

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, September 7, 2007

The Senate met at 9:30 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, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—40.

Quorum present.



PRAYER

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

Holy and Gracious God, As we near the end of the legislative session for the year, we pause to give thanks for the many people who serve this Senate: for office and district staffs, for the committee consultants, the legislative analysts and even the lawyers. We give thanks for the sergeants-at-arms who keep us safe, the desk staff, the secretaries, the clerks and the Highway Patrol officers who protect this building, and for those who park cars, operate elevators, serve food, clean floors, sort mail and perform hundreds of other tasks not seen by the public so that our elected leaders can serve the public. We give thanks for their dedication and for all they bring to the service of our state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 6, 2007

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

SB 18	SB 941	SB 17	SB 408
SB 116	SB 171	SB 836	

Above measures ordered enrolled.

Assembly Chamber, September 6, 2007

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

SB 5	SB 263	SB 666	SB 211
SB 104	SB 276	SB 703	SB 34
SB 132	SB 299	SB 735	SB 105
SB 449	SB 373	SB 815	SB 250
SB 690	SB 556	SB 1029	SB 661

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

Above measures ordered to unfinished business file.

Assembly Chamber, September 6, 2007

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

AB 62	AB 292	AB 422	AB 950
AB 1324	AB 294	AB 468	AB 973
AB 1401	AB 314	AB 478	AB 993
AB 1508	AB 321	AB 502	AB 1010
AB 1533	AB 365	AB 720	AB 1043
AB 105	AB 381	AB 783	AB 1124
AB 288	AB 417	AB 930	AB 1142

AB 1296	AB 679	AB 1178	AB 1710
AB 1307	AB 798	AB 1199	AB 1734
AB 144	AB 808	AB 1298	AJR 18
AB 262	AB 834	AB 1460	
AB 269	AB 969	AB 1606	
AB 538	AB 987	AB 1705	

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, September 7, 2007

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

AB 1400

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

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.

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

Committee on Natural Resources and Water

Senate Chamber, September 7, 2007

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

AB 837

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 837—An act to amend Section 6870 of the Public Resources Code, relating to public lands.

Bill read second time.

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

Committee on Rules

Senate Chamber, September 7, 2007

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

SB 157



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 157—An act to add Sections 12012.53 and 12012.54 to the Government Code, relating to gaming.

Bill read second time.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1721—An act to add Sections 13997.2, 13997.4, and 13997.6 to, and to repeal Section 8450.5 of, the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Without objection, **AB 346** was placed on the inactive file.

Senator Simitian moved that **AB 1183** be placed on the inactive file.

Senator Calderon moved that **AB 733** be placed on the inactive file.

Motions carried.

REQUESTS TO RETURN BILLS TO ASSEMBLY

On the request of Senator Aanestad, **SB 238** was returned to the Assembly for further action.

On the request of Senator Hollingsworth, **SB 667** was returned to the Assembly for further action.

GOVERNOR REQUESTED TO RETURN BILL

On the request of Senator Calderon, the Secretary of the Senate was requested to ask the Governor to return **SB 381** to the Senate for further action.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
September 7, 2007

To the Members of the Senate:

Pursuant to your request, I am returning **SB 381** on behalf of the Governor for further action by the Senate.

Sincerely,

JACQUE ROBERTS
Private Secretary of the Governor

Above bill ordered transmitted to the Assembly on request of Senator Calderon.



Senator Romero Presiding**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****Consideration of Governor's Appointments**

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

Jaime S. Fall, Deputy Secretary, Labor and Workforce Development Agency.

Sally M. McKeag, Member, Public Employment Relations Board.

David F. Thorman, State Architect.

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

Roll Call

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

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

NOES (0)—None.

Consideration of Governor's Appointment

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

James D. Boyd, Member, State Energy Resources Conservation and Development Commission.

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

Roll Call

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

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

NOES (0)—None.

Consideration of Governor's Appointments

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

Eddie Lang, Jr., Member, Contractors' State License Board

Judith N. Frank, Member, California Health Facilities Financing Authority

John M. Mass, Member, California State Lottery Commission

Richard W. Post, Member, California Regional Water Quality Control Board, Colorado River Basin Region

John M. Dunker, Member, California Regional Water Quality Control Board, North Coastal Region

Elizabeth P. Schneider, Member, California Regional Water Quality Control Board, San Diego Region.

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

Roll Call

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

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

NOES (0)—None.

Consideration of Governor's Appointments

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

Laura N. Chick, Member, State Bar, Board of Governors

William H. Gailey, Member, State Bar, Board of Governors.

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

Roll Call

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

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

NOES (1)—Senator McClintock.

Senator Perata Presiding

Consideration of Assembly Amendments

Senate Bill 568—An act to amend Section 1369 of, and to add and repeal Section 1369.1 of, the Penal Code, relating to criminal procedure.

