

CALIFORNIA LEGISLATURE  
2007-08 REGULAR SESSION

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# SENATE DAILY JOURNAL

NINETY-SECOND LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, June 18, 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, Wiggins, Wyland, and Yee—38.

Quorum present.

*(NOTE: Senator Vincent will be excused this day on legislative business and Senator Battin will be excused this day due to illness.)*



**PRAYER**

Prayer was offered by the Chaplain, Rev. Canon James Richardson:

*Gracious God,* Today we ask your blessing upon this building—the people's building. We ask your blessing upon all those who come here and ask to be heard from every nation, every religion, every culture and every economic position on this earth. Grant that those of us who work in this building will find a way to listen, and act with fairness and justice so that this building will remain a symbol of hope always.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Senate Chamber, June 18, 2007

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

AB 749

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**

**Assembly Bill 749**—An act to amend Section 1569.72 of the Health and Safety Code, relating to health facilities.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 749 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BERG

**Permission of Rules Committee**

Senate Chamber, June 18, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 749.

PERATA, Chair

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 were referred:

AB 1143

AB 1144



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

STEINBERG, Chair

Above measures ordered to second reading.

**Committee on Health**

Date of Hearing, June 13, 2007

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

AB 329

AB 611

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

KUEHL, Chair

Above measures ordered to second reading.

Senate Chamber, June 18, 2007

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

AB 34

AB 1057

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 34**—An act to add and repeal Article 8 (commencing with Section 1627) to Chapter 4 of Division 2 of the Health and Safety Code, relating to umbilical cord blood banking.

Bill read second time.

**Assembly Bill 1057**—An act to add Part 4 (commencing with Section 1000) to Division 1 of the Health and Safety Code, relating to health care records.

Bill read second time.

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

**Committee on Business, Professions and Economic Development**

Senate Chamber, June 18, 2007

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

AB 126

AB 1486

AB 1614

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

RIDLEY-THOMAS, Chair



**Second Reading of Bills—Author's Amendments**

**Assembly Bill 126**—An act to amend Sections 8698 and 8698.1 of, to add Section 8698.6 to, and to repeal Chapter 14.5 (commencing with Section 8698) of Division 3 of, the Business and Professions Code, relating to pests.

Bill read second time.

**Assembly Bill 1486**—An act to amend Sections 728, 805, and 4990 of, and to add Chapter 16 (commencing with Section 4999.10) to Division 2 of, the Business and Professions Code, relating to professional counselors .

Bill read second time.

**Assembly Bill 1614**—An act to amend Section 596.7 of the Penal Code, relating to animals.

Bill read second time.

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

**Committee on Judiciary**

Senate Chamber, June 18, 2007

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

AB 861

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 861**—An act to amend Section 2337 of the Family Code, relating to dissolution of marriage.

Bill read second time.

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

**Committee on Energy, Utilities and Communications**

Senate Chamber, June 18, 2007

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

AB 809

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

KEHOE, Chair



**Second Reading of Bills—Author’s Amendments**

**Assembly Bill 809**—An act to amend Sections 399.12, 399.12.5, 399.13, and 399.16 of 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 Transportation and Housing**

Date of Hearing, June 12, 2007

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

AB 1460

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

LOWENTHAL, Chair

Above measure ordered to second reading.

**Committee on Agriculture**

Senate Chamber, June 18, 2007

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

AB 1021

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

MALDONADO, Chair

**Second Reading of Bills—Author’s Amendments**

**Assembly Bill 1021**—An act to amend Section 75507 of, and to add Chapter 14 (commencing with Section 6300) to Part 1 of Division 4 of, the Food and Agricultural Code, relating to apple pests.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, June 18, 2007

Mr. President: The Committee on Rules has examined:

SB 252

And reports that the same has been correctly enrolled, and presented to the Governor on the 18th day of June, 2007, at 9:30 a.m.

PERATA, Chair



**Committee on Labor and Industrial Relations**

Date of Hearing, June 18, 2007

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

AB 812

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

MIGDEN, Chair

Above measure ordered to second reading.

**Committee on Human Services**

Date of Hearing, June 12, 2007

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

AB 1509

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

ALQUIST, Chair

Above measure ordered to second reading.

Senate Chamber, June 18, 2007

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

AB 317

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

ALQUIST, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 317**—An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

Bill read second time.

