

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

SENATE DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 14, 2007

The Senate met at 12 p.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—39.

Quorum present.

(NOTE: Senator Battin will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Father Constantine Pappademos, Assembly Chaplain:

Lord, The psalmist has said that You bless those who believe in You and that You surround them with Your love and favor, as with a shield (Psalm 5:12). Help us, Lord, to learn how to expect the best, to anticipate success rather than failure and to see good rather than evil. No matter what difficulties may face us, You will bring us out of them stronger and better. Bless us this day, Lord, as we begin our work in the Senate and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Alquist led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing, May 9, 2007

Mr. President: The Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

SB 439

Reports the same back with the recommendation: Do pass as amended.

CALDERON, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, May 9, 2007

Mr. President: The Committee on Revenue and Taxation, to which was referred:

SB 264

Reports the same back with the recommendation: Do pass as amended.

OROPEZA, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, May 11, 2007

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 704

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

TORLAKSON, Chair



Second Reading of Bills—Author’s Amendments

Senate Bill 704—An act to amend Section 17072.11 of the Education Code, relating to school facilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, May 8, 2007

Mr. President: The Committee on Judiciary, to which was referred:

SB 639

Reports the same back with the recommendation: Do pass as amended, and be placed on the Consent Calendar.

CORBETT, Chair

Above measure ordered to second reading.

Date of Hearing, May 8, 2007

Mr. President: The Committee on Judiciary, to which was referred:

SB 223

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CORBETT, Chair

Above measure ordered to second reading.

Date of Hearing, May 8, 2007

Mr. President: The Committee on Judiciary, to which was referred:

SB 659

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

CORBETT, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, May 14, 2007

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 286

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

TORLAKSON, Chair



Second Reading of Bills—Author’s Amendments

Senate Bill 286—An act to amend Sections 8879.23 and 8879.28 of the Government Code, relating to transportation bonds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Labor and Industrial Relations

Date of Hearing, May 9, 2007

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

SB 906

Reports the same back with the recommendation: Do pass as amended.

MIGDEN, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 8, 2007

Mr. President: The Committee on Judiciary, to which were referred:

SB 407	SB 686	SB 767
SB 795	SB 822	SB 894

Reports the same back with the recommendation: Do pass as amended.

CORBETT, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, May 14, 2007

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 410

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

TORLAKSON, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 410—An act to amend Section 25742 of, and to amend and repeal Section 25740.5 of, the Public Resources Code, and to amend Section 387 of the Public Utilities Code, relating to renewable energy resources.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.



Committee on Natural Resources and Water

Date of Hearing, May 8, 2007

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 884

Reports the same back with the recommendation: Do pass as amended.

STEINBERG, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, May 8, 2007

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 660

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KEHOE, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, May 9, 2007

Mr. President: The Committee on Health, to which was referred:

SB 606

Reports the same back with the recommendation: Do pass as amended.

KUEHL, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, May 9, 2007

Mr. President: The Committee on Local Government, to which was referred:

SB 819

Reports the same back with the recommendation: Do pass as amended.

NEGRETE McLEOD, Chair

Above measure ordered to second reading.

Committee on Business, Professions and Economic Development

Date of Hearing, May 7, 2007

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

SB 284

Reports the same back with the recommendation: Do pass as amended.

RIDLEY-THOMAS, Chair

Above measure ordered to second reading.



Committee on Rules

Senate Chamber, May 14, 2007

Mr. President: The Chair of the Committee on Rules, to which was referred:

SB 694

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

PERATA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 694—An act to amend Section 8357 of the Education Code, relating to CalWORKs.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 694 pursuant to Joint Rule 58.

SENATOR ASHBURN

Permission of Rules Committee

Senate Chamber, May 14, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 694.

PERATA, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

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

Senate Bill 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, ordered engrossed, and to third reading.

Senate Bill 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, ordered engrossed, and to third reading.



