

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# SENATE DAILY JOURNAL

NINETY-EIGHTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, June 27, 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, Calderon, Cedillo, Cogdill, 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—37.

Quorum present.

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

### REPORTS OF STANDING COMMITTEES

#### Committee on Banking, Finance and Insurance

Senate Chamber, June 27, 2007

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

AB 1401

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 1401**—An act to amend Sections 1872.8, 1872.81, and 1874.8 of, to add Sections 1872.86 and 1872.87 to, and to repeal Section 1872.7 of, the Insurance Code, relating to insurance fraud.

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, June 27, 2007

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

AB 815

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 Bill 815**—An act to add Section 221 to the Fish and Game Code, relating to fish and game.

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**

Date of Hearing, June 19, 2007

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

AB 690

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.

Senate Chamber, June 27, 2007

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

AB 746

AB 1613

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 746**—An act to amend Section 740.3 of the Public Utilities Code, relating to energy.

Bill read second time.

**Assembly Bill 1613**—An act to add Chapter 8 (commencing with Section 2840) to Part 2 of Division 1 of the Public Utilities Code, relating to energy.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, June 27, 2007

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

SJR 11

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 Joint Resolution 11**—Relative to the National Children's Study.

Resolution read second time.

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

**Committee on Veterans Affairs**

Date of Hearing, June 26, 2007

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

AB 1528

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

WYLAND, Chair

Above measure re-referred to the Committee on Banking, Finance and Insurance.

**Committee on Environmental Quality**

Senate Chamber, June 27, 2007

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

AB 422



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 422**—An act to amend Section 25356.1.5 of the Health and Safety Code, and to amend Section 13304 of, and to add Section 13304.2 to, the Water Code, relating to hazardous substances.

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, June 26, 2007

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

AB 7

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.

**Committee on Transportation and Housing**

Date of Hearing, June 26, 2007

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

AB 1092

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

LOWENTHAL, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 26, 2007

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

AB 1322

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

LOWENTHAL, Chair

Above measure re-referred to the Committee on Judiciary.

**Committee on Judiciary**

Date of Hearing, June 26, 2007

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

AB 299

AB 1264



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

CORBETT, Chair

Above measures ordered to second reading.

Date of Hearing, June 26, 2007

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

AJR 16

Reports the same back with the recommendation: Be adopted.

CORBETT, Chair

Above resolution ordered to third reading.

Date of Hearing, June 26, 2007

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

AB 1043

AB 1673

AB 1723

Reports the same back with the recommendation: Do pass.

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing, June 26, 2007

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

AB 81

AB 467

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

CORBETT, Chair

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

Date of Hearing, June 26, 2007

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

AB 14

AB 174

AB 176

AB 295

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

CORBETT, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 26, 2007

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

AB 341

AB 861

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.



**Committee on Transportation and Housing**

Senate Chamber, June 27, 2007

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

AB 57            AB 574            AB 665            AB 952

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 57**—An act to amend Section 2333.5 of, and to amend and repeal Sections 2331 and 2333 of, the Streets and Highways Code, relating to highways.

Bill read second time.

**Assembly Bill 574**—An act to amend Sections 149.5 and 149.6 of the Streets and Highways Code, relating to transportation.

Bill read second time.

**Assembly Bill 665**—An act to add Sections 65040.7 and 65075 to the Government Code, relating to land use.

Bill read second time.

**Assembly Bill 952**—An act to amend Section 1366 of the Civil Code, relating to common interest developments.

Bill read second time.

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

Date of Hearing, June 26, 2007

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

AB 444

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.

Date of Hearing, June 26, 2007

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

AB 1153

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.

LOWENTHAL, Chair

Above measure re-referred to the Committee on Appropriations.



Date of Hearing, June 26, 2007

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

AB 695

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, June 26, 2007

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

AB 801

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

LOWENTHAL, Chair

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

Date of Hearing, June 26, 2007

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

AB 1581

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

LOWENTHAL, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 26, 2007

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

AB 236

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

LOWENTHAL, Chair

Above measure re-referred to the Committee on Governmental Organization.

Date of Hearing, June 26, 2007

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

AB 1326

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

LOWENTHAL, Chair

Above measure ordered to second reading.



Date of Hearing, June 26, 2007

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

AB 446

Reports the same back with the recommendation: Do pass.

LOWENTHAL, Chair

Above bill ordered to second reading.

Date of Hearing, June 19, 2007

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

ACR 7

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

LOWENTHAL, Chair

Above measure ordered to second reading.

**Committee on Public Safety**

Date of Hearing, June 19, 2007

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

AB 805

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

ROMERO, Chair

Above measure ordered to second reading.

**Committee on Human Services**

Date of Hearing, June 26, 2007

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

AB 978

AJR 11

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.

Date of Hearing, June 26, 2007

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

AB 98

AB 317

AB 959

AB 1494

AB 182

AB 433

AB 1060

AB 238

AB 508

AB 1062

AB 314

AB 921

AB 1382





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

ALQUIST, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 26, 2007

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

AB 184

AB 277

AB 1402

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

ALQUIST, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, June 26, 2007

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

AB 335

AJR 4

Reports the same back with the recommendation: Do pass.

ALQUIST, Chair

Above bill ordered to second reading.

Above resolution ordered to third reading.

#### **Committee on Local Government**

Date of Hearing, June 27, 2007

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

SCA 12

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

NEGRETE McLEOD, Chair

Above measure re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

Date of Hearing, June 27, 2007

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

AB 1238

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

NEGRETE McLEOD, Chair

Above measure ordered to second reading.



Date of Hearing, June 27, 2007

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

AB 641

AB 1260

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

NEGRETE McLEOD, Chair

Above measures ordered to second reading.

**Committee on Environmental Quality**

Senate Chamber, June 27, 2007

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

AB 258

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 258**—An act to add Chapter 5.2 (commencing with Section 13367) to Division 7 of the Water Code, relating to the water quality.

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 27, 2007

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

AB 1347

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 1347**—An act to add Chapter 9 (commencing with Section 122350) to Part 6 of Division 105 of the Health and Safety Code, relating to pets.

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 27, 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 Appropriations**

Senate Chamber, June 27, 2007

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

AB 509

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 509**—An act to add Section 4098.6 to the Welfare and Institutions Code, relating to mental health.

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, June 27, 2007

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

AB 515

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

MIGDEN, Chair

Above measure re-referred to the Committee on Environmental Quality.



**Committee on Public Safety**

Senate Chamber, June 27, 2007

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

AB 1424

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 1424**—An act to amend Section 166 of the Penal Code, relating to elder abuse .

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, June 27, 2007

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

AB 798

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.

MIGDEN, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 27, 2007

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

AB 435

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

MIGDEN, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 27, 2007

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

AB 354



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

MIGDEN, Chair

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

Date of Hearing, June 27, 2007

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

AB 514

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

MIGDEN, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 27, 2007

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

AB 448

Reports the same back with the recommendation: Do pass.

MIGDEN, Chair

Above bill ordered to second reading.

Date of Hearing, June 27, 2007

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

AB 377

AB 419

AB 537

AB 1045

AB 1709

AB 1710

AB 1711

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

MIGDEN, Chair

Above measures re-referred to the Committee on Appropriations.

#### **Committee on Transportation and Housing**

Senate Chamber, June 27, 2007

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

AB 321

AB 1053

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 321**—An act to amend Section 22358.4 of the Vehicle Code, relating to vehicles.

Bill read second time.

**Assembly Bill 1053**—An act to add Part 14 (commencing with Section 53575) to Division 31 of the Health and Safety Code, relating to housing.

Bill read second time.

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

**Committee on Education**

Date of Hearing, June 27, 2007

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

AB 622

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.

SCOTT, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 27, 2007

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

AB 16

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

SCOTT, Chair

Above measure re-referred to the Committee on Health.

Date of Hearing, June 27, 2007

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

AB 483

AB 519

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

SCOTT, Chair

Above measures re-referred to the Committee on Appropriations.

**Committee on Environmental Quality**

Senate Chamber, June 27, 2007

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

AB 1481



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 1481**—An act to add Section 13552.5 to the Water Code, relating to water.

Bill read second time.

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

**Committee on Appropriations**

Senate Chamber, June 27, 2007

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

AB 1525

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 1525**—An act relating to private postsecondary education, 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 Business, Professions and Economic Development**

Senate Chamber, June 27, 2007

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

AB 1634

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 1634**—An act to add Chapter 9 (commencing with Section 122336) to Part 6 of Division 105 of the Health and Safety Code, relating to pets.

Bill read second time.

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



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

**Assembly Bill 246**—An act to amend Sections 31459, 31459.1, and 31528 of the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

**Assembly Bill 553**—An act to amend Section 3509 of the Government Code, relating to the Public Employment Relations Board.

Bill read second time and ordered to third reading.

**Assembly Bill 775**—An act to amend Sections 31680.2, 31680.3, and 31680.6 of the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

**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.

Bill read second time and ordered to third reading.

**Assembly Bill 670**—An act to add Section 398 to the Penal Code, relating to animals.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**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 proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

**Assembly Bill 363**—An act to add Section 14132.104 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Assembly Bill 993**—An act to amend Sections 1729, 1730, and 1736.1 of, and to add Section 1728.8 to, the Health and Safety Code, relating to home health agencies.

Bill read second time.





The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Assembly Bill 1429**—An act to amend Section 1367.66 of the Health and Safety Code, and to amend Section 10123.18 of the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**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.

Bill read second time and ordered to third reading.

**Assembly Bill 1587**—An act to amend Section 56.05 of the Civil Code, relating to personal information.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

**Assembly Bill 343**—An act to add Division 1.7 (commencing with Section 1190) to the Health and Safety Code, and to add Chapter 6 (commencing with Section 12699.10) to Part 6.3 of Division 2 of the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

#### **MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **AB 809** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

**AB 821** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Appropriations; and

**AB 837** was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules.

#### **MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **AB 576** and **AB 222** were withdrawn from Committee and placed on second reading.



**SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, June 28:

SB 170	AB 1019	AB 749	ACR 26
SB 330	AB 434	AB 913	ACR 27
SJR 5	AB 1575	AB 957	ACR 30
SB 183	AB 774	AB 1196	ACR 31
SB 313	AB 227	AB 1376	ACR 35
SB 649	AB 328	AB 1462	ACR 39
SCR 50	AB 390	AB 1568	ACR 41
SCR 51	AB 432	AB 1698	AB 745
AJR 14	AB 470	ACR 4	AB 775
AB 1175	AB 485	ACR 10	AB 1208
AB 417	AB 542	ACR 20	AB 1640
AB 1716	AB 711	ACR 22	
AB 181	AB 714	ACR 25	

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS****GOVERNOR'S APPOINTMENT**

John W. Koeberer, Member California Community Colleges, Board of Governors.

Term expired. Stricken from File.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 1526**—An act to amend Sections 1505, 1568.03, and 1569.145 of the Health and Safety Code, relating to community care facilities.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1526 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS****Committee on Education**

**SCR 52**—Be adopted as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**AB 16**—Do pass and re-refer to Committee on Health

AYES (6)—Senators Alquist, Maldonado, Padilla, Scott, Simitian, and Torlakson.

NOES (2)—Senators Denham and Wyland.

**AB 262**—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**AB 347**—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Romero, Scott, Simitian, and Torlakson.

NOES (1)—Senator Denham.

**AB 384**—Do pass as amended and re-refer to Committee on Public Employment and Retirement

AYES (7)—Senators Alquist, Denham, Maldonado, Romero, Scott, Torlakson, and Wyland.

NOES (0)—None.

**AB 483**—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**AB 519**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Padilla, Romero, Scott, Simitian, and Torlakson.

NOES (2)—Senators Denham and Wyland.

**AB 622**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**AB 962**—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**AB 1030**—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alquist, Denham, Maldonado, Romero, Scott, Torlakson, and Wyland.

NOES (0)—None.

**AB 1415**—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Torlakson, and Wyland.

NOES (0)—None.



**AB 1548**—Do pass as amended and re-refer to Committee on Judiciary

AYES (1)—Senator Padilla.

NOES (6)—Senators Denham, Maldonado, Romero, Scott, Torlakson, and Wyland.

Failed passage

**AB 1548**—Reconsideration granted

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

Date of Hearing: 6/27/2007

Scott (Chair)

#### **Committee on Human Services**

**AB 98**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 182**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 184**—Do pass and re-refer to Committee on Judiciary

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 238**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 277**—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 314**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 317**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 335**—Do pass

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 433**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.



**AB 508**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 921**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 959**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 978**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 1060**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 1062**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 1192**—Do pass as amended and re-refer to Committee on Judiciary

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AB 1382**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 1402**—Do pass and re-refer to Committee on Judiciary

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 1427**—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.

**AB 1494**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

**AJR 4**—Do pass

AYES (3)—Senators Alquist, Romero, and Yee.

NOES (2)—Senators Cogdill and Harman.



**AJR 11**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alquist, Cogdill, Harman, Romero, and Yee.

NOES (0)—None.

Date of Hearing: 6/26/2007

Alquist (Chair)

**Committee on Judiciary**

**AB 7**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

**AB 14**—Do pass and re-refer to Committee on Appropriations

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

NOES (2)—Senators Ackerman and Harman.

