

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

EIGHTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 12, 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:

Aanestad, 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, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—38.

Quorum present.

(NOTE: Senator Runner will be excused this day on legislative business and Senator Oropieza will be excused this day on personal business.)

REPORTS OF STANDING COMMITTEES

Committee on Banking, Finance and Insurance

Senate Chamber, June 12, 2007

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which was referred:

AB 1008

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

MACHADO, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1008—An act to amend Sections 12800, 12805, and 12820 of, to add Section 12836 to, and to repeal Section 116.5 of, the Insurance Code, relating to insurance.

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, June 12, 2007

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

AB 140

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

STEINBERG, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 12, 2007

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

AB 390

AB 1376

AB 1568

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.

STEINBERG, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 12, 2007

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

AB 1187

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

STEINBERG, Chair

Above measure re-referred to the Committee on Public Safety.

Committee on Rules

Senate Chamber, June 12, 2007

Mr. President: The Committee on Rules has examined:

SCR 43



And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 12th day of June, 2007, at 10:30 a.m.

PERATA, Chair

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 12, 2007

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

AB 1733

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

Assembly Bill 1733—An act to amend Section 1780 of the Government Code, and to amend Section 5520 of the Public Resources Code, relating to districts.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Date of Hearing, June 11, 2007

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

AB 1525

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

RIDLEY-THOMAS, Chair

Above measure re-referred to the Committee on Education.

Date of Hearing, June 11, 2007

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

AB 234

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

RIDLEY-THOMAS, Chair

Above measure ordered to second reading.

Date of Hearing, June 11, 2007

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

AB 244



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

RIDLEY-THOMAS, Chair

Above measure ordered to second reading.

Date of Hearing, June 11, 2007

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

AB 839

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

RIDLEY-THOMAS, Chair

Above measure re-referred to the Committee on Veterans Affairs.

Date of Hearing, June 11, 2007

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

AB 249

AB 711

AB 936

AB 986

AB 1104

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

RIDLEY-THOMAS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 11, 2007

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

AB 1670

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

RIDLEY-THOMAS, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 12, 2007

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

AB 243

AB 265

AB 455

AB 1175

AJR 14

Reports the same back with the recommendation: Do pass.

RIDLEY-THOMAS, Chair

Above bills ordered to second reading.

Above resolution ordered to third reading.



Committee on Governmental Organization

Date of Hearing, June 12, 2007

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

AB 356

AB 1123

AB 1196

AB 1219

AB 1616

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

FLOREZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 12, 2007

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

AB 87

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.

FLOREZ, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 12, 2007

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

AB 908

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

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, June 12, 2007

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

AB 500

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

CORBETT, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 500—An act to add Section 367.5 to the Code of Civil Procedure and to amend Section 1000 of the Probate Code, relating to civil actions.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, June 12, 2007

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

AB 62

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

Assembly Bill 62—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.107, 195.108, and 195.109 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, 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 Local Government

Senate Chamber, June 12, 2007

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

AB 1275

AB 1580

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

NEGRETE McLEOD, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1275—An act to amend Sections 26840.10 and 26840.11 of the Government Code, and to add Sections 103629 and 103629.5 to the Health and Safety Code, relating to domestic violence.

Bill read second time.

Assembly Bill 1580—An act relating to water.

Bill read second time.

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



Committee on Banking, Finance and Insurance

Senate Chamber, June 12, 2007

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which was referred:

AB 797

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 797—An act to amend Sections 1637, 1749, 1749.1, and 1751 of, and to add Sections 1625.55, 1625.56, 1625.57, and 1749.32 to, the Insurance Code, relating to insurance.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, June 12, 2007

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

AB 1437

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1437—An act to amend Sections 25299.54, 25299.57, and 25299.58 of the Health and Safety Code, relating to underground storage tanks.

Bill read second time.

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

Committee on Health

Senate Chamber, June 12, 2007

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

AB 910

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

KUEHL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 910—An act to amend Sections 3751 and 3752.5 of the Family Code, to amend Section 1373 of the Health and Safety Code, and



to amend Sections 10277 and 10278 of the Insurance Code, relating to disabled persons.