Bill presented by Senator Wiggins.

The question being: Shall the Senate concur in the Assembly amendments to SB 568?



Roll Call

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

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

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 235—An act to add Part 6.5 (commencing with Section 22959.80) to Division 5 of Title 2 of the Government Code, relating to vision care .

Bill presented by Senator Negrete McLeod.

The question being: Shall the Senate concur in the Assembly amendments to SB 235?

Roll Call

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

AYES (26)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Runner, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (8)—Senators Aanestad, Ackerman, Cogdill, Cox, Denham, Dutton, Harman, and McClintock.

Above bill ordered enrolled.

Senate Bill 803—An act to add Chapter 7.5 (commencing with Section 2370) to Division 3 of the Streets and Highways Code, relating to transportation.

Bill presented by Senator Lowenthal.

The question being: Shall the Senate concur in the Assembly amendments to SB 803?

Roll Call

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

AYES (26)—Senators 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 (13)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered enrolled.

UNANIMOUS CONSENT TO PRINT IN JOURNAL

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

September 6, 2007

The Honorable Don Perata

President pro Tempore, California State Senate

Dear Senator Perata and Members:

This letter to the Journal serves as a clarification to my bill, SB 803. I want to clarify that it is not the purpose of SB 803 to effect the allocation of federal transportation enhancement (TE) funds to any transportation enhancement activity that is eligible to receive such funds; nor would that be the effect of the measure.

Section 101(a)(35) of Title 23 of the United States Code strictly defines “transportation enhancement activities” as consisting of 12 specified activities, which are the only types of projects that can receive federal TE funds. All but three of the 12 specified activities—the acquisition of scenic easements, archeological planning and research, and the establishment of transportation museums—are the sort that have for decades been ably carried out in this State by community conservation corps and the California Conservation Corps (CCC).

Moreover, since 1992, when the relevant federal law was enacted, to 2005, the three activities conservation corps do not engage in have collectively received merely 4.7 percent of the \$7.1 billion programmed for federal transportation enhancement activities nationally. (National Transportation Enhancement Clearinghouse, *Transportation Enhancements: Summary of Nationwide Spending as of FY 2005* (May 2006) at page 17.) During that period, more than 94 percent of TE funds (about \$6.7 billion) were spent just for TE activities at which local corps and the CCC excel: the construction of bicycle and pedestrian paths and facilities (47.1% or nearly \$3.4 billion), landscaping and scenic beautification (16.3% or nearly \$1.2 billion), the construction of highway overlooks and viewing areas (6.5% or \$473 million), the conversion of abandoned railway corridors into multi-use trails (7.9% or \$564 million), historic preservation (4.3% or \$310 million), environmental mitigation (1% or \$72 million), the rehabilitation of historic transportation buildings and facilities (11% or \$789 million), and billboard removal (3% or \$21 million). There is no reason to think that the allocation of TE funds nationally has been significantly different from that in California.

Caltrans and regional transportation planning agencies cannot allocate federal TE funds to activities that do not fit within the statutory definition of “transportation enhancement activities” Because the CCC and local



corps are able to engage in the vast majority of those activities, the use of TE funds under criteria that give priority in the selection of TE projects to sponsors of eligible projects that partner with or commit to employ the services of a local corps or the CCC, as required by SB 803, would not favor any particular type of TE activity over another. Furthermore, in adopting the implementing guidelines called for by SB 803, the California Transportation Commission can insure that sponsors of the relatively few types of TE projects that are inappropriate for a conservation corps to perform are not prejudiced in the allocation process managed by regional transportation planning agencies.

Sincerely,

ALAN LOWENTHAL
Senator 27th District

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Joint Resolution 13—Relative to the Cesar Estrada Chavez Study Act of 2007.

Resolution presented by Senator Alquist.

The question being: Shall the Senate concur in the Assembly amendments to SJR 13?

Roll Call

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

AYES (26)—Senators 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 (10)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Dutton, Harman, Hollingsworth, Margett, McClintock, and Runner.

Above resolution ordered enrolled.

Senate Bill 771—An act to amend Section 3344.1 of the Civil Code, relating to deceased personalities.

Bill presented by Senator Kuehl.

The question being: Shall the Senate concur in the Assembly amendments to SB 771?

Roll Call

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

AYES (33)—Senators Ackerman, Alquist, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod,

Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 418—An act to amend Section 56836.173 of the Education Code, and to amend Sections 97.2 and 97.3 of the Revenue and Taxation Code, relating to local government finance.

Bill presented by Senator Migden.

The question being: Shall the Senate concur in the Assembly amendments to SB 418?

Roll Call

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

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator McClintock.

Above bill ordered enrolled.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 556** and **AB 1612** were re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 316—An act to amend Sections 923.5 and 11558 of the Insurance Code, and to add Section 77.7 to the Labor Code, relating to insurance.

Bill presented by Senator Yee.

The question being: Shall the Senate concur in the Assembly amendments to SB 316?

Roll Call

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

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



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

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 99—An act to add Chapter 3.12 (commencing with Section 15820.100) to Part 10b of Division 3 of Title 2 of the Government Code, relating to prisons, 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 99?

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (11)—Senators Aanestad, Calderon, Cogdill, Denham, Dutton, Harman, Hollingsworth, McClintock, Migden, Wyland, and Yee.

Roll Call

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

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

NOES (11)—Senators Aanestad, Calderon, Cogdill, Denham, Dutton, Harman, Hollingsworth, McClintock, Migden, Wyland, and Yee.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 43—An act to amend Sections 300, 301, and 302 of, and to add Section 403 to, the Family Code, relating to marriage.

Bill read third time and presented by Senator Kuehl.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla,



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

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Florez, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution 64—Relative to electrical generating facilities.

Resolution read third time and presented by Senator Calderon.

Roll Call

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

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

NOES (1)—Senator Wiggins.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 373—An act to amend Sections 15102, 15106, 15107, 15108, 15266, 15300, 15301, 15303, 15320, 15321, 15323, 15334.5, 15340, 15357, and 15425 of, to add Sections 15101.75 and 15326.5 to, to repeal Sections 15302, 15330, 15331, 15332, 15333, 15334, 15335, 15336, 15341, 15342, 15343, 15344, 15346, 15347, 15348, 15349, 15349.1, 15349.2, 15351, 15353, 15354, 15355, 15356, 15358, 15359, 15359.1, and 15359.2 of, to repeal Article 6 (commencing with Section 15360), Article 7 (commencing with Section 15370), Article 8 (commencing with Section 15380), Article 9 (commencing with Section 15390), Article 10 (commencing with Section 15400), Article 11 (commencing with Section 15410), and Article 12 (commencing with Section 15420) of, Chapter 2 of Part 10 of Division 1 of Title 1 of, and to repeal and add Section 15350 of, the Education Code, to amend Sections 53312.7, 53313, 53313.4, 53313.5, 53313.6, 53313.9, 53314.6, 53316.2, 53317, 53318, 53319, 53320, 53321, 53321.5, 53322.4, 53323, 53324, 53325, 53325.1, 53325.7, 53326, 53327, 53328, 53328.3, 53329, 53330.3, 53330.5, 53330.7, 53332, 53336, 53339, 53339.2, 53339.3, 53339.5, 53339.6, 53339.7, 53339.8, 53340, 53340.2, 53341.5, 53343, 53343.1, 53344, 53345, 53345.3, 53354, 53355, 53356, 53356.1, 53356.3, 53359.5, 53360, 53362.5, 53363.7, 53364.2, 53364.5, and 53753 of, to add Section 53356.1.5 to, and to repeal Sections 53313.85, 53342 and 53344.2 of, the Government Code, to amend Section 3712 of the Revenue and Taxation Code, and to amend Sections 3110, 3113,

3114.5, 3115.5, and 3117.5 of, and to add Section 8837 to, the Streets and Highways Code, relating to local government.

Bill read third time and presented by Senator Kehoe.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Assembly Bill 1618—An act to amend Section 24344 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Oropeza.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Assembly Bill 437—An act to add Section 355.5 to the Code of Civil Procedure, relating to employment discrimination.

Bill read third time and presented by Senator Migden.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Assembly Bill 282—An act to add Section 648.1 to the Military and Veterans Code, relating to military decorations.

Bill read third time and presented by Senator Wyland.



Roll Call

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

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 650—An act to add Part 10.3 (commencing with Section 19850) to Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Migden.

Roll Call

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

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Assembly Bill 1560—An act to amend Section 25402 of the Public Resources Code, relating to public resources.

Bill read third time and presented by Senator Padilla.

Roll Call

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

AYES (26)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Cox, Ducheny, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Denham, Harman, Hollingsworth, Margett, McClintock, and Runner.

Bill ordered transmitted to the Assembly.

Motion to Reconsider

Senator Padilla moved to reconsider the vote whereby AB 1560 was passed.



Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered returned to third reading.

Assembly Bill 1080—An act to amend Sections 8238.2, 8238.4, and 8239 of the Education Code, relating to state preschool programs.

Bill read third time and presented by Senator Padilla.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

Assembly Bill 1442—An act to add Section 1220.2 to the Business and Professions Code, relating to clinical laboratories.

Bill read third time and presented by Senator Kuehl.

Roll Call

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

AYES (36)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Harman, 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.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1542—An act to amend Section 66427.5 of the Government Code, relating to mobilehome parks.

Bill read third time and presented by Senator Corbett.

The roll was called.



CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1546—An act to amend Section 17942 of, and to add Section 19394 to, the Revenue and Taxation Code, relating to limited liability companies, to take effect immediately, tax levy.

Bill read third time and presented.

Roll Call

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

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Assembly Bill 1139—An act to add Section 1656.5 to the Vehicle Code, relating to vehicles .

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (33)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Lowenthal, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (3)—Senators Machado, McClintock, and Simitian.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 191

Assembly Bill 191—An act to amend and supplement the Budget Act of 2007 by amending Items 0502-001-9730, 0510-001-0001, 0530-001-9732, 0820-001-0001, 0840-001-0001, 0855-001-0367, 0860-001-0001, 1100-001-0001, 1111-003-0001, 1760-001-0001, 1760-001-0666, 2660-001-0042, 2660-001-0890, 2660-004-6055, 2660-004-6058, 2660-004-6064, 2665-001-0046, 2720-001-0044, 3720-001-0001, 3790-001-0001, 3900-001-0044, 3900-001-0115, 3910-001-0387, 3940-001-0001, 3940-001-0193, 4200-001-0001, 4200-101-0001, 4260-001-0001, 4260-001-0890, 4260-101-0001, 4260-101-0890, 4260-113-0001, 4260-113-0890, 4265-001-0001,

4265-001-0890, 4280-001-0001, 4280-001-0890, 4280-101-0001, 4280-101-0890, 4280-102-0001, 4280-102-0890, 4280-111-0232, 4280-111-0233, 4280-112-0232, 4280-112-0233, 4300-101-0001, 4440-011-0001, 4440-103-0001, 4440-115-0001, 4700-001-0001, 4700-101-0001, 5180-101-0001, 5180-101-0514, 5180-101-0890, 5180-111-0001, 5180-141-0001, 5180-141-0890, 5180-151-0001, 5180-403, 5225-001-0001, 5225-002-0001, 5225-101-0001, 5225-301-0001, 6110-009-0001, 6110-111-0001, 6110-113-0001, 6110-188-0001, 6110-227-0001, 6110-485, 6110-495, 6120-221-0001, 6440-001-0001, 6870-486, 7100-001-0185, 7100-001-0514, 7100-001-0870, 7300-001-0001, 7350-001-0001, 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, 2660-304-6056, 4200-001-3019, and 9210-107-0001 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, 29.50, 31.60, and 31.70 to, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 191 pursuant to Joint Rule 58.

ASSEMBLY MEMBER VILLINES

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 191.

PERATA, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 191.

Amendments read and adopted.

Consideration of Assembly Bill 191 as Amended

Assembly Bill 191—An act to amend Section 12838 of the Government Code, to amend Sections 731, 731.1, 1731.5, 1766, 1767.35, 1952, 1953, 1954, and 1955 of, and to Add Sections 1953.5, 1954.1, and 1956 to, the Welfare and Institutions Code, and to amend Section 34 of Chapter 175 of the Statutes of 2007, relating to juveniles, and declaring the urgency thereof, to take effect immediately.

Bill read.

Urgency Clause

Urgency clause to AB 191 read and adopted by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 192

Assembly Bill 192—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 192 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 192.

PERATA, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 192.

Amendments read and adopted.

Consideration of Assembly Bill 192 as Amended

Assembly Bill 192—An act to amend Section 11550 of, and to add Section 13997.7 to, the Government Code, and to amend Section 53545.13 of the Health and Safety Code, relating to state government, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately.

Bill read.



Urgency Clause

Urgency clause to AB 192 read and adopted by the following vote:

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

NOES (2)—Senators Aanestad and McClintock.

Roll Call

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

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

NOES (2)—Senators Aanestad and McClintock.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 193

Assembly Bill 193—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 193 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 193.

PERATA, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 193.

Amendments read and adopted.

Consideration of Assembly Bill 193 as Amended

Assembly Bill 193—An act to amend Sections 8879.50, 8879.51, 8879.58, and 8879.59 of, and to repeal and add Section 16965 of, the Government Code, to amend and renumber Section 39265.02 of the Health and Safety Code, and to repeal and add Section 7103 of the Revenue and Taxation Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read.



Urgency Clause

Urgency clause to AB 193 read and adopted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Roll Call

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

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 194

Assembly Bill 194—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 194 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 194.

PERATA, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 194.

Amendments read and adopted.

Consideration of Assembly Bill 194 as Amended

Assembly Bill 194—An act relating to the Budget Act of 2007 (Chapters 171 and 172 of the Statutes of 2007) by amending Items 3790-001-0001, 3790-497, 4260-111-0001, 4260-111-0236, 6110-101-0349, 7100-001-0514, and 7100-001-0870 of Section 2.00 of the act relating to the state budget, making an appropriations therefor, and declaring the urgency thereof, to take effect immediately.

Bill read.



