Member, 59th 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 1:46 p.m., Hon. Doug La Malfa, 2nd District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

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

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 17, 2007

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

Assembly Concurrent Resolution No. 68

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, July 17, 2007

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

Assembly Concurrent Resolution No. 67

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

July 17, 2007

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

Senate Bill No. 19

Senate Bill No. 178

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

LENO, Chair

**SENATE BILL NO. 19**—An act to amend Section 8879.23 of the Government Code, relating to air pollution.

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

**SENATE BILL NO. 178**—An act to amend Section 12924 of, and to add Part 2.11 (commencing with Section 10920) to Division 6 of, the Water Code, relating to water.

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

**REPORTS OF STANDING COMMITTEES**  
**Committee on Natural Resources**

Date of Hearing: July 9, 2007

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 412

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.

Date of Hearing: July 2, 2007

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 660

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 Education**

Date of Hearing: July 12, 2007

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 405

Senate Bill No. 676

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

MULLIN, Chair

Above bills ordered to second reading.

Date of Hearing: July 11, 2007

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 345

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

MULLIN, Chair

Above bill ordered to second reading.

Date of Hearing: July 12, 2007

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 533

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

MULLIN, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
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. 650, 959, 606, and 415**, ordered to third reading;

**Senate Bill No. 1051**, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 375**—An act to amend Sections 65070, 65074, 65080, 65080.5, 65081.3, 65082, 65088.1, and 65088.4 of, and to add Sections 14522.1, 14522.2, 14522.5, and 65086.6 to, the Government Code, and to add Chapter 4.2 (commencing with Section 21155) to Division 13 of the Public Resources Code, relating to environmental quality.

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. 823**—An act to amend Sections 146, 149, and 473.1 of the Business and Professions Code, and to add and repeal Chapter 7 (commencing with Section 94700) of Part 59 of Division 10 of Title 3 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

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. 515**—An act to amend Section 13997.1 of the Government Code, relating to international trade.

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. 765**—An act to add and repeal Chapter 12.92 (commencing with Section 7096) of Division 7 of Title 1 of the Government Code, relating to economic development, and making an appropriation therefor.

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. 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; 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. 305**—An act to amend Section 60640 of the Education Code, relating to pupil assessment.

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

**SENATE BILL NO. 601**—An act to amend Sections 33352 and 51241 of, and to add Article 9.5 (commencing with Section 44620) to Chapter 3 of Part 25 of Division 3 of Title 2 of, the Education Code, relating to teachers.

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

**SENATE BILL NO. 667**—An act to add Section 42283.3 to the Education Code, relating to school finance.

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

**SENATE BILL NO. 734**—An act to add Sections 60050 and 60227 to the Education Code, relating to instructional materials, and making an appropriation therefor.

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

**SENATE BILL NO. 909**—An act to amend Section 35120 of the Education Code, relating to school districts.

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. 240**—An act to add Chapter 5.8 (commencing with Section 40610) to Part 3 of Division 26 of the Health and Safety Code, relating to air pollution.

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. 29**—An act to add and repeal Section 46001 of the Education Code, relating to pupils.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 777**—An act to amend Sections 200, 220, 235, 260, 14058, 18701, 18710, 18720, 19323, 35316, 35351, 39830, 44253.2, 44253.3, 44866, 46192, 47605, 51004, 51500, 51501, 51802, 60044, 60800, 66030, 66210, 66250, 66251, 66270, 66292, 66292.1, 66292.2, 69535, 72011, 72012, 72014, 82305.6, 89757, 92150, and 94600 of, to amend and renumber Sections 220.5 and 66270.5 of, to amend, renumber, and add Section 210.1 of, to add Sections 210.7, 212.1, 212.3, 212.6, 219, 66260.5, 66260.7, 66261.5, 66261.7, 66262.7, and 66269 to, to repeal Section 72013 of, and to repeal and add Sections 212 and 66262 of, the Education Code, relating to education.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 139**—An act to amend Sections 70101, 70120, 70124, 78261, 87482, 89267, and 92645 of, and to add Sections 66055.8, 66055.9, 70128.5, and 78261.3 to, the Education Code, and to add Article 5 (commencing with Section 128050) to Chapter 2 of Part 3 of Division 107 of the Health and Safety Code, relating to nursing education.

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

**SENATE BILL NO. 164**—An act to amend Sections 124977 and 125002 of the Health and Safety Code, relating to maternal and child health, and making an appropriation therefor.

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. 265**—An act to add Section 1756.5 to the Welfare and Institutions Code, relating to the Division of Juvenile Justice.

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

**SENATE BILL NO. 1029**—An act to add Sections 116365.01 and 116365.02 to the Health and Safety Code, relating to drinking water standards.

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

**SENATE BILL NO. 916**—An act to amend Section 1799.111 of the Health and Safety Code, relating to health facilities.

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. 686**—An act to amend Sections 6002.1, 6071, 6079.1, 6086.65, 6126, and 6140 of, to add and repeal Section 6140.35 of, and to repeal Section 6140.3 of, the Business and Professions Code, relating to the practice of law.