CONSENT CALENDAR
Objections Raised

Senator Corbett objected to **SB 892** being on the Consent Calendar.

The President ordered the above measures placed on the third reading file.

Senator Migden objected to **SB 418** being on the Consent Calendar.

The President ordered the above measures placed on the third reading file.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Correa moved that **SB 644** be taken from the inactive file and placed on the second reading file.

Motion carried.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SCR 44** was withdrawn from Committee and placed on today's Special Consent Calendar.

SENATE RULE 55 WAIVED

Without objection Senate Rule 55 was waived to allow lobbyists on the floor for a special presentation.

REQUEST FOR UNANIMOUS CONSENT (SJR 7)

Senator Maldonado asked for, and was granted, unanimous consent that SJR 7 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Senate Joint Resolution 7

Senate Joint Resolution 7—Relative to renewable energy resources.
Resolution read third time and presented by Senator Maldonado.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (28)—Senators Ackerman, Alquist, Ashburn, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee.

NOES (3)—Senators Aanestad, Hollingsworth, and McClintock.

Resolution ordered transmitted to the Assembly



Senator Yee Presiding**UNFINISHED BUSINESS****Consideration of Governor's Appointment**

Senator Perata placed the following Governor's appointment before the Senate:

Linda S. Adams, Secretary, Environmental Protection Agency

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Cox, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator McClintock.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

George Woolverton, Member, Fair Employment and Housing Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (27)—Senators Ackerman, Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (10)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Harman, Hollingsworth, McClintock, Runner, and Wyland.

REQUEST TO SUSPEND JOINT RULES

The following request was presented by Senator Calderon:

Senate Chamber, May 11, 2007

Mr. Secretary: In accordance with the provisions of Joint Rules 10.8 and 55, I request permission to introduce a resolution to suspend the Joint Rules in order that **SCA 9** and **SCA 10** can be heard and acted upon within 30 days after introduction and printing.

SENATOR CALDERON



Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

PERATA, Chair

RESOLUTION TO SUSPEND JOINT RULES

Resolved, That Joint Rules 10.8 and 55 be suspended as requested.

Resolution read and presented by Senator Perata.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (33)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Lowenthal, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (2)—Senators Hollingsworth and McClintock.

REQUEST TO SUSPEND JOINT RULE 62(a)

Senator Kehoe requested unanimous consent to suspend Joint Rule 62(a) for the purpose of allowing AB 1714 to be heard the Committee on Energy, Utilities and Communications without four days notice in the daily file.

Senator McClintock withheld unanimous consent.

Motion to Suspend Joint Rule 62(a)**Roll Call**

The motion to suspend Joint Rule 62(a) carried by the following vote:

AYES (24)—Senators Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (10)—Senators Aanestad, Cogdill, Cox, Denham, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

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

Senate Bill 101—An act to make an appropriation in augmentation of the Budget Act of 2006, relating to the state budget, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden,



Negrete McLeod, Oropeza, Padilla, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Vincent, Wiggins, and Yee.

NOES (4)—Senators Aanestad, Hollingsworth, McClintock, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 832—An act to add Section 66407 to the Education Code, relating to postsecondary education.

Bill read third time and presented by Senator Corbett.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 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 third time and presented by Senator Migden.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Florez, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 357—An act to amend Sections 10202, 10202.8, 10203.4, and 10270.5 of the Insurance Code, relating to life insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 436—An act to amend Section 19601 of the Business and Professions Code, relating to horse racing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 519—An act to amend Section 11125.4 of the Government Code, relating to public meetings.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 520—An act to amend Section 24200.5 of, and to amend and renumber Section 24045.12 of, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 44—Relative to the Wakamatsu Tea and Silk Colony Day.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 31—Relative to Healthy Communities Awareness Month.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 970—An act to amend Section 12500 of the Business and Professions Code, relating to weights and measures.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 102—An act to amend Section 1645 of the Health and Safety Code, relating to blood transfusions.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 108—An act to amend Section 23356.1 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 159—An act to amend Section 927.2 of the Government Code, relating to the California Prompt Payment Act.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 273—An act to amend Sections 33382 and 33383 of the Education Code, relating to education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 295—An act to amend Section 30005.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 331—An act to add Section 602.12 to the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately .

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 351—An act to amend Section 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 363—An act to amend Section 44230.5 of the Education Code, relating to teacher credentialing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 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 third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 473—An act to add Section 11006 to the Government Code, relating to state agencies.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 523—An act to amend, repeal, and add Section 4505 of the Family Code, relating to child support.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 574—An act to amend Section 25503.85 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 589—An act to amend Section 18554 of the Health and Safety Code, relating to mobilehome parks.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 661—An act to amend Section 655.5 of, 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 third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 762—An act to add Section 23826.9 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 788—An act to amend Section 25114 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 841—An act to amend Section 1675 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 904—An act to amend Section 27203 of, and to add Section 6107.5 to, the Government Code, and to amend Section 103526 of the Health and Safety Code, relating to public records.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 921—An act to amend Section 19582 of the Business and Professions Code, relating to horse racing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

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

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1042—An act to amend Sections 75.52, 2504, 2613, 2781, 2782, 3362, 3372, and 3691 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 1043—An act to amend Section 19442 of the Revenue and Taxation Code, relating to tax administration.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1045—An act to amend Sections 63.1, 69.5, and 215.1 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1046—An act to amend Section 711.4 of the Fish and Game Code, and to amend Section 21161 of the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1047—An act to amend Sections 6533, 7058, 7071.6, 7071.9, 9812.5, 9830.5, 9831, 9832.5, 9841, 9847.5, 9848, 9849, 9851, 9853, 9855.7, 9855.8, 9855.9, 9860, 9862.5, 9863, 9873, 19008.1, 19129, 19132, and 19170.5 of, and to add Sections 101.7 and 9884.20 to, the Business and Professions Code, relating to professions and vocations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1048—An act to amend Sections 337, 2225, 2416, 2497.5, 2717, and 2732.05 of, to add Section 2471 to, and to repeal and add Section 3530 of, the Business and Professions Code, and to amend Sections 11372, 12529, and 12529.5 of the Government Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1051—An act to amend Sections 2201, 2205, 2211, 3752, 10231, and 10239 of the Public Resources Code, relating to conservation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 221—An act to amend Section 9350.6 of the Government Code, relating to the Legislators' Retirement System.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 431—An act to amend Section 20815 of the Government Code, relating to public employees' retirement.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 599—An act to amend Sections 1330, 1331, 1332, 1333, 1334, 1335, 1338, and 1340 of, and to add Section 1341 to, the Military and Veterans Code, and to repeal Article 11 (commencing with Section 18821) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans memorials.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 691—An act to amend Section 1338.5 of the Health and Safety Code, relating to nurse assistant certification costs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 764—An act to amend Section 127775 of the Health and Safety Code, relating to health care providers.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 978—An act to add Section 19551.5 to the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 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 third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 440—An act to add Section 8880.245 to the Government Code, relating to the California State Lottery.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 128—An act to amend Section 935.6 of, and to add Section 935.75 to, the Government Code, relating to state claims.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 230—An act to amend Section 20071 of, and to add Section 20070.5 to, the Health and Safety Code, relating to police protection districts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 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 third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 76—An act to amend Sections 53234 and 53235.1 of the Government Code, relating to local government.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 717—An act to add Section 7104.2 to the Revenue and Taxation Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

May 14, 2007

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

Gov. Appt. Linda Adams —Aye

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to illness: Senator Battin.



FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 1:15 p.m., on motion of Senator Ashburn, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Ashburn moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, May 15, 2007.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 14, 2007

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

SB 866

Above measure ordered enrolled.

Assembly Chamber, May 14, 2007

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

- | | | | |
|--------|---------|---------|---------|
| AB 722 | AB 568 | AB 1151 | AB 1467 |
| AB 101 | AB 580 | AB 1242 | AB 1513 |
| AB 169 | AB 595 | AB 1255 | AB 1514 |
| AB 373 | AB 691 | AB 1260 | AB 1585 |
| AB 403 | AB 766 | AB 1324 | AB 1640 |
| AB 484 | AB 821 | AB 1326 | AB 1723 |
| AB 524 | AB 1042 | AB 1435 | |

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 722—An act to amend Section 25402.5 of the Public Resources Code, relating to energy.

Assembly Bill 101—An act to amend, repeal, and add Section 40207 of, and to add and repeal Article 3.5 (commencing with Section 40240) of Chapter 1 of Division 17 of, the Vehicle Code, relating to vehicles.

Assembly Bill 169—An act to add Section 6530.5 to the Government Code, relating to joint powers authorities.



Assembly Bill 373—An act to amend Sections 53312.7, 53313, 53313.4, 53313.5, 53313.6, 53313.9, 53314.6, 53316.2, 53317, 53318, 53319, 53320, 53321.5, 53322.4, 53323, 53324, 53325, 53325.1, 53325.7, 53326, 53327, 53328, 53328.3, 53329, 53330.3, 53330.5, 53332, 53336, 53339, 53339.2, 53339.3, 53339.5, 53339.6, 53339.7, 53339.8, 53340, 53340.2, 53341.5, 53343, 53343.1, 53344, 53345, 53352, 53354, 53355, 53356, 53356.1, 53356.3, 53356.6, 53359.5, 53360, 53362.5, 53363.7, 53364.2, 53364.5, and 53753 of, to add Section 53356.1.5 to, and to repeal Sections 53342 and 53344.2 of, the Government Code, to amend Section 3712 of the Revenue and Taxation Code, and to amend Sections 3110, 3113, 3114.5, 3115.5, and 3117.5 of, and to add Section 8837 to, the Streets and Highways Code, relating to local government.

Assembly Bill 403—An act to amend Sections 954 and 955 of the Evidence Code, and to amend Section 12252 of the Probate Code, relating to attorney-client privilege.

Assembly Bill 484—An act to add Section 42704 to the Public Resources Code, relating to recycling.

Assembly Bill 524—An act to add Section 22894 to the Government Code, relating to public employees.

Assembly Bill 568—An act to add Article 4 (commencing with Section 6089) to Chapter 2 of Part 3 of Division 8 of the Harbors and Navigation Code, relating to harbors and ports.

Assembly Bill 580—An act to add and repeal Section 45277.5 of the Education Code, relating to school employees.

Assembly Bill 595—An act to add Section 111821 to the Health and Safety Code, relating to cosmetics.

Assembly Bill 691—An act to amend Sections 11500, 11501, 11502, 11502.5, 11504, 11505, and 11506 of the Business and Professions Code, relating to common interest developments.

Assembly Bill 766—An act to amend Section 35330 of the Education Code, relating to charter schools.

Assembly Bill 821—An act to add Section 3004.5 to the Fish and Game Code, relating to conservation.

Assembly Bill 1042—An act to amend Section 1603 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1151—An act to add Section 2156.5 to the Elections Code, relating to voting.

Assembly Bill 1242—An act to add and repeal Section 45272.5 of the Education Code, relating to school employees.



Assembly Bill 1255—An act to amend Sections 31485.9 and 31676.15 of the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 1260—An act to add Sections 53755 and 53756 to the Government Code, relating to local government.

Assembly Bill 1324—An act to amend Section 1371.8 of the Health and Safety Code, and to amend Section 796.04 of the Insurance Code, relating to health care coverage.

Assembly Bill 1326—An act to amend Section 20221 of the Public Contract Code and to amend Section 130232 of the Public Utilities Code, relating to transportation.

Assembly Bill 1435—An act to add Chapter 3.8 (commencing with Section 390) to Division 1 of the Water Code, relating to water.