Bill read second time.

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

Committee on Human Services

Date of Hearing, June 12, 2007

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

AB 304

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

ALQUIST, Chair

Above measure ordered to second reading.

Date of Hearing, June 12, 2007

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

AB 749

AB 1462

AB 1526

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.

ALQUIST, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Senate Chamber, June 12, 2007

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

AB 1447

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1447—An act to amend Section 25211.3 of, and to repeal and add Sections 25211.1 and 25211.2 of, the Health and Safety Code, relating to hazardous waste.

Bill read second time.

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



Committee on Public Safety

Senate Chamber, June 12, 2007

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

AB 1706

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

ROMERO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1706—An act to add Sections 290.001, 290.002, 290.003, 290.004, 290.005, 290.006, 290.007, 290.008, 290.009, 290.010, 290.011, 290.012, 290.013, 290.014, 290.015, 290.016, 290.017, 290.018, 290.019, 290.020, 290.021, 290.022, and 290.023 to, and to repeal and add Section 290 to, the Penal Code, relating to sex offenders, 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 Public Employment and Retirement

Senate Chamber, June 12, 2007

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 753

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

WIGGINS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 753—An act to amend Sections 31521 and 31521.1 of, and to add Section 31521.3 to, the Government Code, relating to county employees' retirement.

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, June 12, 2007

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

AB 112

AB 1119

ACR 7

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 112—An act to add and repeal Section 97.5 of the Streets and Highways Code, relating to highways, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1119—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

Assembly Concurrent Resolution 7—Relative to the Officer David Lamoree Memorial Highway.

Resolution read second time.

The amendments were read and adopted and the measures 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 57: By Senator Maldonado—Relative to the Officer Loren D. Scruggs Memorial Highway.

Senate Resolution 16: By Senator Perata—Relative to the Standing Rules of the Senate for the 2007–08 Regular Session.

SENATE COMMITTEE ROLL CALLS**Committee on Governmental Organization**

AB 87—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

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

NOES (0)—None.

AB 356—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

AB 776—Do pass as amended and re-refer to Committee on Public Safety

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

NOES (0)—None.

AB 908—Do pass, to Consent Calendar

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

NOES (0)—None.



AB 1123—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

AB 1196—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

AB 1219—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Florez, Maldonado, Negrete McLeod, Vincent, Wiggins, and Yee.

NOES (2)—Senators Battin and Denham.

AB 1616—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Battin, Denham, Florez, Maldonado, Vincent, and Wiggins.

NOES (1)—Senator Yee.

Date of Hearing: 6/12/2007

Florez (Chair)

Committee on Human Services**AB 304**—Do pass, to Consent Calendar

AYES (4)—Senators Alquist, Cogdill, Harman, and Yee.

NOES (0)—None.

AB 749—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (4)—Senators Alquist, Cogdill, Harman, and Yee.

NOES (0)—None.

AB 1462—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (4)—Senators Alquist, Cogdill, Harman, and Yee.

NOES (0)—None.

AB 1509—Do pass as amended and re-refer to Committee on Public Safety

AYES (4)—Senators Alquist, Cogdill, Harman, and Yee.

NOES (0)—None.

AB 1526—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (4)—Senators Alquist, Cogdill, Harman, and Yee.

NOES (0)—None.

Date of Hearing: 6/12/2007

Alquist (Chair)



Committee on Natural Resources and Water

AB 140—Do pass and re-refer to Committee on Rules, with the recommendation: To Consent Calendar

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 390—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 1143—Do pass as amended and re-refer to Committee on Appropriations.

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 1144—Do pass as amended and re-refer to Committee on Appropriations.

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 1187—Do pass and re-refer to Committee on Public Safety, with the recommendation: To Consent Calendar

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 1376—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 1568—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

Date of Hearing: 6/12/2007

Steinberg (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Runner.

The following Senator was granted leave of absence for the day due to personal business: Senator Oropeza.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Bev Adamson of Rancho Cucamonga.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Josita Mafalda Thomas of Stockton and Emily R. Sanguinetti of Linden.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, June 13, 2007.

PAULA K. ROSSETTO, Minute Clerk

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