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. 702**—An act to amend Sections 1675 and 2985 of the Civil Code, relating to housing.

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. 859**—An act to amend Sections 44253.3 and 44253.4 of, to add Sections 44274.3, and 44274.4 to, and to add and repeal Section 44300.1 of, the Education Code, relating to teacher credentialing.

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

**SENATE BILL NO. 890**—An act to add and repeal Article 6.3 (commencing with Section 54710) of Chapter 9 of Part 29 of Division 4 of Title 2 of 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 re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1003**—An act to amend Section 60242 of, and to add Section 60200.1 to, the Education Code, relating to instruction, and making an appropriation therefor.

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

**SENATE BILL NO. 20**—An act to amend Section 49430 of, and to add Section 49430.7 to, the Education Code, relating to pupil nutrition, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 21**—An act to add Chapter 18 (commencing with Section 53090) to Part 28 of Division 4 of Title 2 of the Education Code, relating to school-to-career programs.

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

**SENATE BILL NO. 35**—An act to amend Sections 17077.40 and 17077.42 of the Education Code, relating to school facilities.

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

**SENATE BILL NO. 44**—An act to add Article 4.5 (commencing with Section 90535 and Article 5.5 (commencing with Section 90545) to, and to add and repeal Article 5 (commencing with Section 90540) of, Chapter 11 of Part 55 of Division 8 of Title 3 of the Education Code, relating to teacher development, and making an appropriation therefor.

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

**SENATE BILL NO. 121**—An act to amend Sections 17071.35 and 42263 of the Education Code, relating to school facilities.

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

**SENATE BILL NO. 123**—An act to amend Section 60852.4 of, and to add Sections 60852.2 and 60852.3 to, the Education Code, relating to the high school exit examination.

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

**SENATE BILL NO. 219**—An act to amend Section 52052 of the Education Code, relating to pupil achievement.

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

**SENATE BILL NO. 658**—An act to amend, repeal, and add Section 17071.75 of the Education Code, relating to school facilities.

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

**SENATE BILL NO. 704**—An act to amend Sections 17072.10 and 17072.11 of, and to add Section 17070.64 to, the Education Code, relating to school facilities.

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

**SENATE BILL NO. 314**—An act to amend Section 8070 of, and to add Section 97 to, the Education Code, relating to career technical education.

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

**SENATE BILL NO. 132**—An act to amend Sections 1240, 1242.5, 5017, 8222, 8223, 8236, 8265, 8266, 8279.1, 17608, 18444, 18830, 35035, 44258.9, 44269, 44270, 44300, 44302, 44386, 44506, 44868, 44869, 48900, 49452.8, 52055.625, 52302, 52302.2, 52321, 52379, 54022, 54023, 54026, 56351.5, 60242, 60640, and 99237 of, to add Sections 41544 and 52325 to, to repeal Sections 8266.5 and 8451 of, and to repeal Article 5.6 (commencing with Section 44305) of Chapter 2 of Part 25 of Division 3 of Title 2 of, the Education Code, relating to education.

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, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 567**—An act relating to state property, and making an appropriation therefor.

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. 411**—An act to amend Section 399.15 of the Public Utilities Code, relating to energy.

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

**SENATE BILL NO. 7**—An act to add Article 2.5 (commencing with Section 118947) to Chapter 4 of Part 15 of Division 104 of the Health and Safety Code, and to amend Section 12814.6 of the Vehicle Code, relating to public health.

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



**SENATE BILL NO. 730**—An act to amend Sections 19801, 19805, 19852, 19853, 19854, 19867, 19872, and 19876 of the Business and Professions Code, and to add Section 336.5 to the Penal Code, relating to gambling.

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

**SENATE BILL NO. 863**—An act to amend Section 19401 of, and to add Sections 19421.3 and 19421.5 to, the Business and Professions Code, relating to horse racing.

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

**SENATE BILL NO. 698**—An act to amend Section 1255.410 of the Code of Civil Procedure, and to amend Section 7267.2 of the Government Code, relating to eminent domain.

Bill read second time, and ordered to third reading.

#### **ADJOURNMENT**

At 4:30 p.m., the Assembly adjourned until 1:30 p.m., or upon Call of the Speaker, Wednesday, July 18, 2007.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 17, 2007

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

SB	RN	SB	RN
7	0724777	411	0724556
19	0724836	515	0724779
20	0724668	567	0724555
21	0724718	601	0723607
35	0724679	658	0724671
44	0724688	667	0724178
121	0724676	686	0724854
123	0724675	702	0724796
132	0724678	704	0724484
139	0724725	730	0724997
163	0724497	734	0724104
164	0724362	765	0724189
178	0724740	823	0724204
219	0724616	859	0724680
240	0724477	863	0724745
261	0724457	890	0724673
265	0724625	909	0723925
305	0723399	916	0724714
314	0724670	1003	0724677
375	0724708	1029	0724731

<b>Daily Total:</b>	<b>40</b>
<b>Cumulative Total:</b>	<b>2524</b>

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