**AB 81**—Do pass and re-refer to Committee on Public Safety

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

NOES (0)—None.

**AB 101**—Do pass as amended

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

NOES (2)—Senators Ackerman and Harman.

**AB 174**—Do pass and re-refer to Committee on Appropriations

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

NOES (2)—Senators Ackerman and Harman.

**AB 176**—Do pass and re-refer to Committee on Appropriations

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

NOES (2)—Senators Ackerman and Harman.

**AB 295**—Do pass and re-refer to Committee on Appropriations

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

NOES (2)—Senators Ackerman and Harman.

**AB 299**—Do pass, to Consent Calendar

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

NOES (0)—None.

**AB 305**—Do pass as amended

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

NOES (0)—None.

**AB 341**—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 349**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

**AB 403**—Do pass as amended, to Consent Calendar

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

NOES (0)—None.

**AB 410**—Do pass

AYES (2)—Senators Ackerman and Harman.

NOES (2)—Senators Corbett and Kuehl.

Failed passage

**AB 410**—Reconsideration granted

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

NOES (0)—None.

**AB 467**—Do pass and re-refer to Committee on Public Safety

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

NOES (2)—Senators Ackerman and Harman.

**AB 779**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (2)—Senators Ackerman and Harman.

**AB 861**—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 935**—Do pass as amended 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 941**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

**AB 987**—Do pass as amended

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

NOES (2)—Senators Ackerman and Harman.

**AB 1043**—Do pass

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

NOES (2)—Senators Ackerman and Harman.



**AB 1178**—Do pass as amended, to Consent Calendar

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

NOES (0)—None.

**AB 1264**—Do pass, to Consent Calendar

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

NOES (0)—None.

**AB 1278**—Do pass as amended and re-refer to Committee on Public Safety

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

NOES (0)—None.

**AB 1298**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (1)—Senator Ackerman.

**AB 1673**—Do pass

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

NOES (2)—Senators Ackerman and Harman.

**AB 1723**—Do pass

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

NOES (2)—Senators Ackerman and Harman.

**AB 1725**—Do pass as amended, to Consent Calendar

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

NOES (0)—None.

**AB 1727**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

**AJR 16**—Be adopted

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

NOES (1)—Senator Ackerman.

Date of Hearing: 6/26/2007

Corbett (Chair)

**Committee on Labor and Industrial Relations****AB 306**—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 354**—Do pass and re-refer to Committee on Public Safety

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.





**AB 377**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 419**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 435**—Do pass and re-refer to Committee on Judiciary

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 448**—Do pass

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 514**—Do pass and re-refer to Committee on Rules

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 515**—Do pass and re-refer to Committee on Environmental Quality

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 537**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 650**—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 798**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ackerman, Kuehl, Migden, Padilla, and Wyland.

NOES (0)—None.

**AB 1045**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (2)—Senators Ackerman and Wyland.

**AB 1709**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (1)—Senator Wyland.

**AB 1710**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Kuehl, Migden, Padilla, and Wyland.

NOES (0)—None.



**AB 1711**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (1)—Senator Wyland.

Date of Hearing: 6/27/2007

Migden (Chair)

**Committee on Local Government**

**SCA 12**—Do pass and re-refer to Committee on Elections, Reapportionment and Constitutional Amendments

AYES (3)—Senators Kehoe, Machado, and Negrete McLeod.

NOES (1)—Senator Harman.

**AB 641**—Do pass as amended

AYES (3)—Senators Kehoe, Machado, and Negrete McLeod.

NOES (1)—Senator Harman.

**AB 938**—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (3)—Senators Kehoe, Machado, and Negrete McLeod.

NOES (1)—Senator Harman.

**AB 1238**—Do pass, to Consent Calendar

AYES (4)—Senators Harman, Kehoe, Machado, and Negrete McLeod.

NOES (0)—None.

**AB 1260**—Do pass as amended

AYES (4)—Senators Harman, Kehoe, Machado, and Negrete McLeod.

NOES (0)—None.

Date of Hearing: 6/27/2007

Negrete McLeod (Chair)

**Committee on Transportation and Housing**

**AB 226**—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Corbett, Dutton, Harman, Lowenthal, and Torlakson.

NOES (5)—Senators Ashburn, Cedillo, Kehoe, McClintock, and Yee.

Failed passage

**AB 226**—Reconsideration granted

AYES (11)—Senators Ashburn, Cedillo, Corbett, Dutton, Harman, Kehoe, Lowenthal, McClintock, Simitian, Torlakson, and Yee.