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

**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **SJR 9** and **ACR 53** were withdrawn from Committee and placed on today's Consent Calendar.

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF ASSEMBLY BILLS**

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

Bill read second time and ordered to third reading.



**Assembly Bill 1174**—An act to amend Section 32121 of the Health and Safety Code, relating to hospital districts.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 1323**—An act to amend Sections 49406 and 87408.6 of the Education Code, and to amend Sections 1226.1, 121362, 121490, 121525, and 121530 of the Health and Safety Code, relating to tuberculin testing.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 776**—An act to add Section 25503.38 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Amendments proposed by the Committee on Governmental Organization read and adopted, and the measure ordered reprinted and re-referred to the Committee on Public Safety.

**Assembly Bill 987**—An act to amend Sections 33334.3, 33413, and 33418 of the Health and Safety Code, relating to housing.

Bill read second time.

Amendments proposed by the Committee on Transportation and Housing read and adopted, and the measure ordered reprinted and re-referred to the Committee on Judiciary.

#### **CONSENT CALENDAR**

##### **Objection Raised**

Senator Cogdill objected to **AB 1242** being on the Consent Calendar.

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

##### **MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Perata moved that **AB 463** be placed on the inactive file.

Senator Yee moved that **SB 999** and **SB 446** be placed on the inactive file.

Motions carried.

#### **CONSIDERATION OF DAILY FILE (RESUMED)**

##### **THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 951**—An act to add Section 25608.5 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Steinberg.

##### **Urgency Clause**

Urgency clause read.

The roll was called.



**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Steinberg moved a call of the Senate.

Motion carried.

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

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

Robert L. Garcia, Chief Deputy Director, California Department of Social Services.

George J. Giurbino, Associate Director, Division of Adult Institutions, Department of Corrections and Rehabilitation.

Anthony P. Kane, Associate Director, Division of Adult Institutions, Department of Corrections and Rehabilitation.

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

**Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.

**Consideration of Governor's Appointments**

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

Kenneth S. Fong, Ph.D., Member, Trustees of the California State University.

Glen O. Toney, Ph.D., Member, Trustees of the California State University.

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

**Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza,





Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.

### **THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Concurrent Resolution 54**—Relative to Physical Education and Sport Week and Physical Fitness and Sport Month.

Resolution read third time and presented by Senator Torlakson.

#### **Roll Call**

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

AYES (38)—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, Wiggins, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

### **UNFINISHED BUSINESS (RESUMED)**

#### **Consideration of Assembly Amendments**

**Senate Concurrent Resolution 49**—Relative to Make It In Scrubs Month.

Resolution presented by Senator Ridley-Thomas.

The question being: Shall the Senate concur in the Assembly amendments to SCR 49?

#### **Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (38)—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, Wiggins, Wyland, and Yee.

NOES (0)—None.

Above resolution ordered enrolled.

### **CONSENT CALENDAR**

**Assembly Bill 908**—An act to amend Sections 8557 and 8558 of, to amend the heading of Article 9.8 (commencing with Section 8609) of Chapter 7 of Division 1 of Title 2 of, and to repeal Sections 8588.8 and 8609.2 of, of the Government Code, relating to emergency services.

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

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Bill 304**—An act to add Sections 1520.7 and 1569.194 to the Health and Safety Code, relating to community care facilities.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Joint Resolution 9**—Relative to funding for veterans health care.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 53**—Relative to Make-A-Wish Day celebrating Destination Joy.

Resolution read, adopted, 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 (38)—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, Wiggins, Wyland, and Yee.

NOES (0)—None.

#### **CONSIDERATION OF DAILY FILE (RESUMED) FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (AB 951)**

On motion of Senator Steinberg, further proceedings under the call of the Senate were dispensed with.

#### **Urgency Clause**

The names of the absentees were called and the urgency clause to AB 951 was adopted by the following vote:

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

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, and Runner.

#### **Roll Call**

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

AYES (27)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Cox, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado,



Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, and Runner.

Above bill ordered transmitted to the Assembly.

**UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Without objection, the following letter was printed in the Journal.

