

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FOURTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, August 20, 2007

The Senate met at 10 p.m.
Hon. Jack Scott, of the 21st 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, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—39.

Quorum present.

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
August 15, 2007

To the Senate of the State of California

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate



confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER

John C. Duncan, former Member and Chair, Public Employment Relations Board. Appointed 08/13/07. Effective 08/13/07.

Director of Industrial Relations, Department of Industrial Relations vice Stephen J. Smith, resigned, term ending at the Pleasure of the Governor.

Richard L. Rice, former Undersecretary at the Labor and Workforce Development Agency. Appointed 08/03/07. Effective 08/03/07.

Member and Chair, Unemployment Insurance Appeals Board vice Jack D. Cox, term expired, term ending 07/01/11.

Lindy DeKoven, President, DeKoven Entertainment; and First Vice Chair, Commission on the Status of Women. Appointed 07/30/07. Effective 08/03/07.

Member, Commission on the Status of Women, term ending 07/01/11.

Daniel C. Zingale, Senior Advisor to Governor Arnold Schwarzenegger and Chief of Staff in the Office of First Lady Maria Shriver; former Member, Agricultural Labor Relations Board. Appointed 07/30/07. Effective 08/14/07.

Member, Commission on the Status of Women vice Marilyn Kizziah, term ending 07/01/11.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, August 20, 2007

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

| | | | |
|--------|---------|---------|---------|
| AB 8 | AB 690 | AB 1062 | AB 1482 |
| AB 15 | AB 720 | AB 1142 | AB 1488 |
| AB 66 | AB 756 | AB 1167 | AB 1489 |
| AB 105 | AB 758 | AB 1220 | AB 1578 |
| AB 118 | AB 779 | AB 1229 | AB 1612 |
| AB 150 | AB 833 | AB 1243 | AB 1613 |
| AB 236 | AB 838 | AB 1261 | AB 1656 |
| AB 269 | AB 916 | AB 1381 | AB 1663 |
| AB 402 | AB 922 | AB 1400 | AB 1687 |
| AB 419 | AB 925 | AB 1403 | AB 1689 |
| AB 502 | AB 969 | AB 1453 | AB 1710 |
| AB 574 | AB 978 | AB 1472 | |
| AB 649 | AB 1061 | AB 1473 | |



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 8—An act to amend Sections 6254 and 11126 of, and to add Section 12803.2 to, the Government Code, to amend Sections 1363 and 1378 of, and to add Article 3.11 (commencing with Section 1357.20) and Article 4.1 (commencing with Section 1366.10) to Chapter 2.2 of Division 2 of, the Health and Safety Code, to amend Sections 10607, 12693.43, 12693.70, 12693.73, 12693.755, and 12693.76 of, to add Sections 10293.5, 12693.58, 12693.621, and 12711.1 to, to add Chapter 1.6 (commencing with Section 10199.10) and Chapter 8.1 (commencing with Section 10760) to Part 2 of Division 2 of, and to add Part 6.45 (commencing with Section 12699.201) to Division 2 of, the Insurance Code, to add Part 8.8 (commencing with Section 2200) to Division 2 of the Labor Code, to add Chapter 11 (commencing with Section 19900) to Part 10.2 of Division 2 of the Revenue and Taxation Code, to amend Sections 131 and 1095 of, and to add Division 1.2 (commencing with Section 4800) to, the Unemployment Insurance Code, and to amend Sections 14005.23, 14005.30, 14005.31, 14005.32, and 14008.85 of, to add Sections 14005.33, 14005.34, and 14131.01 to, and to add Article 7 (commencing with Section 14199.10) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage, and making an appropriation therefor.

Bill read second time.

Assembly Bill 15—An act to add and repeal Section 66537 of the Government Code, relating to Vasco Road.

Bill read second time.

Assembly Bill 66—An act to amend Sections 7520 and 7521 of, and to add Sections 7507 and 7507.5 to, the Penal Code, relating to inmate human immunodeficiency virus testing and disclosure.

Bill read second time.

Assembly Bill 105—An act to amend Sections 22702, 22705, and 22706 of the Business and Professions Code, relating to tanning facilities.

Bill read second time.

Assembly Bill 118—An act to amend Section 16428.3 of the Government Code, to amend, repeal, and add Section 44060 of, and to add Chapter 8.9 (commencing with Section 44270) to Part 5 of Division 26 of, the Health and Safety Code, to add Section 25620.16 to the Public Resources Code, and to amend, repeal, and add Sections 9250, 9261, 9853, 14900, and 14900.1 of the Vehicle Code, relating to fuels.

Bill read second time.



Assembly Bill 150—An act to add Chapter 13.5 (commencing with Section 52980) to Part 28 of Division 4 of Title 2 of the Education Code, relating to financial literacy.

Bill read second time.

Assembly Bill 236—An act to amend Sections 25722.5, 25725, and 25726 of, and to add Sections 25722.6 and 25722.8 to, the Public Resources Code, relating to public resources.

Bill read second time.

Assembly Bill 269—An act to add Section 1715.5 to the Business and Professions Code, relating to dentistry.

Bill read second time.

Assembly Bill 402—An act to amend Section 63.1 of, and to add Section 480.8 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 419—An act to amend Section 4850 of the Labor Code, relating to workers' compensation.

Bill read second time.

Assembly Bill 502—An act to add and repeal Section 6219.5 of the Family Code, relating to domestic violence.

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 649—An act to add Sections 19501 and 19619.7 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Assembly Bill 690—An act to add Sections 745, 746, and 746.5 to the Public Utilities Code, relating to water corporations.

Bill read second time.

Assembly Bill 720—An act to amend Sections 32, 1622, 1626, 1637, 1639, 1673, 1675, 1676, 1688, 1749, 1749.3, 1749.31, 1749.8, and 10234.93 of, and to add Section 1749.33 to, the Insurance Code, relating to insurance licensees.

Bill read second time.

Assembly Bill 756—An act relating to memoranda of understanding, and declaring the urgency thereof, to take effect immediately.

Bill read second time.



Assembly Bill 758—An act to amend Sections 11208 and 11219.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 779—An act to add Sections 1724.4 and 1724.5 to, and to repeal and amend Sections 1798.29 and 1798.82 of, the Civil Code, relating to personal information.

Bill read second time.

Assembly Bill 833—An act to add Article 4 (commencing with Section 25546) to Chapter 6.95 of Division 20 of the Health and Safety Code, relating to toxic chemicals.

Bill read second time.

Assembly Bill 838—An act to add Section 5011.7 to the Public Resources Code, relating to parks and recreation.

Bill read second time.

Assembly Bill 916—An act to add and repeal Section 20133.1 of the Public Contract Code, relating to public contracts.

Bill read second time.

Assembly Bill 922—An act to add Section 11093.1 to the Government Code, relating to local government.

Bill read second time.

Assembly Bill 925—An act relating to school accountability.

Bill read second time.

Assembly Bill 969—An act to amend Sections 6452.1, 6487.3, and 18510 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 978—An act to amend Sections 1523.2, 1530.5, 1534, 1546, 1548, 1568.0822, and 1597.56 of, and to add Sections 1534.1, 1550.7, 1558.3, 1568.0715, 1568.0825, 1568.094, 1569.351, 1569.510, 1569.595, 1596.818, 1596.8867, 1596.8899, and 1597.58 to, the Health and Safety Code, and to amend Section 18285 of the Welfare and Institutions Code, relating to community care facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1061—An act to amend Sections 33126, 33126.1, 35256, and 35258 of the Education Code, relating to school accountability.

Bill read second time.

Assembly Bill 1062—An act to add and repeal Section 11450.02 of the Welfare and Institutions Code, relating to housing instability.

Bill read second time.



Assembly Bill 1142—An act relating to health facilities.

Bill read second time.

Assembly Bill 1167—An act to amend Section 3011, and to add Sections 3012.5 and 3012.6 to, the Elections Code, relating to voting.

Bill read second time.

Assembly Bill 1220—An act to amend Sections 12017 and 13013 of the Fish and Game Code, to amend Sections 8670.3, 8670.21, 8670.29, 8670.47.5, 8670.48, 8670.48.5, 8670.49, 8670.50, 8670.53.1, 8670.53.2, 8670.53.3, 8670.53.4, 8670.53.5, 8670.53.7, 8670.53.8, and 8670.53.95 of , and to repeal Sections 8670.36 and 8670.56.7 of, the Government Code, and to amend Sections 46054 and 46653 of the Revenue and Taxation Code, relating to oil spills, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1229—An act to amend Section 13500 of the Penal Code, relating to law enforcement.

Bill read second time.

Assembly Bill 1243—An act to amend Section 35763 of the Education Code, to amend Sections 300, 335.5, 353.5, 2150, 2166, 2166.5, 2166.7, 2191, 2300, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3007.5, 3007.7, 3008, 3009, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3024, 3100, 3101, 3102, 3103, 3103.5, 3104, 3108, 3109, 3110, 3111, 3200, 3201, 3202, 3203, 3204, 3205, 3206, 3302, 3303, 3304, 3305, 3307, 3308, 3310, 3311, 3405, 3502, 10261, 10530, 10531, 10704, 10734, 12309.5, 13204, 13216, 13266, 13267, 13315, 13316, 13317, 14102, 14245, 14282, 14284, 14310, 15100, 15101, 15102, 15103, 15104, 15105, 15106, 15109, 15110, 15111, 15112, 15150, 15211, 15212, 15278, 15302, 15320, 15321, 15360, 15601, 17301, 17302, 17303, 17304, 17504, 17505, 18371, 18402, 18403, 18576, 18577, 18578, 19229.5, and 21000 of, to amend the heading of Article 2 (commencing with Section 15320) of Chapter 4 of Division 15 of, to amend the heading of Chapter 1 (commencing with Section 3000) of Division 3 of, to amend the heading of Chapter 3 (commencing with Section 3200) of Division 3 of, to amend the heading of Chapter 2 (commencing with Section 15100) of Division 15 of, to amend the heading of Division 3 (commencing with Section 3000) of, the Elections Code, to amend Section 8211 of the Government Code, and to amend Section 2288 of the Revenue and Taxation Code, relating to voting.

Bill read second time.

Assembly Bill 1261—An act to amend Sections 5956, 5956.1, 5956.2, 5956.3, 5956.4, 5956.5, 5956.6, 5956.7, 5956.8, 5956.9, and 5956.10 of,



and to add Section 5956.11 to, the Government Code, relating to infrastructure financing.

Bill read second time.

Assembly Bill 1381—An act to add Chapter 3.6 (commencing with Section 13827) to Title 6 of Part 4 of the Penal Code, relating to crime prevention.

Bill read second time.

Assembly Bill 1400—An act to add Sections 10509.5 and 10711 to the Public Contract Code, relating to state contracts.

Bill read second time.

Assembly Bill 1403—An act to add and repeal Article 3.3 (commencing with Section 52055.74) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, relating to local educational agencies.

Bill read second time.

Assembly Bill 1453—An act to add Chapter 12.87 (commencing with Section 18987.7) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to foster care .

Bill read second time.

Assembly Bill 1472—An act to add Part 10.5 (commencing with Section 116097) to Division 104 of the Health and Safety Code, relating to public health.

Bill read second time.

Assembly Bill 1473—An act to add Sections 44002.1 and 44002.2 to the Public Resources Code, relating to solid waste.

Bill read second time.

Assembly Bill 1482—An act to amend Section 37252 of the Education Code, relating to supplemental instruction.

Bill read second time.

Assembly Bill 1488—An act to add Section 44012.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

Assembly Bill 1489—An act to add Sections 75004.5, 75026.3, 75041.1, 75051.2, and 75070.7 to the Public Resources Code, and to repeal and add Part 2.2 (commencing with Section 10530) of Division 6 of the Water Code, relating to water.

Bill read second time.

Assembly Bill 1578—An act to amend Sections 42923 and 69435 of, to add Section 90001.5 to, to add Article 1.5 (commencing with Section 76010) to Chapter 1 of Part 47 of Division 7 of, to add Article 5.5 (commencing with Section 89348) to Chapter 3 of Part 55 of Division 8 of,



and to add Article 6.5 (commencing with Section 92660) to Chapter 6 of Part 57 of Division 9 of, Title 3 of, the Education Code, relating to foster youth.

Bill read second time.

Assembly Bill 1612—An act to amend Sections 32000.5 and 34501.12 of the Vehicle Code, relating to vehicles.

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.

Assembly Bill 1656—An act to amend Section 60900 of, to add Section 60902 to, to add the heading of Article 1 (commencing with Section 60900) to, and to add Article 2 (commencing with Section 60905) to, Chapter 10 of Part 33 of Division 4 of Title 2 of, the Education Code, relating to pupil achievement.

Bill read second time.

Assembly Bill 1663—An act to amend Sections 49076, 49076.5, 56000, 56026.1, 56031, 56033.5, 56058, 56059, 56171, 56173, 56301, 56321, 56329, 56341, 56341.5, 56344, 56345, 56345.1, 56346, 56363, 56380.1, 56381, 56500.2, 56500.3, 56500.4, 56501.5, 56502, 56505, 56515, 56600.6, and 56841 of, to add Sections 56040.1 and 56345.2 to, to add Article 5 (commencing with Section 56070) to Chapter 1 of Part 30 of Division 4 of Title 2 of, and to repeal and add Section 56028 of, the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1687—An act to amend Section 56.10 of, and to add Section 56.103 to, the Civil Code, relating to confidential information.

Bill read second time.

Assembly Bill 1689—An act to repeal and add Chapter 3.5 (commencing with Section 7150) of Part 1 of Division 7 of the Health and Safety Code, and to amend Sections 12811 and 13005 of the Vehicle Code, relating to anatomical gifts.

Bill read second time.

Assembly Bill 1710—An act to amend Sections 203, 203.1, 204, 210, 215, 220, and 2699.5 of, and to add Section 201.3 to, the Labor Code, relating to employment.

Bill read second time.

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



Committee on Revenue and Taxation

Senate Chamber, August 20, 2007

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

AB 1239

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 1239—An act to amend Section 74 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Committee on Health

Senate Chamber, August 20, 2007

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

AB 1750

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 1750—An act to amend Section 12651 of the Government Code, to amend and renumber Section 11834 of the Health and Safety Code, and to amend Sections 16915, 16932, 16933, 16934.5, 16935, 16935.5, and 16952 of, and to add Section 14115.75 to, the Welfare and Institutions Code, relating to health, 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 Rules

State Capitol, August 7, 2007

Mr. President: Effective immediately, the Senate Rules Committee has removed Senator Denham from the Senate Committee on Governmental Organization.

PERATA, Chair



Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, August 20, 2007

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

AB 1587

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 1587—An act to relating to recall elections, 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 Appropriations

Senate Chamber, August 20, 2007

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

SB 107

AB 1610

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 107—An act to add and repeal Chapter 19 (commencing with Section 50899) of Part 2 of Division 31 of the Health and Safety Code, relating to community development.

Bill read second time.

Assembly Bill 1610—An act to add Chapter 9 (commencing with Section 3890) to Division 3 of the Public Resources Code, relating to fuels.

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, August 20, 2007

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

SB 755

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

PERATA, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 755—An act to add Article 2.7 (commencing with Section 115950) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to wave pools.

Bill read second time.

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

Senate Chamber, August 20, 2007

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

SB 714

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

PERATA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 714—An act to amend Section 15802 of the Government Code, relating to state building construction.

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, August 20, 2007

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

| | | | |
|--------|---------|---------|---------|
| AB 28 | AB 843 | AB 1246 | AB 1528 |
| AB 44 | AB 915 | AB 1281 | AB 1533 |
| AB 150 | AB 916 | AB 1296 | AB 1617 |
| AB 297 | AB 920 | AB 1300 | AB 1656 |
| AB 449 | AB 1013 | AB 1322 | AB 1658 |
| AB 494 | AB 1020 | AB 1360 | AB 1686 |
| AB 546 | AB 1055 | AB 1448 | AB 1687 |
| AB 632 | AB 1092 | AB 1477 | AB 1689 |
| AB 649 | AB 1135 | AB 1484 | AB 1707 |
| AB 771 | AB 1172 | AB 1492 | AB 1735 |
| AB 773 | AB 1187 | AB 1508 | AB 1742 |
| AB 801 | AB 1189 | AB 1512 | AB 1745 |
| AB 809 | AB 1229 | AB 1515 | AB 1747 |
| AB 833 | AB 1243 | AB 1526 | |

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

TORLAKSON, Chair

Above measures ordered to second reading.

Senate Chamber, August 20, 2007

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

AB 171

AB 995

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 171—An act to repeal, add, and repeal Article 12 (commencing with Section 69740) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

Bill read second time.

Assembly Bill 995—An act to add Section 8879.24 to the Government Code, and to add Chapter 3.2 (commencing with Section 39625) to Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Senate Chamber, August 20, 2007

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

AB 123

AB 124

AB 321

AB 422

AB 468

AB 1748

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

TORLAKSON, Chair

Above measures ordered to second reading.

Senate Chamber, August 20, 2007

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

AB 515

AB 566

AB 1219

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 515—An act to add Section 144.6.5 to the Labor Code, relating to occupational safety and health.

Bill read second time.

Assembly Bill 566—An act relating to water conservation.

Bill read second time.



Assembly Bill 1219—An act to add Sections 5003.16 and 5080.41 to the Public Resources Code, to amend Section 9 of Chapter 731 of the Statutes of 1998, and to amend Section 10 of Chapter 974 of the Statutes of 2002, relating to state property, and making an appropriation therefor.

Bill 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 65: By Senator Steinberg—Relative to adoption.

Senate Concurrent Resolution 66: By Senator Wyland—Relative to QUALCOMM Million Dollar Challenge Commemorative Week.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 107** and **AB 424** were withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 1587 was withdrawn from the Committee on Elections, Reapportionment and Constitutional Amendments and re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 214—An act relating to the Budget Act of 2007.

Bill read third time.

Amendments Adopted

Amendments to AB 214 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1724—An act to amend Section 340.1 of the Code of Civil Procedure, relating to civil procedure.

Bill read third time.

Amendments Adopted

Amendments to AB 1724 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 382—An act to amend Section 798.6 of the Civil Code, to amend Sections 65583, 65863.7, 65863.11, and 65863.13 of, to add Section 53583.5 to, and to repeal Section 65584.5 of, the Government Code, to amend Sections 17958.4, 33334.3, 33413, 33413.1, 34278, 50199.21, 50199.50, 50199.55, 50843, 50862.5, and 53545 of, to add Sections 18210.7 and 50409 to, to repeal Section 19205 of, to repeal Chapter 7 (commencing with Section 33701) of Part 1 of Division 24 of, to repeal Chapter 4 (commencing with Section 50559) of Part 2 of Division



31 of, to repeal Part 2.2 (commencing with Section 18800) and Part 5 (commencing with Section 19950) of Division 13 of, and to repeal Part 3 (commencing with Section 34800) and Part 11 (commencing with Section 37850) of Division 24 of, the Health and Safety Code, and to amend Section 5803 of the Revenue and Taxation Code, relating to housing.

Bill read third time.

Amendments Adopted

Amendments to AB 382 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1048—An act to amend Section 117560 of the Health and Safety Code, and to amend Sections 830.7 and 11105 of the Penal Code, relating to illegal dumping enforcement officers.

Bill read third time.

Amendments Adopted

Amendments to AB 1048 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 930—An act to amend Sections 34 and 155 of the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990), relating to flood management.

Bill read third time.

Amendments Adopted

Amendments to AB 930 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to second reading.

Assembly Joint Resolution 18—Relative to naturalization.

Resolution read third time.

Amendments Adopted

Amendments to AJR 18 proposed by Senator Negrete McLeod were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 478—An act to amend Section 21201 of the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 478 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 467—An act to add Article 6 (commencing with Section 68630) to Chapter 2 of Title 8 of, and to repeal Section 68511.3 of, the Government Code, relating to the courts.

Bill read third time.



Amendments Adopted

Amendments to AB 467 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 1585 proposed by Senator Steinberg were read and adopted

LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

An agency report dated: June 20, 2007, relating to Status of Compliance with Consent Judgment with United States Department of Justice, was received from the Department of Mental Health and transmitted to the Committee on Health.

A Title Summary Report 07-0014 dated: July 20, 2007, relating to Marriage. Elimination of Domestic Partnership Rights. Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A final report dated: July 20, 2007, relating to Drug and Alcohol Testing in Child Custody, was received from Judicial Council of California and transmitted to the Committee on Judiciary.

An annual report dated: June 18, 2007, relating to Academic Programs in Mexico, was received from the University of California and transmitted to the Committee on Education.

An agency report dated: July 3, 2007, relating to Armenia Trade Office Successes, was received from Business, Transportation and Housing Agency and transmitted to the Committee on Business, Professions and Economic Development.

An agency report dated: June 18, 2007, relating to State of Local Telephone Service in the Coachella Valley of Southern California, was received from Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: July 19, 2007, relating to 2005 Urban Water Management Plans, was received from the Department of Water Resources and transmitted to the Committee on Natural Resources and Water.

An agency report dated: July 16, 2007, relating to California 21st Century High School ASSETs Program, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: July 23, 2007, relating to Railroad Safety Local Hazard Report, was received from Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

An audit report dated: July 24, 2007, relating to State Treasurer's Office Statement of Securities Accountability as of December 31, 2006, was



received from California State Auditor and transmitted to the Committee on Rules.

An agency report dated: June 12, 2007, relating to Asset Forfeiture 2006, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 1, 2007, relating to 2006 Actuarial Valuations, was received from Teachers' Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: June 1, 2007, relating to 2006 Actuarial Valuations FY July 1, 2007–June 30, 2008, was received from Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

A Title Summary Report 07-0015 dated: June 25, 2007, relating to Government Acquisition, Regulation of Private Property. Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

An annual report dated: June 26, 2007, relating to Trial Court Interpreters Program Expenditures FY 2005–06, was received from Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: June 25, 2007, relating to Report on Incompetent to Stand Trial Commitments Exceeding the 10-Day Limit, was received from the Department of Mental Health and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 26, 2007, relating to 2007 Report on the Electrician Certification Program, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An annual report dated: June 20, 2007, relating to Division of Apprenticeship Standards, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An annual report dated: July 3, 2007, relating to Employment of Minors in Lake County Agricultural Plants during Peak Pear Packing Season, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: June 28, 2007, relating to Actuarial Valuation Reports as of June 30, 2006, was received from Teachers' Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: June 22, 2007, relating to California Alliance to Combat Trafficking and Slavery, was received from the Department of Justice and transmitted to the Committee on Public Safety.

A final report dated: June 26, 2007, relating to Drug and Alcohol Testing in Child Custody, was received from Judicial Council of California and transmitted to the Committee on Judiciary.



An annual report dated: June 27, 2007, relating to Design Sequencing, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An annual report dated: June 26, 2007, relating to Effectiveness of the Bureau of Field Enforcement, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: June 22, 2007, relating to Impact of Allowing Short term Renewables Contracts to be Eligible for Supplemental Energy Payments, was received from Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: June 14, 2007, relating to Financial Statements for the Nine Months Ended March 31, 2007, was received from State Lottery and transmitted to the Committee on Governmental Organization.

An agency report dated: June 14, 2007, relating to Lottery Expenditures for K-12 Education, 2005-06, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: June 25, 2007, relating to California's Community Mental Health Performance Outcome Report, FY 2005-06, was received from the Department of Mental Health and transmitted to the Committee on Health.

An agency report dated: June 14, 2007, relating to Emergency Levee Erosion Repair Project, was received from the Department of Water Resources and transmitted to the Committee on Natural Resources and Water.

An annual report dated: June 11, 2007, relating to Individualized Child Care Subsidy Pilot, was received from the County of San Mateo County Child Care Partnership Council and transmitted to the Committee on Health.

An audit report dated: June 14, 2007, relating to Carl Moyer Memorial Air Quality Standards Attainment Program, was received from California State Auditor and transmitted to the Committee on Rules.

A Title Summary Report 07-0013 dated: June 27, 2007, relating to Mandatory Reporting of Pregnancies and Sexually Transmitted Infections in Minors as Abuse, was received from the Department of Justice and transmitted to the Committee on Rules.

An agency report dated: July 2, 2007, relating to State Employers' Industrial Disability Cost Report, FY 2005-06, was received from Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: June 28, 2007, relating to Student Opportunity and Access Program (Cal SOAP) Advisory Committee Program, was received from the California Student Aid Commission and transmitted to the Committee on Education.

An annual report dated: June 27, 2007, relating to Bureau for Private Postsecondary and Vocational Education's 2005-06 Distribution List, was



received from the Department of Consumer Affairs and transmitted to the Committee on Business, Professions and Economic Development.

An annual report dated: June 30, 2007, relating to 2007 Evaluation of People with Developmental Disabilities Moving from Development Centers into the Community, was received from the Department of California State University Sacramento and transmitted to the Committee on Banking, Finance and Insurance.

An annual report dated: July 11, 2007, relating to Crisis Intervention for Persons with Developmental Disabilities, was received from the Department of Developmental Services and transmitted to the Committee on Health.

An agency report dated: July 2, 2007, relating to Flood Control and Water Conservation Liability, was received from Judicial Council of California and transmitted to the Committee on Judiciary.

An audit report dated: July 2, 2007, relating to Allocation and Use of Moneys from the Indian Gaming Special Distribution Fund, was received from California State Auditor and transmitted to the Committee on Rules.

A quarterly report dated: August 1, 2007, relating to Protective Vests, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

A Title Summary Report 07-0018 dated: August 1, 2007, relating to Eminent Domain. Acquisition of Owner Occupied Residence. Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary Report 07-0023 dated: August 1, 2007, relating to Limit on Marriage. Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

An agency report dated: August 6, 2007, relating to Limited Scope Audit Reports, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: July 1, 2007, relating to Property Tax Apportionments Calendar Year 2006, was received from Office of the State Controller and transmitted to the Committee on Local Government.

An agency report dated: August 8, 2007, relating to 2007 OAL Determination No. 8, was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: August 8, 2007, relating to Reimbursable Projects Implemented Prior to Allocation, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

A supplemental report dated: July 10, 2007, relating to Organizational Review of the UC Office of the President, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: August 6, 2007, relating to Child Care Facilities Revolving Fund 2006-07 Annual Report, was received from the Department of Education and transmitted to the Committee on Education.



An agency report dated: August 2, 2007, relating to Notification of Data Used in the Advance Apportionment FY 2007–08, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: August 2, 2007, relating to Notification of Data Used in the Second Principal Apportionment FY 2006–07, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: July 23, 2007, relating to California's Access to Visitation Grant Program for FY 2005–2006 Annual Report, was received from Judicial Council of California and transmitted to the Committee on Judiciary.

An agency report dated: July 26, 2007, relating to Electronic Report of the 250 CA Special Districts with the Largest Revenues for FY 2005–06, was received from Office of the State Controller and transmitted to the Committee on Local Government.

An agency report dated: August 3, 2007, relating to 2007 OAL Determination No. 7 (S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An annual report dated: July 20, 2007, relating to San Francisco County Individualized Child Care Subsidy Pilot Project Annual Report 2005–2006, was received from the Office of San Francisco Child Care Planning and Advisory Council and transmitted to the Committee on Human Services.

An annual report dated: June 27, 2007, relating to Juvenile Justice Crime Prevention Act, was received from the Department of Corrections And Rehabilitation and transmitted to the Committee on Judiciary.

An agency report dated: June 27, 2007, relating to Peace Officer Hiring Process, was received from the Department of Corrections And Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: August 8, 2007, relating to Redevelopment Housing Activities Fiscal Year 2005 06, was received from the Department of Housing and Community Development and transmitted to the Committee on Transportation and Housing.

An annual report dated: August 8, 2007, relating to Disposition of State Lands in San Bernardino County, was received from State Lands Commission and transmitted to the Committee on Governmental Organization.

An annual report dated: August 8, 2007, relating to Disposition of State Lands in Modoc County, was received from State Lands Commission and transmitted to the Committee on Governmental Organization.

An agency report dated: August 10, 2007, relating to 2007 OAL Determination No. 9, was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

LEAVES OF ABSENCE FOR THE DAY

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



REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Mary Lee Smith, Renee Olbrantz, and Kurt Regitz of Fullerton.

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Todd Ivens of Tehachapi, Eric Blackwell of Randsburg, and Charles Glen May of Mohave.

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of Price Giffen, Christofar "Chris" Krivochiev, and Simon Simonian of Fresno, Blanche Peggy Emerzian Abajian of Selma, and Dannie Dee Minor of Sanger.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Abraham Lyons of San Diego, Diana Wuagneux of Auburn, and John Nichols of Placerville.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of John Garcia of Brawley, Marilyn Lassman of Bonita, and Xochitl Figueroa Gamez of Blythe.

Senator Florez requested that when the Senate adjourns this day it do so in memory of LCpl. Christian Vasquez (USMC) of Coalinga and Valarie Suzette Fain of Shafter.

Senator Kehoe requested that when the Senate adjourns this day it do so in memory of Victor Kops of Del Mar.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Phyllis Tomkins of Arcadia.

Senator Migden requested that when the Senate adjourns this day it do so in memory of Abraham H. Guerra Jr., Seu Kuka, and Rufino Gutierrez of San Francisco.

Senator Negrete McLeod requested that when the Senate adjourns this day it do so in memory of Bea Watson of Fontana and Father Ramon (Ray) Rosales of San Bernardino.

Senator Runner requested that when the Senate adjourns this day it do so in memory of David Duncan of Valencia and Ben Simione of Newhall.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Michael Chavez of Concord.



ADJOURNMENT

At 10 p.m., on motion of Senator Scott, the Senate adjourned pursuant to the Senators' requests until 11 a.m., Tuesday, August 21, 2007.

PAULA K. ROSSETTO, Minute Clerk

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