Urgency Clause

Urgency clause to AB 194 read and adopted by the following vote:

AYES (29)—Senators Ackerman, Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (7)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, and McClintock.

Roll Call

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

AYES (29)—Senators Ackerman, Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (7)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, and McClintock.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 195

Assembly Bill 195—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 195 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 195.

PERATA, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 195.

Amendments read and adopted.

Consideration of Assembly Bill 195 as Amended

Assembly Bill 195—An act to amend Section 12739 of the Insurance Code relating to health care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read.

Urgency Clause

Urgency clause to AB 195 was adopted by the following vote:

AYES (29)—Senators Ackerman, Alquist, Calderon, Corbett, Correa, Ducheny, Florez, Harman, 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 (7)—Senators Ashburn, Cogdill, Cox, Denham, Dutton, McClintock, and Wyland.

Roll Call

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

AYES (29)—Senators Ackerman, Alquist, Calderon, Corbett, Correa, Ducheny, Florez, Harman, 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 (7)—Senators Ashburn, Cogdill, Cox, Denham, Dutton, McClintock, and Wyland.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 196

Assembly Bill 196—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 196 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LAIRD

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 196.

PERATA, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 196.

Amendments read and adopted.

Consideration of Assembly Bill 196 as Amended

Assembly Bill 196—An act to amend Section 8879.65 of the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read.

Urgency Clause

Urgency clause to AB 196 read and adopted by the following vote:

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

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

NOES (2)—Senators Ashburn and McClintock.

Roll Call

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

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

NOES (2)—Senators Ashburn and McClintock.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, September 7, 2007

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 4–0, has referred AB 1612 (Nava) to the Transportation and Housing Committee.

Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 4–0, has returned SB 556 (Wiggins) to the Senate Floor.

PERATA, Chair

REQUEST FOR UNANIMOUS CONSENT (SB 556)

Senator Wiggins asked for, and was granted, unanimous consent to take up SB 556 at this time, without reference to file.

Consideration of Senate Bill 556

Consideration of Assembly Amendments

Senate Bill 556—An act to add and repeal Article 10 (commencing with Section 6050) of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to the light brown apple moth, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Wiggins.

The question being: Shall the Senate concur in the Assembly amendments to SB 556?

Roll Call

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

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod,

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

NOES (0)—None.

Above measure ordered enrolled.

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

Assembly Bill 1636—An act to amend Sections 4658.5 and 4658.6 of the Labor Code, relating to workers' compensation.

Bill read third time and presented by Senator Cedillo.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Steinberg.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

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

Bill ordered transmitted to the Assembly.

Assembly Bill 371—An act to add Section 15459.10 to the Government Code, relating to health facility financing, and making an appropriation therefor.

Bill read third time and presented by Senator Yee.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1413—An act to amend Section 66602 of, and to add Sections 66602.8 and 89504.7 to, the Education Code, relating to public postsecondary education.

Bill read third time and presented by Senator Yee.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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 and presented by Senator Corbett.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1226—An act to amend Sections 14043.1, 14043.26, and 14043.65 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Correa.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Torlakson.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 3—An act to amend Sections 3502, 3502.1, 3516, and 3516.5 of, and to repeal Section 3516.1 of, the Business and Professions Code, and to add Section 14132.966 to the Welfare and Institutions Code, relating to physician assistants.

Bill read third time and presented by Senator Harman.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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 third time and presented by Senator Migden.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 966—An act to add Section 12814.1 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Negrete McLeod.

Roll Call

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

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1291—An act to add Section 727.7 to the Welfare and Institutions Code, relating to juveniles.

Bill read third time and presented by Senator Alquist.

The roll was called.



CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Wiggins.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 910—An act to amend Sections 3751 and 3752.5 of the Family Code, to amend Section 1373 of the Health and Safety Code, and to amend Sections 10277 and 10278 of the Insurance Code, relating to disabled persons.

Bill read third time and presented by Senator Corbett.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 463—An act to amend Section 22511.85 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Ashburn.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 234—An act to amend Sections 4980.03, 4980.43, 4980.45, 4980.90, 4989.20, 4989.34, and 4989.44 of the Business and Professions Code, relating to professions and vocations.

Bill read third time and presented by Senator Ridley-Thomas.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ridley-Thomas moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1713—An act to add Section 224.5 to, and to amend, repeal, and add Section 224 of, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

Bill read third time and presented by Senator Maldonado.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1288—An act to amend Section 31452.5 of, and to add Article 8.9 (commencing with Section 31698) to Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to vision care.

Bill read third time and presented by Senator Migden.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1559—An act to add and repeal Section 78261.5 of the Education Code, relating to public postsecondary education.

Bill read third time and presented by Senator Scott.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



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

Senate Bill 5—An act to add Sections 65007, 65302.9, 65860.1, 65865.5, 65962, and 66474.5 to, the Government Code, to add Section 50465 to the Health and Safety Code, and to add Chapter 4 (commencing with Section 8200) to Part 1 of, and to add Part 6 (commencing with Section 9600) to, Division 5 of, the Water Code, relating to flood management.

Bill presented by Senator Machado.

The question being: Shall the Senate concur in the Assembly amendments to SB 5?

Roll Call

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

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

NOES (8)—Senators Ackerman, Ashburn, Calderon, Dutton, Hollingsworth, McClintock, Runner, and Wyland.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1672—An act to amend Sections 14502 and 14503 of, and to add Section 14533.1 to, the Government Code, relating to transportation.

Bill read third time and presented by Senator Torlakson.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 162—An act to amend Sections 65302, 65303.4, 65352, 65584.04, and 65584.06 of, and to add Sections 65300.2 and 65302.7 to, the Government Code, relating to local planning.

Bill read third time and presented by Senator Machado.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 253—An act to amend Sections 2001, 2002, 2004, 2012, 2013, 2014, 2015, 2017, 2018, 2041, 2224, 2228, 2230, 2311, 2317, 2335, 2506, 2529, 2529.5, 2546.2, and 2550.1 of, to add Section 2540.1 to, to repeal Sections 2003, 2005, 2009, 2035, and 2223 of, and to repeal and add Section 2008 of, the Business and Professions Code, relating to medicine.

Bill read third time and presented by Senator Ridley-Thomas.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ridley-Thomas moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1636)**

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

Roll Call

The names of the absentees were called and AB 1636 was passed by the following vote:

AYES (24)—Senators Alquist, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Calderon, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 371)**

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

Roll Call

The names of the absentees were called and AB 371 was passed by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, Florez, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (16)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Machado, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1413)**

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

Roll Call

The names of the absentees were called and AB 1413 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Florez, Harman, Hollingsworth, Machado, Margett, McClintock, and Runner.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 467)**

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

Roll Call

The names of the absentees were called and AB 467 was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, and Wiggins.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1226)**

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

Roll Call

The names of the absentees were called and AB 1226 was passed by the following vote:

AYES (36)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, 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 (1)—Senator McClintock.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1281)**

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

Roll Call

The names of the absentees were called and AB 1281 was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 3)**

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

Roll Call

The names of the absentees were called and AB 3 was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 402)**

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

Roll Call

The names of the absentees were called and AB 402 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete



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

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1291)**

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

Roll Call

The names of the absentees were called and AB 1291 was passed by the following vote:

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

NOES (2)—Senators Ackerman and McClintock.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 756)**

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

Urgency Clause

The names of the absentees were called and the urgency clause to AB 756 was adopted by the following vote:

AYES (32)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (7)—Senators Aanestad, Cogdill, Harman, Hollingsworth, Margett, McClintock, and Wyland.

Roll Call

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

AYES (32)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza,



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

NOES (7)—Senators Aanestad, Cogdill, Harman, Hollingsworth, Margett, McClintock, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 910)**

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

Roll Call

The names of the absentees were called and AB 910 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 463)**

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

Roll Call

The names of the absentees were called and AB 463 was passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 234)**

On motion of Senator Ridley-Thomas, further proceedings under the call of the Senate were dispensed with.



Roll Call

The names of the absentees were called and AB 234 was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, Ducheny, Dutton, 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 (1)—Senator McClintock.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1713)**

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

Roll Call

The names of the absentees were called and AB 1713 was passed by the following vote:

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

NOES (4)—Senators Calderon, Machado, McClintock, and Oropeza.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1288)**

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

Roll Call

The names of the absentees were called and AB 1288 was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, 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 (1)—Senator McClintock.

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1559)**

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

Roll Call

The names of the absentees were called and AB 1559 was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alquist, Ashburn, Cogdill, Corbett, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, and Wyland.

NOES (10)—Senators Calderon, Cedillo, Correa, Florez, Kuehl, Migden, Oropeza, Padilla, Wiggins, and Yee.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1672)**

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

Roll Call

The names of the absentees were called and AB 1672 was passed by the following vote:

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 162)**

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

Roll Call

The names of the absentees were called and AB 162 was passed by the following vote:

AYES (26)—Senators Alquist, Cedillo, Corbett, Correa, Ducheny, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado,



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

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Calderon, Cogdill, Cox, Denham, Dutton, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 253)**

On motion of Senator Ridley-Thomas, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 253 was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, and Wiggins.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1542)**

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

Roll Call

The names of the absentees were called and AB 1542 was refused passage by the following vote:

AYES (19)—Senators Alquist, Cedillo, Corbett, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, and Wiggins.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Calderon, Cogdill, Cox, Denham, Dutton, Florez, Hollingsworth, Margett, McClintock, Runner, and Yee.

Motion to Reconsider

Senator Corbett moved to reconsider the vote whereby AB 1542 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny,



Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered returned to third reading.

SPECIAL CONSENT CALENDAR

Assembly Bill 1731—An act to amend Sections 4000, 9290, and 9295 of the Elections Code, relating to elections.

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

(NOTE: See Consent Calendar Roll Call)

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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1079—An act to add Section 11062 to the Penal Code, relating to law enforcement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1222—An act to amend Sections 17518.5, 17521, 17551, 17553, 17558, 17561, 17564, 17581, 17581.5, and 17612 of, to add Sections 17521.5, 17557.1, and 17557.2 to, to add Article 1.5 (commencing with Section 17572) to Chapter 4 of Part 7 of Division 4 of Title 2 of, and to repeal Section 17572 of, the Government Code, relating to state mandates.

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

(NOTE: See Consent Calendar Roll Call)

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 452—An act to amend Sections 2155 and 2156 of, and to add Section 2155.5 to, the Elections Code, relating to voter registration.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 537—An act to amend Section 47613 of the Education Code, relating to charter schools.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 539—An act to amend Section 68085 of the Government Code, relating to courts.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 13—An act to add Section 17070.52 to the Education Code, relating to school facilities.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 114—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.116, 195.117, and 195.118 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 387—An act to add Sections 1625.3, 1625.4, and 1625.5 to the Business and Professions Code, and to amend Section 13407 of the Corporations Code, relating to dentistry.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 1014**, **AB 160**, **AJR 32**, **AB 608**, **AB 891**, and, **AB 1708** were withdrawn from Committee and placed on third reading.



MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 163, AB 184, AB 519, AB 1159, AB 1456, AB 1491, AB 1545, AB 1611 and AB 1252** were withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

REQUEST TO BE ADDED TO ROLL CALL

September 7, 2007

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 771—Aye	SB 316—Aye	AB 1618—No
AB 1080—Aye	AB 402—No	AB 1413—No
AB 1291—No	SB 568—Aye	AB 650—No
AB 1139—Aye	AB 1636—No	

DICK ACKERMAN, Minority Floor Leader

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 1:20 p.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Perata moved that the Senate stand in recess until the hour of 5 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 5p.m., the Senate will adjourn until Monday, September 10, 2007.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 7, 2007

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

SB 829

Above measure ordered enrolled.

Assembly Chamber, September 7, 2007

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

SCR 55

Above resolution ordered enrolled.

Assembly Chamber, September 7, 2007

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

SB 280

SB 419



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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

Assembly Chamber, September 7, 2007

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

SB 226	SB 859	SB 1022	SB 406
SB 340	SB 861	SB 241	SB 645
SB 839	SB 966	SB 248	SB 660
SB 854	SB 1001	SB 345	SB 764

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES
Committee on Transportation and Housing

Date of Hearing, September 7, 2007

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

AB 1612

Reports the same back with the recommendation: Do pass.

LOWENTHAL, Chair

Above bill ordered to second reading.

Committee on Rules

Senate Chamber, September 7, 2007

Mr. President: The Committee on Rules has examined:

SB 556

And reports that the same has been correctly enrolled, and presented to the Governor on the 7th day of September, 2007, at 2 p.m.

PERATA, Chair

Committee on Appropriations

Senate Chamber, September 7, 2007

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

AB 1253

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 1253—An act to add Division 44 (commencing with Section 75100) to the Public Resources Code, relating to land use.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1253 pursuant to Joint Rule 58.

ASSEMBLY MEMBER CABALLERO

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1253.

PERATA, Chair

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

Committee on Rules

Senate Chamber, September 7, 2007

Mr. President: The Committee on Rules has examined:

SCR 51

SJR 2

SJR 9

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 7th day of September, 2007, at 4 p.m.

PERATA, Chair

Senate Chamber, September 7, 2007

Mr. President: The Committee on Rules has examined:

SB 599

And reports that the same has been correctly enrolled, and presented to the Governor on the 7th day of September, 2007, at 4 p.m.

PERATA, Chair

Senate Chamber, September 7, 2007

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

AB 734

AB 981

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

Assembly Bill 734—An act to amend Sections 3070, 3073.1, and 3075 of, and to add Sections 3075.5, 3075.6, and 3075.7 to, the Labor Code, relating to apprenticeships.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 734 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MA

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 734.

PERATA, Chair

Assembly Bill 981—An act to amend Section 22523 of, and to add Article 6.6 (commencing with Section 4780) to Chapter 1 of Division 3 of, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Chamber, September 7, 2007

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

AB 163	AB 1053	AB 1279	AB 1545
AB 184	AB 1159	AB 1456	AB 1611
AB 519	AB 1252	AB 1491	

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

Assembly Bill 163—An act to add Article 3.5 (commencing with Section 14691) to Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to state buildings.