June 11, 2007

*The Honorable Gregory Schmidt  
Secretary of the Senate*

RE: AB 2347 (Harman): Letter to the Senate Daily Journal

Dear Secretary Schmidt:

I respectfully submit this letter to the Senate Daily Journal regarding my measure, AB 2347, Chapter 569, Statutes of 2006.

As the author of AB 2347, I note for the Senate Daily Journal that Probate Code Section 16374.5, as added by that measure, and effective January 1, 2007, establishes a default rule for the order of beneficiary distribution payments. According to the section, the default rule does not apply if (i) the governing instrument provides otherwise, (ii) the trustee otherwise determines, or (iii) the court otherwise orders. Under this measure, a trustee retains the discretion to apply a different order for beneficiary distribution payments than prescribed by the section.

Therefore, presuming that neither the governing instrument nor a court order provides otherwise, the statutory default rule would apply only where the trustee determined not to apply a different order of beneficiary distribution payments. It is important that trustees have the discretion to determine the appropriate order of beneficiary distribution payments. This is consistent with my intent in enacting the section and in accord with the section's language.

Thank you for your consideration.

TOM HARMAN  
Senator, 35th District

**LEAVES OF ABSENCE FOR THE DAY**

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

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 12:25 a.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.



**MOTION TO ADJOURN**

Senator Perata 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, June 19, 2007.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, June 14, 2007

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

ACR 60

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read the first time and referred to the Committee on Rules:

**Assembly Concurrent Resolution 60**—Relative to Flag Day.

**REPORTS OF STANDING COMMITTEES****Committee on Health**

Date of Hearing, June 13, 2007

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

AB 328

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

KUEHL, Chair

Above measure ordered to second reading.

Date of Hearing, June 13, 2007

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

AB 417

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

KUEHL, Chair

Above measure ordered to second reading.

**Committee on Appropriations**

Date of Hearing, June 18, 2007

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

AB 845

Reports the same back with the recommendation: Do pass.

TORLAKSON, Chair

Above bill ordered to second reading.



**Committee on Business, Professions and Economic Development**

Senate Chamber, June 18, 2007

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

AB 1483

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

RIDLEY-THOMAS, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 1483**—An act to amend Sections 9884.8 and 9884.9 of the Business and Professions Code, relating to automotive repair.

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 18, 2007

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

SCA 12

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**

**Senate Constitutional Amendment 12**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article XIII D thereof, relating to local government finance.

Resolution read second time.

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

**Committee on Human Services**

Senate Chamber, June 18, 2007

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

AB 959

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

ALQUIST, Chair



**Second Reading of Bills—Author's Amendments**

**Assembly Bill 959**—An act to amend Section 19630.5 of the Welfare and Institutions Code, relating to blind persons, and making an appropriation therefor.

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 18, 2007

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

AB 554	AB 754	AB 756
AB 757	AB 1288	AB 1702

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 554**—An act to amend Section 22940 of, to amend, renumber, and add Section 22942 of, to add Section 22944.2 to, and to repeal and add Section 22944 of, the Government Code, relating to public employees' benefits.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 554 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HERNANDEZ

**Permission of Rules Committee**

Senate Chamber, June 18, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 554.

PERATA, Chair

**Assembly Bill 754**—An act relating to memoranda of understanding.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 754 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HERNANDEZ

**Permission of Rules Committee**

Senate Chamber, June 18, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 754.

PERATA, Chair



**Assembly Bill 756**—An act relating to memoranda of understanding.  
Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 756 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HERNANDEZ

**Permission of Rules Committee**

Senate Chamber, June 18, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 756.

PERATA, Chair

**Assembly Bill 757**—An act to amend Sections 22803, 23805, 23855, 24213, 24410.7, 24976, 25009, and 44041 of the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

Bill read second time.

**Assembly Bill 1288**—An act to add Article 8.9 (commencing with Section 31698) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to vision care.

Bill read second time.

**Assembly Bill 1702**—An act to add Section 19602.7 to the Government Code, relating to the Department of Transportation.

Bill read second time.

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

**Committee on Judiciary**

Senate Chamber, June 18, 2007

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

AB 1725

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 1725**—An act to add Section 51.13 to the Civil Code, relating to discrimination.

Bill read second time.

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



**Committee on Education**

Date of Hearing, June 13, 2007

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

AB 280

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

SCOTT, Chair

Above measure ordered to second reading.

