

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 22, 2007

The Senate met at 9 a.m.
Hon. Leland Yee, of the 8th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—38.

Quorum present.

(NOTE: Senators Aanestad and Oropeza will be excused this day on legislative business.)

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, May 21, 2007

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

SB 972

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

TORLAKSON, Chair

Above measure ordered to second reading.



Senate Chamber, May 21, 2007

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

SB 258	SB 634	SCR 37	SCR 41
SB 556	SCR 32	SCR 38	
SB 568	SCR 33	SCR 40	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

TORLAKSON, Chair

Above measures ordered to second reading.

Date of Hearing, May 21, 2007

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

SB 13	SB 50	SB 61
SB 242	SB 546	

Reports the same back with the recommendation: Do pass.

TORLAKSON, Chair

Above bills ordered to second reading.

Senate Chamber, May 22, 2007

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

SB 23	SB 153	SB 658	SB 1022
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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 23—An act to add and repeal Section 44099 of the Health and Safety Code, relating to air pollution.

Bill read second time.

Senate Bill 153—An act to add Section 13974.6 to, and to add and repeal Section 13969.7 of, the Government Code, and to amend Section 1464 of, and to add Sections 11166.6 and 11166.7 to, the Penal Code, relating to victim services.

Bill read second time.

Senate Bill 658—An act to amend Sections 17071.75 and 17078.27 of the Education Code, relating to school facilities.

Bill read second time.



Senate Bill 1022—An act to amend Sections 11169 and 11170 of the Penal Code, relating to child abuse.

Bill read second time.

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

Senate Chamber, May 22, 2007

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

SB 980

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 980—An act to add Section 9503 to the Public Utilities Code, relating to energy.

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

Senate Chamber, May 22, 2007

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

AJR 21

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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Assembly Joint Resolution 21—Relative to the Federal Lands Recreation Enhancement Act.

Resolution read second time.

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

Committee on Governmental Organization

Date of Hearing, May 22, 2007

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

SB 455



Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

FLOREZ, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, May 22, 2007

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

AB 443

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

FLOREZ, Chair

Above measure ordered to second reading.

Date of Hearing, May 22, 2007

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

AB 951

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

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, May 22, 2007

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

SB 831

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 831—An act to amend Section 2890 of, to add Section 2890.3 to, and to add Article 6 (commencing with Section 2899) to Chapter 10 of Part 2 of Division 1 of, the Public Utilities Code, relating to telecommunications.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, May 22, 2007

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

AB 695



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 Bill 695—An act to amend Section 40000.8 of, and to add Sections 9853.7 and 9853.8 to, the Vehicle Code, relating to vessels.

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 22, 2007

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

AB 227

ACR 35

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

CORBETT, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, May 22, 2007

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

AJR 17

AJR 18

Reports the same back with the recommendation: Be adopted.

CORBETT, Chair

Above resolutions ordered to third reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Joint Resolution 9: By Senator Oropeza—Relative to funding for veterans health care.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 850—An act to amend Section 102950 of, and to add Article 4.5 (commencing with Section 103040) to Chapter 7 of Part 1 of Division 102 of the Health and Safety Code, relating to vital records.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 179—An act to amend Sections 11020, 11450, 11450.12, 11450.13, 11451.5, and 18910 of, and to repeal and add Sections 11004.1, 11265.1, 11265.2, and 11265.3 of, the Welfare and Institutions Code, relating to CalWORKs.

Bill read second time, ordered engrossed, and to third reading.



SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1714—An act to amend Section 2851 of the Public Utilities Code, relating to energy.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1714 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LEVINE

Permission of Rules Committee

Senate Chamber, May 21, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1714.

PERATA, Chair

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed and to third reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1525** was withdrawn from the Committee on Education and re-referred to the Committees on Business, Professions and Economic Development and Education; and

SB 70 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations****SB 13**—Do pass

AYES (14)—Senators Aanestad, Ashburn, Cedillo, Corbett, Cox, Dutton, Florez, Kuehl, Ridley-Thomas, Runner, Steinberg, Torlakson, Wyland, and Yee.

