

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 26, 2008**

**TWO HUNDRED THIRTY-FIFTH SESSION DAY  
SIX HUNDRED THIRTY-SECOND 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, August 26, 2008

The Assembly met at 7 a.m.

Hon. Ira Ruskin, Assembly Member, 21st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Gregory Vellines reading.

#### ROLL CALL

The following were placed upon the morning roll call—60:

Adams	Dymally	Huff	Parra
Aghazarian	Emmerson	Huffman	Plescia
Anderson	Eng	Karnette	Portantino
Arambula	Feuer	Keene	Price
Berg	Fuentes	La Malfa	Runner
Berryhill	Fuller	Leno	Ruskin
Blakeslee	Furutani	Levine	Salas
Brownley	Gaines	Lieber	Silva
Caballero	Galgiani	Lieu	Smyth
Calderon	Garcia	Maze	Swanson
Cook	Garrick	Mullin	Torrico
Coto	Hancock	Nakanishi	Villines
De La Torre	Hayashi	Nava	Walters
DeVore	Hernandez	Niello	Wolk
Duvall	Houston	Núñez	Mme. Speaker

Quorum present.

**At 1:32 p.m., Hon. Nicole Parra, 30th 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 Beall, Benoit, DeSaulnier, Evans, and Spitzer.*

*On personal business, and waiving per diem: Assembly Members Carter, Davis, De León, Horton, Jones, Laird, Ma, Mendoza, Saldaña, Solorio, and Tran.*

*Because of illness: Assembly Member Soto.*

*Because of illness in their families: Assembly Members Jeffries and Krekorian.*

*Due to travel delays: Assembly Member Strickland.*

**EXPLANATIONS OF ABSENCE**

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

August 25, 2008

*Speaker Karen Bass  
California State Assembly  
Room 219, State Capitol  
Sacramento, California*

Dear Mme. Speaker: I respectfully request to be excused from the Assembly Check-In Session on Tuesday August 26, 2008. I will be in my district during this time attending to legislative business.

Thank you for your attention to this request.

Sincerely,

JIM BEALL, JR., Assembly Member  
Twenty-fourth District

August 25, 2008

*The Honorable Karen Bass, Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Bass: I respectfully write to request that I be excused from Check-In Session tomorrow, August 26, 2008. The purpose for my absence is so that I can attend to legislative business in my District. Thank you for your consideration.

Sincerely,

JOHN J. BENOIT, Assembly Member  
Sixty-fourth District

August 25, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: I write to request that I be excused from Floor Session on Tuesday, August 26, 2008, due to legislative business in my district.

If you have any question regarding this request, please call Lynne West at 319-2011.

Sincerely,

MARK DE SAULNIER, Assembly Member  
Eleventh District

August 25, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mme. Speaker: I request to be excused from Session on Tuesday, August 26, 2008 for legislative business. Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member  
Seventh District

August 25, 2008

*The Honorable Karen Bass  
Speaker of the Assembly  
Room 219, State Capitol  
Sacramento, California*

Dear Mme. Speaker: I would like to be excused from check-in session on Tuesday, August 26, 2008, for legislative business in my district.

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

Sincerely,

TODD A. SPITZER, Assembly Member  
Seventy-first District

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 26, 2008

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 3034

And reports the same correctly enrolled, and presented to the Governor on the 26th day of August, 2008, at 9:45 a.m.

E. DOTSON WILSON, Chief Clerk

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Utilities and Commerce**

Date of Hearing: August 25, 2008

Mme. Speaker: Your Committee on Utilities and Commerce reports:  
Senate Bill No. 1762

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

LEVINE, Chair

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

#### **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. 1369 and 1422**, ordered to third reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 20, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 346  | Assembly Bill No. 2243 |
| Assembly Bill No. 550  | Assembly Bill No. 2309 |
| Assembly Bill No. 659  | Assembly Bill No. 2346 |
| Assembly Bill No. 734  | Assembly Bill No. 2379 |
| Assembly Bill No. 830  | Assembly Bill No. 2411 |
| Assembly Bill No. 844  | Assembly Bill No. 2433 |
| Assembly Bill No. 1022 | Assembly Bill No. 2543 |
| Assembly Bill No. 1221 | Assembly Bill No. 2594 |
| Assembly Bill No. 1502 | Assembly Bill No. 2622 |
| Assembly Bill No. 1887 | Assembly Bill No. 2679 |
| Assembly Bill No. 1916 | Assembly Bill No. 2696 |
| Assembly Bill No. 1959 | Assembly Bill No. 2729 |
| Assembly Bill No. 2071 | Assembly Bill No. 2747 |
| Assembly Bill No. 2132 | Assembly Bill No. 2757 |
| Assembly Bill No. 2158 | Assembly Bill No. 2785 |
| Assembly Bill No. 2179 | Assembly Bill No. 2824 |
| Assembly Bill No. 2205 | Assembly Bill No. 3010 |
| Assembly Bill No. 2233 | Assembly Bill No. 3084 |

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, August 21, 2008

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 572  | Assembly Bill No. 2570 |
| Assembly Bill No. 2261 | Assembly Bill No. 2630 |

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, August 22, 2008

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 239 | Assembly Bill No. 1057 |
| Assembly Bill No. 578 | Assembly Bill No. 1701 |
| Assembly Bill No. 619 | Assembly Bill No. 1821 |
| Assembly Bill No. 856 | Assembly Bill No. 1829 |
| Assembly Bill No. 978 |                        |

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, August 15, 2008

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

- Assembly Bill No. 3074

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.

August 26, 2008

*The Honorable E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Assembly Bill No. 2670 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Above bill ordered to unfinished business file.

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Senate Chamber, August 22, 2008

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

Assembly Bill No. 376  
Assembly Bill No. 2472  
Assembly Bill No. 3081

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

Above bills ordered enrolled.

Senate Chamber, August 20, 2008

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

Assembly Bill No. 2522

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

Above bill ordered enrolled.

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned until 12 noon, Wednesday, August 27, 2008.

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk