

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, August 21, 2007

The Senate met at 11 a.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, 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.)



PRAYER

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

Almighty and Everliving God, We give thanks today for the return of our senators to these chambers. Grant that our lawmakers will have clarity in their vision and courage in their actions. Give them patience to listen to each other with respect and forbearance. Grant them wisdom to be faithful servants of all your people, and help them to hear those who are hurting, alone, poor and in the greatest need. Give to our senators, and all those who work in this building, the strength and stamina they need to finish their work in the days ahead.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Natural Resources and Water**

Senate Chamber, August 21, 2007

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

AB 1338

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 1338—An act to add Sections 30522.5 and 30522.7 to the Public Resources Code, relating to public resources.

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 28—An act to amend Section 18796 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 44—An act to amend Section 2150 of, and to add Section 3023.5 to, the Elections Code, relating to absentee voters.

Bill read second time and ordered to third reading.

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 and ordered to third reading.



Assembly Bill 297—An act to amend Section 211 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 449—An act to add Sections 4005.1 and 4005.5 to the Fish and Game Code, relating to trapping.

Bill read second time and ordered to third reading.

Assembly Bill 494—An act to amend Sections 33051 and 64001 of the Education Code, relating to education.

Bill read second time and ordered to third reading.

Assembly Bill 546—An act to amend Section 42476 of, and to add Section 42457.6 to, the Public Resources Code, relating to electronic waste.

Bill read second time and ordered to third reading.

Assembly Bill 632—An act to amend Section 1278.5 of the Health and Safety Code, relating to health care facilities.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 771—An act to add Article 9.5 (commencing with Section 587) to Chapter 3 of Division 1 of, and to add Chapter 3 (commencing with Section 29810) to Division 13 of, the Food and Agricultural Code, relating to agriculture , and declaring the urgency thereof, to take effect immediately .

Bill read second time and ordered to third reading.

Assembly Bill 773—An act to amend Sections 3017 and 15320 of the Elections Code, relating to absentee ballots.

Bill read second time and ordered to third reading.

Assembly Bill 801—An act to amend Section 5201 of, and to add Section 5201.1 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 809—An act to amend Section 43869 of the Health and Safety Code, and 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 and ordered to third reading.

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 and ordered to third reading.



Assembly Bill 843—An act to amend Sections 480, 480.3, 480.4, and 482 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 915—An act to amend Section 14407.1 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 920—An act to add Section 146g to the Penal Code, relating to crime information.

Bill read second time and ordered to third reading.

Assembly Bill 1013—An act to add and repeal Section 3485 of the Civil Code, and to amend Section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time and ordered to third reading.

Assembly Bill 1020—An act to amend Section 27279 of the Government Code, and to add Section 62.11 to the Revenue and Taxation Code, relating to recordation of documents.

Bill read second time and ordered to third reading.

Assembly Bill 1055—An act to amend Section 21157.7 of the Public Resources Code, relating to the environment.

Bill read second time and ordered to third reading.

Assembly Bill 1092—An act to add Section 11713.22 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1135—An act to add Section 7550.7 to the Government Code, relating to state reports.

Bill read second time and ordered to third reading.

Assembly Bill 1172—An act to amend Sections 3058.65 and 3058.8 of the Penal Code, and to amend Sections 6608 and 6609.1 of the Welfare and Institutions Code, relating to inmates.

Bill read second time and ordered to third reading.

Assembly Bill 1187—An act to amend Sections 5521.5, 7370, 8254, 8371, 8436, 12006, and 12157 of the Fish and Game Code, relating to fish.

Bill read second time and ordered to third reading.

Assembly Bill 1189—An act to amend Section 999.5 of the Military and Veterans Code, relating to veterans.

Bill read second time and ordered to third reading.



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

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 1246—An act to amend Section 65965 of the Government Code, relating to land use.

Bill read second time and ordered to third reading.

Assembly Bill 1281—An act to amend Sections 47605 and 47647 of the Education Code, relating to charter schools.

Bill read second time and ordered to third reading.

Assembly Bill 1296—An act to add Section 22854.5 to the Government Code, relating to public employee health benefits.

Bill read second time and ordered to third reading.

Assembly Bill 1300—An act to amend Sections 1710 and 1714 of, and to add Section 1712.1 to, the Welfare and Institutions Code, relating to juveniles.

Bill read second time and ordered to third reading.

Assembly Bill 1322—An act to amend Section 102 of the Streets and Highways Code, relating to transportation.

Bill read second time and ordered to third reading.



Assembly Bill 1360—An act to amend Sections 19033 and 19049 of the Revenue and Taxation Code, relating to the administration of taxes.

Bill read second time and ordered to third reading.

Assembly Bill 1448—An act to amend Section 538d of the Penal Code, relating to peace officers.

Bill read second time and ordered to third reading.

Assembly Bill 1477—An act to amend Section 4005 of, and to add Sections 4005.2 and 4005.3 to, the Fish and Game Code, relating to trapping.

Bill read second time and ordered to third reading.

Assembly Bill 1484—An act to repeal and add Chapter 2 (commencing with Section 14200) of Division 6 of the Business and Professions Code, relating to trademarks.

Bill read second time and ordered to third reading.

Assembly Bill 1492—An act to add Section 21810 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1508—An act to amend Sections 1800.5, 1801, 1807, 1809, 1819, and 1821 of, to add Sections 1803.1, 1803.2, 1803.3, 1803.4, 1803.6, 1816.1, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1816.8, and 1819.5 to, to repeal Sections 1805 and 1805.5 of, and to repeal and add Section 1803.5 of, the Financial Code, relating to money transmission.

Bill read second time and ordered to third reading.

Assembly Bill 1512—An act to add Section 14093.10 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 1515—An act to amend Section 4584 of the Public Resources Code, relating to public resources.

Bill read second time and ordered to third reading.

Assembly Bill 1526—An act to amend Sections 1505, 1568.03, 1569.145, and 1788 of, and to add Section 1788.1 to, the Health and Safety Code, relating to community care.

Bill read second time and ordered to third reading.

Assembly Bill 1528—An act to add Section 823.5 to the Military and Veterans Code, relating to military service.

Bill read second time and ordered to third reading.

Assembly Bill 1533—An act to amend Sections 17244, 17245, 17246, and 17247 of, and to add Section 17240.5 to, the Government Code, relating to public finance.

Bill read second time and ordered to third reading.



Assembly Bill 1617—An act to add Section 22964 to, and to repeal and add Section 22963 of, the Business and Professions Code, to amend Section 308.1 of the Penal Code, and to repeal Section 30101.7 of the Revenue and Taxation Code, relating to tobacco products.

Bill read second time and ordered to third reading.

Assembly Bill 1656—An act to amend Section 60900 of, and to add Section 60902 to, the Education Code, relating to pupil achievement.

Bill read second time and ordered to third reading.

Assembly Bill 1658—An act to amend Sections 25658, 25658.5, 25661, and 25662 of the Business and Professions Code, and to amend Sections 13004.1 and 14610.1 of the Vehicle Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

Assembly Bill 1686—An act to amend Section 241 of the Penal Code, relating to assault and battery.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 1707—An act to amend Section 1198.5 of the Labor Code, relating to employment records.

Bill read second time and ordered to third reading.

Assembly Bill 1735—An act to amend Sections 33527, 35781, 35783, 35783.1, 35861, 35891, 35893, 35971, 36861, 36951, 36981, 38421, 38671, 38731, and 38791 of, and to repeal and add Article 29 (commencing with Section 38761) of Chapter 5 of Part 3 of Division 15 of, the Food and Agricultural Code, relating to milk and dairy products.

Bill read second time and ordered to third reading.

Assembly Bill 1742—An act to amend Sections 13476, 13478, and 13480 of, and to add Section 13477.5 to, the Water Code, relating to water.

Bill read second time and ordered to third reading.

Assembly Bill 1745—An act to amend Section 53601 of the Government Code, and to amend Sections 75.52, 2504, 2613, 3362, 3372, 3691, 3692.4, 4911, and 5140 of the Revenue and Taxation Code, relating to government finance.

Bill read second time and ordered to third reading.



Assembly Bill 1747—An act to amend Section 1789.30 of the Civil Code, and to amend Sections 18416, 18631.7, and 21006 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 123—An act relating to parklands.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 124—An act to add Section 226.75 to the Labor Code, relating to employment.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

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

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

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

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 468—An act to amend Sections 9250.7 and 22710 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1748—An act to amend Sections 6405, 6478, 7204.3, 7211, 7252, 7273, 7659.7, 9304, 18533, 30182, 30187, 41030, 41031, 41032, and 60653 of, to add Sections 7269, 7657.5, 8880, 11408.5, 30285, 32258, 38454.5, 40105, 41099, 43159.1, 43159.2, 45158, 46159, 50112.6, 55045.1, and 60210.5 to, to repeal Sections 7204.02, 7204.5, 7208, 7251.2, 7252.5, 7252.6, 7252.7, 7252.8, 7252.9, 7252.10, 7252.11, 7252.12, 7252.13, 7252.15, 7252.16, 7252.21, 7252.22, 7252.30, and 7271.05 of, and to repeal Chapter 2.67 (commencing with Section 7286.28) of, Chapter 2.8 (commencing with Section 7286.40) of, Chapter 2.90 (commencing with Section 7286.47) of, Chapter 2.95 (commencing with Section



7286.56) of, and Chapter 2.96 (commencing with Section 7286.65) of, Part 1.7 of Division 2 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 214—An act to add Section 1204.6 to the Health and Safety Code, relating to dialysis services, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1585—An act to amend Section 22963 of the Business and Professions Code, and 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 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 second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Joint Resolution 18—Relative to naturalization.

Resolution read second time and ordered to third 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 second time and ordered to third 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 second time and ordered to third 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, 53545, and 115928 of, to add Sections 18210.7, 50409, and 115928.5 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 second time and ordered to third reading.

Assembly Bill 1724—An act to repeal and add Section 22659.5 of the Vehicle Code, relating to vehicle forfeiture.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 1585** was re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 199—An act relating to the Budget Act of 2007.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 199 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, August 21, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 199.

PERATA, Chair

Amendments Adopted

Amendments to AB 199 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 201—An act relating to the Budget Act of 2007.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 201 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, August 21, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 201.

PERATA, Chair

Amendments Adopted

Amendments to AB 201 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 203—An act relating to the Budget Act of 2007.

Bill read third time.



Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 203 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, August 21, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 203.

PERATA, Chair

Amendments Adopted

Amendments to AB 203 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

SENATE RULE 29.3 SUSPENDED

Without objection, Senate Rule 29.3 was suspended to permit consideration of AB 199, AB 201, and AB 203 as amended, in print, and properly before the Senate.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended to permit the Committee on Appropriations to meet on August 22 at 9:30 a.m. to hear and report measures rescheduled from a prior hearing date.

CONFERENCE COMMITTEE REPORTS

Senate Bill 77—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

The report of the Committee on Conference was presented by Senator Ducheny.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS**Consideration of Assembly Amendments**

Senate Bill 78—An act to amend and supplement the Budget Act of 2007 by amending Items 0502-001-9730, 0510-001-0001, 0855-001-0367, 1111-003-0001, 1760-001-0001, 1760-001-0666, 2660-001-0042, 2665-001-0046, 2720-001-0044, 3790-001-0001, 3900-001-0044, 3900-001-0115, 3910-001-0387, 3940-001-0001, 3940-001-0193, 4200-101-0001, 4200-101-3019, 4200-105-0001,

4280-101-0001, 4280-111-0232, 4280-111-0233, 4280-112-0232, 4280-112-0233, 4440-011-0001, 4440-103-0001, 4440-115-0001, 5180-101-0001, 5180-101-0514, 5180-101-0890, 5180-111-0001, 5180-141-0001, 5180-141-0890, 5180-151-0001, 5180-403, 5225-101-0001, 6110-009-0001, 6110-111-0001, 6110-113-0001, 6110-188-0001, 6110-227-0001, 6110-485, 6110-495, 7100-001-0514, 7100-001-0870, 8860-001-0001, 8860-002-0001, and 9350-104-6065, of, by adding Items 0690-001-6061, 0690-001-6073, 0690-101-6061, 0690-101-6073, 2660-004-6072, 2660-104-6072, 2660-304-6072, 4280-111-0236, and 6110-111-0046 to, and by repealing Items 0690-001-6054, 0690-101-6054, 2660-004-6053, 2660-004-6056, 2660-004-6060, 2660-104-6053, 2660-104-6056, 2660-104-6060, 2660-304-6053, and 2660-304-6056 of, Section 2.00 of, and by amending Sections 4.05, 12.32, and 35.50 of, and by adding Sections 9.00, 11.15, 24.80, and 29.50 to, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 78?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 79—An act to add Chapter 9 (commencing with Section 16965) to Part 3 of Division 4 of Title 2 of the Government Code, to amend Section 99312 of, and to add Section 99655 to, the Public Utilities Code, to amend Sections 7102, 7105, and 7106 of, and to add Section 7103 to, the Revenue and Taxation Code, to amend Section 2106 of the Streets and Highways Code, to amend Sections 21101.4 and 34501.12 of the Vehicle Code, and to repeal Section 59 of Chapter 861 of the Statutes of 2000, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 79?

The roll was called.

CALL OF THE SENATE

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

Motion carried.



UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 80—An act to amend Sections 41203.1, 41350, 48313, 48315, 49430, 56836.155, 60601, 60642, and 60810 of, to amend and repeal Sections 60603, 60604, 60605, 60605.6, 60606, 60640, 60643, and 60643.1 of, to add Sections 48314.5, 49430.7, and 52055.58 to, and to add and repeal Chapter 6.5 (commencing with Section 52060) of Part 28 of Division 4 of Title 2 of, the Education Code, to amend Section 17581.5 of the Government Code, to amend Section 37 of Chapter 79 of the Statutes of 2006, and to amend Item 6110-136-0890 of Section 2.00 of Chapter 47 of the Statutes of 2006, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 80?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 81—An act to amend Sections 15819.40, 15819.401, 15819.41, 15819.411, and 15820.907 of the Government Code, to amend Sections 1557, 4016.5, 4750, 4758, 6005, 6051, 6126, 7000, and 7003.5 of, and to add Sections 2063, 3007, and 7050 to, the Penal Code, to amend Sections 208.5, 731, 736, 1731.5, 1766, 1767.3, and 1776 of, to amend and repeal Section 1798.5 of, to add Sections 731.1 and 1767.35 to, to add Chapter 1.5 (commencing with Section 1950) to Division 2.5 of, and to repeal and add Section 733 of, the Welfare and Institutions Code, relating to corrections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 81?

The roll was called.

CALL OF THE SENATE

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

Motion carried.



UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 82—An act to amend Sections 19804, 19805, 19807, 19810, 19814, 19819, 19821, 19822, 19826, 19827, 19828, 19829, 19830, 19840, 19841, 19853, 19859, 19861, 19865, 19866, 19867, 19868, 19869, 19870, 19871, 19872, 19878, 19880, 19882, 19883, 19890, 19900, 19905, 19910, 19912, 19914, 19930, 19931, 19932, 19944, 19950, 19951, 19961.1, 19963, 19981, 19982, 19984, 19986, and 19987 of the Business and Professions Code, to amend Section 1822.60 of the Code of Civil Procedure, to amend Sections 12012.85, 15001, 15001.1, 15001.2, 15002.5, 70374, and 70391 of, and to add Sections 70374.2 and 70391.5 to, the Government Code, to amend Section 11493 of the Health and Safety Code, and to amend Sections 337j, 1465.7, 11102.1, 14027, and 14031 of the Penal Code, relating to the administration of justice, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 82?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 84—An act to amend Section 17706 of, and to add Section 17601 to, the Family Code, to amend Sections 1534, 1569.33, 1597.09, 1597.55a, 11831.2, 11831.5, 11834.03, 11834.15, and 11999.30 of, to amend and renumber Section 11834 of, and to add Chapter 7.3 (commencing with Section 11833.01) to Part 2 of Division 10.5 of, the Health and Safety Code, to amend Sections 366.21, 366.22, 4684, 9102, 9719, 10506, 11320.32, 11367, 11453, 11461, 11462, 11463, 11465, 11466.24, 12201, 12304.4, 14124.93, 16121, 16122, and 16605 of, to add Sections 10534.5, 11466.23, 11466.235, 16121.01, and 18939.5 to, to repeal Article 4.75 (commencing with Section 11380) of Chapter 2 of Part 3 of Division 9 of, to repeal and amend Sections 11363 and 11364 of, and to repeal and add Section 11464 of, the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 84?

The roll was called.



CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 85—An act to add Section 1940 to the Fish and Game Code, to amend Section 12536 of, and to amend and repeal Sections 12846 and 12846.5 of, the Food and Agricultural Code, to add Chapter 4 (commencing with Section 12890) to Part 2.5 of Division 3 of Title 2 of the Government Code, to amend Sections 25173.7, 25174, and 25330.4 of, and to amend and repeal Section 25330.6 of, the Health and Safety Code, to amend Sections 5818.1, 5818.2, and 32580 of, and to add Sections 716, 5003.19, 5096.829, 5096.954, 5096.955, and 14317 to, the Public Resources Code, and to add Section 142 to the Water Code, relating to the environment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 85?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 86—An act to amend Sections 1501.5, 1531, 1532, 1563, and 1565 of, and to add Section 1531.5 to, the Code of Civil Procedure, to amend Section 298 of the Family Code, to repeal Sections 12795.5 and 12795.6 of the Food and Agricultural Code, to amend Sections 12439, 17555, 17557, 17560, 17561, 17561.5, 17562, 17567, 17568, 17612, 19822.3, and 22910 of, to add Sections 13310, 15814.45, and 22910.5 to, and to repeal Section 17570 of, the Government Code, to amend Section 25297.3 of, and to add Sections 53545.12, 53545.13, and 53545.14 to, the Health and Safety Code, to amend Sections 7314, 7350, 7352, 7904, and 7929 of, and to amend and repeal Section 7929.5 of, the Labor Code, and to amend Section 13823.17 of the Penal Code, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 86?

The roll was called.



CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 87—An act to amend Sections 441 and 452 of, to add Section 5368 to, to add Article 7 (commencing with Section 1160) to Chapter 5 of Part 2 of Division 1 of, and to repeal Section 17052.2 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 87?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 89—An act to amend Sections 69522, 69526, and 69766 of, and to add Article 2.4 (commencing with Section 69521) to Chapter 2 of Part 42 of Division 5 of Title 3 of, the Education Code, relating to student financial aid, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 89?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 203—An act to add Section 13343 to the Government Code, to amend Sections 1250.8, 1266, 1279, 1280.1, 1280.3, 1324.21, 1324.23, 1324.28, 1324.29, 1324.30, 1422, 101317, 101320, 120955, 124910, 124977, and 130542 of, and to add Section 120.5 to, the Health and Safety Code, to amend and repeal Section 12693.981 of the Insurance Code, to amend Sections 4640.6, 4643, 4648.4, 4681.5, 4691.6, 4781.5, 10020, 10022, 10024, 14011.6, 14043.1, 14043.15, 14043.2, 14043.26, 14043.27, 14043.28, 14043.36, 14043.46, 14043.47, 14043.61, 14043.62,



14043.65, 14043.7, 14087.305, 14087.5, 14088.14, 14088.25, 14089, 14091.21, 14100.95, 14105.2, 14105.3, 14105.45, 14105.47, 14105.8, 14105.85, 14110, 14124.70, 14124.76, 14124.78, 14124.89, 14124.90, 14124.94, 14125, 14125.2, 14125.8, 14126.027, 14126.033, 14132.100, 14134.5, 14166.4, 14199.2, 14199.3, 14464.5, 14495.10, 14499.5, 16809, and 24005 of, to add Sections 4474.4, 4474.5, 4474.8, 4781.6, 14011.65b, 14105.475, 14124.785, 14124.792, and 14301.1 to, to amend and repeal Section 14262 of, and to repeal and add Section 14043.45 of, the Welfare and Institutions Code, relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Ducheny.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (28)—Senators Ackerman, Alquist, Calderon, Cedillo, Corbett, Correa, Cox, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee.

NOES (9)—Senators Aanestad, Ashburn, Battin, Cogdill, Denham, Harman, Hollingsworth, Margett, and Wyland.

Roll Call

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

AYES (28)—Senators Ackerman, Alquist, Calderon, Cedillo, Corbett, Correa, Cox, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee.

NOES (9)—Senators Aanestad, Ashburn, Battin, Cogdill, Denham, Harman, Hollingsworth, Margett, and Wyland.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 88—An act to add Chapter 12.491 (commencing with Section 8879.50) to, and to repeal Article 5 (commencing with Section 8879.55) of Chapter 12.491 of, Division 1 of Title 2 of the Government Code, and to add Chapter 3.2 (commencing with Section 39625) to Part 2 of, and to add Chapter 10 (commencing with Section 44299.90) to Part 5 of, Division 26 of the Health and Safety Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 88?

The roll was called.



CALL OF THE SENATE

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

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 21, 2007

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 97

And respectfully requests your honorable body to concur in said amendments.

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT (SB 97)

Senator Ackerman asked for, and was granted, unanimous consent to take up SB 97 at this time, without reference to file.

Consideration of Senate Bill 97**Consideration of Assembly Amendments**

Senate Bill 97—An act to add Section 21083.05 to, and to add and repeal Section 21097 of, the Public Resources Code, relating to the California Environmental Quality Act.

Measure presented by Senator Ackerman.

The question being: Shall the Senate concur in the Assembly amendments to SB 97?

Roll Call

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

AYES (31)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, Ducheny, Florez, Harman, Hollingsworth, Lowenthal, Machado, Maldonado, Margett, McClintock, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Steinberg, Torlakson, and Wyland.

NOES (6)—Senators Corbett, Kuehl, Migden, Simitian, Wiggins, and Yee.

Above measure ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 199—An act to amend Section 12439 of, and to repeal Section 15814.45 of, the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Ducheny.



Urgency Clause

The roll was called and the the urgency clause was adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Steinberg, Torlakson, Wyland, and Yee.

NOES (3)—Senators Kuehl, Migden, and Wiggins.

Roll Call

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

AYES (34)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Steinberg, Torlakson, Wyland, and Yee.

NOES (3)—Senators Kuehl, Migden, and Wiggins.

Bill ordered transmitted to the Assembly.

Assembly Bill 201—An act to amend Section 39625.5 of the Health and Safety Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Ducheny.

Urgency Clause

The roll was called and the the urgency clause was adopted by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, 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.

Roll Call

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

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, 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.

Bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 78)**

On motion of Senator Ducheny, 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 SB 78 was adopted by the following vote:

AYES (30)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (9)—Senators Aanestad, Battin, Cogdill, Cox, Denham, Harman, Margett, McClintock, and Wyland.

Roll Call

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

AYES (30)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (9)—Senators Aanestad, Battin, Cogdill, Cox, Denham, Harman, Margett, McClintock, and Wyland.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 79)**

On motion of Senator Ducheny, 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 SB 79 was adopted by the following vote:

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Roll Call

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

AYES (27)—Senators Ackerman, Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata,



Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 80)**

On motion of Senator Ducheny, 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 SB 80 was adopted by the following vote:

AYES (28)—Senators Ackerman, 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, Vincent, Wiggins, and Yee.

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

Roll Call

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

AYES (28)—Senators Ackerman, 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, Vincent, Wiggins, and Yee.

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

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 81)**

On motion of Senator Ducheny, 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 SB 81 was adopted by the following vote:

AYES (36)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (3)—Senators Aanestad, Battin, and McClintock.



Roll Call

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

AYES (36)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (3)—Senators Aanestad, Battin, and McClintock.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 82)**

On motion of Senator Ducheny, 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 SB 82 was adopted by the following vote:

AYES (35)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (4)—Senators Aanestad, Battin, Hollingsworth, and McClintock.

Roll Call

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

AYES (35)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (4)—Senators Aanestad, Battin, Hollingsworth, and McClintock.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 84)**

On motion of Senator Ducheny, 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 SB 84 was adopted by the following vote:

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



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

NOES (11)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, McClintock, Runner, and Wyland.

Roll Call

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

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

NOES (11)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, McClintock, Runner, and Wyland.

Above bill ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 85)

On motion of Senator Ducheny, 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 SB 85 was adopted by the following vote:

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Roll Call

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

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered enrolled.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 86)**

On motion of Senator Ducheny, 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 SB 86 was adopted by the following vote:

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Roll Call

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

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 89)**

On motion of Senator Ducheny, 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 SB 89 was adopted by the following vote:

AYES (28)—Senators Ackerman, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Hollingsworth, Kehoe, Lowenthal, Maldonado, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (5)—Senators Alquist, Kuehl, Machado, McClintock, and Migden.

Roll Call

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

AYES (28)—Senators Ackerman, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Florez, Hollingsworth, Kehoe,



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

NOES (5)—Senators Alquist, Kuehl, Machado, McClintock, and Migden.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 88)**

On motion of Senator Ducheny, 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 SB 88 was adopted by the following vote:

AYES (28)—Senators Ackerman, 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, Vincent, Wiggins, and Yee.

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

Roll Call

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

AYES (28)—Senators Ackerman, 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, Vincent, Wiggins, and Yee.

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

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 87)**

On motion of Senator Ducheny, 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 SB 87 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata,



Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (12)—Senators Aanestad, Battin, Cogdill, Correa, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Roll Call

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

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

NOES (12)—Senators Aanestad, Battin, Cogdill, Correa, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 77)

On motion of Senator Ducheny, 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 SB 77 was adopted by the following vote:

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Roll Call

The names of the absentees were called and the Conference Report on SB 77 was adopted by the following vote:

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

NOES (12)—Senators Aanestad, Ashburn, Battin, Cogdill, Cox, Denham, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution 62—Relative to the Congressman George Miller Benicia-Martinez Bridge.

Resolution read third time.

Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

LEAVES OF ABSENCE FOR THE DAY

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

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 1 p.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 21, 2007

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

SB 644

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered enrolled.

Assembly Chamber, August 21, 2007

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 199

AB 201

AB 203

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, August 21, 2007

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

AB 717

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 717—An act to amend Sections 13953 and 13957 of the Government Code, and to amend Section 216 of the Probate Code, relating to compensation of victims.

Bill read second time.

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

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended to permit the Senate Select Committee on High School Graduation to reschedule the August 22 hearing from 2:30 p.m. to 8:30 a.m.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 144—An act to add and repeal Section 60860 of the Education Code, relating to pupil testing.

Bill read third time.

Amendments Adopted

Amendments to AB 144 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF SENATE BILLS

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

Resolution read third time.

Amendments Adopted

Amendments to SJR 11 proposed by Senator Correa were read and adopted and the measure ordered printed, engrossed, and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 798—An act to amend Sections 1095 and 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

Amendments Adopted

Amendments to AB 798 proposed by Senator Migden were read and adopted and the measure ordered printed and to second reading.

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 Wednesday, August 22, 2007.

Motion carried.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Barbara Amsbaugh of Fremont and Rose Marie Sabourin of Pleasanton.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Roberta Bertani, Frank Grande, Joan Darrah, Glenda Lee Ghiglieri, and Stella Lopez of Stockton.

Senator Migden requested that when the Senate adjourns this day it do so in memory of Jesus José Mesta of San Francisco and Southall Dickson, III of Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, August 22, 2007.

PAULA K. ROSSETTO, Minute Clerk

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