NOES (0)—None.

SB 50—Do pass

AYES (14)—Senators Aanestad, Ashburn, Cedillo, Corbett, Cox, Dutton, Florez, Kuehl, Ridley-Thomas, Runner, Steinberg, Torlakson, Wyland, and Yee.

NOES (0)—None.

SB 61—Do pass

AYES (11)—Senators Aanestad, Ashburn, Cedillo, Cox, Dutton, Florez, Ridley-Thomas, Runner, Torlakson, Wyland, and Yee.

NOES (0)—None.

SB 187—Do pass as amended

AYES (12)—Senators Battin, Cedillo, Corbett, Dutton, Florez, Kuehl, Ridley-Thomas, Runner, Steinberg, Torlakson, Wyland, and Yee.

NOES (3)—Senators Aanestad, Ashburn, and Cox.



SB 242—Do pass

AYES (14)—Senators Aanestad, Ashburn, Cedillo, Corbett, Cox, Dutton, Florez, Kuehl, Ridley-Thomas, Runner, Steinberg, Torlakson, Wyland, and Yee.

NOES (0)—None.

SB 546—Do pass

AYES (14)—Senators Aanestad, Ashburn, Cedillo, Corbett, Cox, Dutton, Florez, Kuehl, Ridley-Thomas, Runner, Steinberg, Torlakson, Wyland, and Yee.

NOES (0)—None.

SB 948—Do pass as amended

AYES (11)—Senators Aanestad, Ashburn, Corbett, Dutton, Florez, Kuehl, Ridley-Thomas, Simitian, Steinberg, Torlakson, and Wyland.

NOES (2)—Senators Cox and Yee.

SB 972—Do pass as amended

AYES (13)—Senators Aanestad, Ashburn, Battin, Corbett, Cox, Dutton, Florez, Ridley-Thomas, Runner, Steinberg, Torlakson, Wyland, and Yee.

NOES (0)—None.

Date of Hearing: 5/21/2007

Torlakson (Chair)

Committee on Environmental Quality

SB 240—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Florez, Lowenthal, Simitian, and Steinberg.

NOES (2)—Senators Aanestad and Runner.

Date of Hearing: 5/21/2007

Simitian (Chair)

Committee on Governmental Organization

SB 455—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Florez, Maldonado, Negrete McLeod, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 443—Do pass, to Consent Calendar

AYES (8)—Senators Denham, Florez, Maldonado, Negrete McLeod, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 951—Do pass as amended and re-refer to Committee on Public Safety

AYES (7)—Senators Florez, Maldonado, Negrete McLeod, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator Denham.

Date of Hearing: 5/22/2007

Florez (Chair)



Committee on Judiciary

AB 227—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ackerman, Corbett, Harman, Kuehl, and Steinberg.

NOES (0)—None.

AB 604—Do pass as amended, to Consent Calendar

AYES (5)—Senators Ackerman, Corbett, Harman, Kuehl, and Steinberg.

NOES (0)—None.

AB 714—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Corbett, Harman, Kuehl, and Steinberg.

NOES (0)—None.

AB 859—Do pass as amended, to Consent Calendar

AYES (5)—Senators Ackerman, Corbett, Harman, Kuehl, and Steinberg.

NOES (0)—None.

AB 1211—Do pass as amended

AYES (5)—Senators Ackerman, Corbett, Harman, Kuehl, and Steinberg.

NOES (0)—None.

ACR 35—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ackerman, Corbett, Harman, Kuehl, and Steinberg.

NOES (0)—None.

AJR 17—Do pass

AYES (3)—Senators Corbett, Kuehl, and Steinberg.

NOES (2)—Senators Ackerman and Harman.

AJR 18—Do pass

AYES (3)—Senators Corbett, Kuehl, and Steinberg.

NOES (2)—Senators Ackerman and Harman.

Date of Hearing: 5/22/2007

Corbett (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad and Oropeza.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of Sgt. Steven M. Packer of Clovis.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Rina Brocchini of Manteca.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, May 23, 2007.

PAULA K. ROSSETTO, Minute Clerk

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