Assembly Bill 1467—An act to amend Section 6404.5 of the Labor Code, relating to employment.

Assembly Bill 1513—An act to amend Section 7232 of the Revenue and Taxation Code, and to amend Section 34621 of the Vehicle Code, relating to motor carriers.

Assembly Bill 1514—An act to add Section 739.5 to the Welfare and Institutions Code, relating to juveniles.

Assembly Bill 1585—An act to amend Section 118950 of the Health and Safety Code, relating to tobacco products.

Assembly Bill 1640—An act to amend Section 4005 of the Harbors and Navigation Code, to amend Section 4662 of the Labor Code, and to amend Sections 26 and 31 of the Penal Code, relating to mental incapacity.

Assembly Bill 1723—An act to amend Sections 6091.2, 6211, 6212, and 6213 of the Business and Professions Code, relating to attorneys.

REPORTS OF STANDING COMMITTEES

Committee on Health

Date of Hearing, May 9, 2007

Mr. President: The Committee on Health, to which was referred:

SB 820

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Revenue and Taxation.

KUEHL, Chair

Above measure ordered to second reading.



Committee on Transportation and Housing

Senate Chamber, May 14, 2007

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

ACR 22

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 22—Relative to the Armed Forces Freeway.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health

Date of Hearing, May 9, 2007

Mr. President: The Committee on Health, to which were referred:

SB 725

SB 793

Reports the same back with the recommendation: Do pass as amended.

KUEHL, Chair

Above measures ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, May 14, 2007

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 359

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

OROPEZA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 359—An act to amend Sections 17052.12 and 23609 of, to amend, add, and repeal Section 25128 of, and to add and repeal Sections 6357.7, 6377, 6902.5, 17053.36, 17053.37, 17053.85, 17053.86, 23636, 23637, 23685, and 23686 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.



Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, May 14, 2007

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred: SCA 9

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

CALDERON, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 4 and 8 of Article III thereof, by amending Sections 2, 12, and 22 of, and adding Section 3.5 to, Article IV thereof, by amending Section 7 of Article XX thereof, and by amending Section 1 of, and adding Sections 2, 3, 4, 5, 6, and 7 to, Article XXI thereof, relating to the partial revision of the Constitution by the creation of and transfer of legislative duties to the Independent Redistricting Commission, terms and service of Members of the Legislature, and the state budget.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 50: By Senator Harman (Coauthors: Assembly Members Cook, DeVore, Horton, Huff, Karnette, and Maze)—Relative to child abuse and neglect.

Senate Concurrent Resolution 51: By Senator Maldonado—Relative to the Lieutenant Michael Elvin Walker Memorial Highway.

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

Senate Bill 956—An act to add Chapter 8 (commencing with Section 1965) to Division 2.5 of the Streets and Highways Code, and to amend Sections 21251 and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Bill read third time.

Amendments Adopted

Amendments to SB 956 proposed by Senator Correa were read and adopted and the measure ordered printed, engrossed, and to second reading.



Senate Bill 165—An act to amend Section 654.3 of the Welfare and Institutions Code, relating to juveniles.

Bill read third time.

Amendments Adopted

Amendments to SB 165 proposed by Senator Ashburn were read and adopted and the measure ordered printed, engrossed, and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Ross Edward Shoemaker of Hayward.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Craig Olson of Mammoth Lakes, William F. Kerfoot and Eugene P. Pleau of Sacramento, Don Weaver of Newcastle, and Richard A. Harris of Gold River.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Carol Langstraat of Ontario.

Senator Migden requested that when the Senate adjourns this day it do so in memory of Hamilton Boswell of San Francisco and Jerry McIntosh of Mill Valley.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Nancy and James Slosson of Sherman Oaks.

Senators Steinberg and Cox requested that when the Senate adjourns this day it do so in memory of Bauldie Merlino of Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Ashburn, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 15, 2007.

PAULA K. ROSSETTO, Minute Clerk

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