Date of Hearing, June 13, 2007

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

AB 950

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

SCOTT, Chair

Above measure ordered to second reading.

**Committee on Environmental Quality**

Date of Hearing, June 18, 2007

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

AB 548

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

SIMITIAN, Chair

Above measure ordered to second reading.

**Committee on Transportation and Housing**

Date of Hearing, June 18, 2007

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

AB 881

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

LOWENTHAL, Chair

Above measure ordered to second reading.

**Committee on Human Services**

Senate Chamber, June 18, 2007

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

AB 1427

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

ALQUIST, Chair





**Second Reading of Bills—Author’s Amendments**

**Assembly Bill 1427**—An act to add Section 4695.3 to the Welfare and Institutions Code, relating to developmental services.

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 18, 2007

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

AB 695 AB 1092

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 Sections 9853 and 40000.8 of, and to add Sections 9853.7 and 9853.8 to, the Vehicle Code, relating to vessels.

Bill read second time.

**Assembly Bill 1092**—An act to amend Section 11713.3 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

**Committee on Health**

Senate Chamber, June 18, 2007

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

AB 380

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 380**—An act to add Section 9569 to the Welfare and Institutions Code, relating to seniors.

Bill 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 Joint Resolution 12:** By Senators Simitian and Alquist (Principal coauthor: Assembly Member Berg) (Coauthors: Senators Torlakson and Yee) (Coauthors: Assembly Members Carter, Levine, Lieber, Mullin, Ruskin, and Wolk)—Relative to elder abuse awareness.

**Senate Resolution 17:** By Senators Florez and Steinberg—Relative to the Airport Security-Surrendered Items Donation Program.

### MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1589** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations; and

**AB 1347** was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Public Safety and to the Committee on Business, Professions and Economic Development.

### MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SCR 56** was withdrawn from Committee and placed on file.

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

**Senate Bill 586**—An act to add Section 53545.9 to, and to add Chapter 8.5 (commencing with Section 50705) to Part 2 of Division 31 of, the Health and Safety Code, relating to housing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Amendments Adopted

Amendments to SB 586 proposed by Senator Dutton were read and adopted and the measure ordered printed, engrossed, and to second reading.

### SENATE COMMITTEE ROLL CALLS Committee on Appropriations

**AB 845**—Do pass

AYES (10)—Senators Cedillo, Corbett, Florez, Kuehl, Oropeza, Ridley-Thomas, Simitian, Steinberg, Torlakson, and Yee.

NOES (5)—Senators Aanestad, Ashburn, Cox, Runner, and Wyland.

Date of Hearing: 6/18/2007

Torlakson (Chair)

### Committee on Environmental Quality

**AB 548**—Do pass as amended

AYES (5)—Senators Florez, Kuehl, Lowenthal, Simitian, and Steinberg.

NOES (2)—Senators Aanestad and Runner.



**AB 1023**—Do pass as amended, to Consent Calendar

AYES (7)—Senators Aanestad, Florez, Kuehl, Lowenthal, Runner, Simitian, and Steinberg.

NOES (0)—None.

**AB 1183**—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Florez, Kuehl, Lowenthal, Runner, Simitian, and Steinberg.

NOES (0)—None.

Date of Hearing: 6/18/2007

Simitian (Chair)

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Glenn Miller of Bella Vista.

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Tom Kitayama of Union City and Ifeanyi Michael Ezeh of San Leandro.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Norman Jachens of Sacramento.

Senators Denham, Maldonado, and Vincent requested that when the Senate adjourns this day it do so in memory of Coach Stan Smith of Arroyo Grande.

Senator Denham requested that when the Senate adjourns this day it do so in memory of “Big Wave” Dave McCarthy of Sacramento.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Sgt. Charles E. Wyckoff Jr. of Chula Vista.

Senators Dutton and Runner requested that when the Senate adjourns this day it do so in memory of John Previti.

Senator Kehoe requested that when the Senate adjourns this day it do so in memory of Sheree Swetin and Mary Harvey of San Diego.

Senator Migden requested that when the Senate adjourns this day it do so in memory of Ralph D. Farber, Sr. of Concord and Oliver Chris Earle of San Francisco.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Pfc. Justin A. Verdeja of La Puente.



**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, June 19, 2007.

PAULA K. ROSSETTO, Minute Clerk

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