NOES (0)—None.

**AB 236**—Do pass and re-refer to Committee on Governmental Organization

AYES (8)—Senators Cedillo, Corbett, Harman, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (3)—Senators Ashburn, Dutton, and McClintock.

**AB 444**—Do pass as amended and re-refer to Committee on Rules

AYES (7)—Senators Cedillo, Corbett, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (4)—Senators Ashburn, Dutton, Harman, and McClintock.



**AB 446—Do pass**

AYES (8)—Senators Ashburn, Cedillo, Corbett, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (1)—Senator Dutton.

**AB 695—Do pass as amended and re-refer to Committee on Public Safety**

AYES (8)—Senators Cedillo, Corbett, Harman, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (3)—Senators Ashburn, Dutton, and McClintock.

**AB 715—Do pass as amended and re-refer to Committee on Appropriations**

AYES (7)—Senators Cedillo, Corbett, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (4)—Senators Ashburn, Dutton, Harman, and McClintock.

**AB 801—Do pass and re-refer to Committee on Public Safety**

AYES (9)—Senators Ashburn, Cedillo, Corbett, Dutton, Harman, Kehoe, Lowenthal, Torlakson, and Yee.

NOES (1)—Senator McClintock.

**AB 980—Do pass as amended and re-refer to Committee on Judiciary**

AYES (7)—Senators Cedillo, Dutton, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (1)—Senator Harman.

**AB 1058—Do pass as amended and re-refer to Committee on Environmental Quality**

AYES (7)—Senators Cedillo, Corbett, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (4)—Senators Ashburn, Dutton, Harman, and McClintock.

**AB 1092—Do pass and re-refer to Committee on Judiciary**

AYES (9)—Senators Ashburn, Cedillo, Dutton, Harman, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (1)—Senator McClintock.

**AB 1119—Do pass as amended and re-refer to Committee on Environmental Quality**

AYES (10)—Senators Ashburn, Cedillo, Corbett, Dutton, Harman, Kehoe, Lowenthal, McClintock, Torlakson, and Yee.

NOES (0)—None.

**AB 1153—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar**

AYES (11)—Senators Ashburn, Cedillo, Corbett, Dutton, Harman, Kehoe, Lowenthal, McClintock, Simitian, Torlakson, and Yee.

NOES (0)—None.



**AB 1322**—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (11)—Senators Ashburn, Cedillo, Corbett, Dutton, Harman, Kehoe, Lowenthal, McClintock, Simitian, Torlakson, and Yee.

NOES (0)—None.

**AB 1326**—Do pass, to Consent Calendar

AYES (11)—Senators Ashburn, Cedillo, Corbett, Dutton, Harman, Kehoe, Lowenthal, McClintock, Simitian, Torlakson, and Yee.

NOES (0)—None.

**AB 1574**—Do pass as amended and re-refer to Committee on Judiciary

AYES (7)—Senators Cedillo, Dutton, Kehoe, Lowenthal, Simitian, Torlakson, and Yee.

NOES (3)—Senators Ashburn, Harman, and McClintock.

**AB 1581**—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Ashburn, Cedillo, Dutton, Harman, Kehoe, Lowenthal, McClintock, Torlakson, and Yee.

NOES (0)—None.

Date of Hearing: 6/26/2007

Lowenthal (Chair)

#### **Committee on Veterans Affairs**

**AB 282**—Do pass as amended and re-refer to Committee on Public Safety

AYES (5)—Senators Correa, Denham, Negrete McLeod, Wiggins, and Wyland.

NOES (0)—None.

**AB 392**—Do pass as amended and re-refer to Committee on Labor and Industrial Relations

AYES (5)—Senators Correa, Denham, Negrete McLeod, Wiggins, and Wyland.

NOES (0)—None.

**AB 767**—Do pass as amended and re-refer to Committee on Education

AYES (5)—Senators Correa, Denham, Negrete McLeod, Wiggins, and Wyland.

NOES (0)—None.

**AB 1528**—Do pass and re-refer to Committee on Banking, Finance and Insurance

AYES (5)—Senators Correa, Denham, Negrete McLeod, Wiggins, and Wyland.

NOES (0)—None.

Date of Hearing: 6/26/2007

Wyland (Chair)



**LEAVES OF ABSENCE FOR THE DAY**

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

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

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, June 28, 2007.

PAULA K. ROSSETTO, Minute Clerk

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