Bill read second time.

Assembly Bill 184—An act to add Section 10609.45 to the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

Bill read second time.

Assembly Bill 519—An act to add Section 52052.3 to the Education Code, relating to pupil achievement.

Bill read second time.

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

Bill read second time.



Assembly Bill 1159—An act relating to state funds.

Bill read second time.

Assembly Bill 1252—An act to add Chapter 8 (commencing with Section 50700) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

Bill read second time.

Assembly Bill 1279—An act to amend Section 8450 of the Education Code, relating to child care.

Bill read second time.

Assembly Bill 1456—An act to add Chapter 12.5 (commencing with Section 14990) to Part 5.5 of Division 3 of Title 2 of the Government Code, relating to intellectual property.

Bill read second time.

Assembly Bill 1491—An act to amend Section 65054.3 of, and to add Article 2.6 (commencing with Section 14137) to Chapter 2 of Part 5 of Division 3 of Title 2 of, the Government Code, relating to contractors.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1491 pursuant to Joint Rule 58.

ASSEMBLY MEMBER ARAMBULA

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1491.

PERATA, Chair

Assembly Bill 1545—An act to add Section 17075.16 to the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 1611—An act to amend Sections 301, 334, and 532 of the Streets and Highways Code, relating to state highways.

Bill read second time.

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time.



Amendments Adopted

Amendments to AB 773 proposed by Senator Calderon were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 739—An act to add Sections 5096.827.2, 5096.827.3, 75050.2, and 75050.4 to the Public Resources Code, and to add Sections 13383.7 and 13383.8 to the Water Code, relating to water.

Bill read third time.

Amendments Adopted

Amendments to AB 739 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 765—An act to add Section 19601.4 to the Business and Professions Code, relating to horse racing.

Bill read third time.

Amendments Adopted

Amendments to AB 765 proposed by Senator Florez were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 358—An act to add Section 11011.26 to the Government Code, relating to state property.

Bill read third time.

Amendments Adopted

Amendments to AB 358 proposed by Senator Maldonado were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 119—An act to add Section 13001 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 119 proposed by Senator Calderon were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1078—An act to amend Sections 11155.2, 11155.4, 11155.6, 11322.6, and 15204.6 of, and to add Section 11322.5 to, the Welfare and Institutions Code, relating to CalWORKs.

Bill read third time.

Amendments Adopted

Amendments to AB 1078 proposed by Senator Alquist were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1736—An act to amend Sections 19596.2, 19605.73, and 19613.05 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read third time.



Amendments Adopted

Amendments to AB 1736 proposed by Senator Wyland were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 76—An act to add Chapter 5 (commencing with Section 3430) to Title 2 of Part 3 of the Penal Code, relating to inmates.

Bill read third time.

Amendments Adopted

Amendments to AB 76 proposed by Senator Romero were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 639—An act to add and repeal Section 1727 of the Welfare and Institutions Code, relating to parole.

Bill read third time.

Amendments Adopted

Amendments to AB 639 proposed by Senator Romero were read and adopted and the measure ordered printed and 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 third time.

Amendments Adopted

Amendments to AB 150 proposed by Senator Wyland were read and adopted and the measure ordered printed and 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 third time.

Amendments Adopted

Amendments to AB 449 proposed by Senator Alquist were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 941—An act to amend Sections 1797.170, 1797.171, and 1798.200 of, and to add Section 1797.117 to, the Health and Safety Code, relating to emergency medical services.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 941 pursuant to Joint Rule 58.

ASSEMBLY MEMBER TORRICO



Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 941.

Amendments Adopted

Amendments to AB 941 proposed by Senator Ridley-Thomas were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 558—An act to add Article 5 (commencing with Section 25547) to Chapter 6.95 of Division 20 of the Health and Safety Code, relating to chemical substances.

Bill read third time.

Amendments Adopted

Amendments to AB 558 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 921—An act to amend Sections 10951 and 10960 of the Welfare and Institutions Code, relating to public social services.

Bill read third time.

Amendments Adopted

Amendments to AB 921 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1331—An act to add Section 13757 to the Welfare and Institutions Code, relating to foster youth.

Bill read third time.

Amendments Adopted

Amendments to AB 1331 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1402—An act to add Sections 4646.6 and 4704.6 to the Welfare and Institutions Code, relating to developmental services.

Bill read third time.

Amendments Adopted

Amendments to AB 1402 proposed by Senator Alquist were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 277—An act to amend Section 1529.2 of the Health and Safety Code, and to amend Sections 16003 and 16501.1 of the Welfare and Institutions Code, relating to foster care.

Bill read third time.

Amendments Adopted

Amendments to AB 277 proposed by Senator Romero were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 611—An act to amend Section 3523 of the Business and Professions Code, and to add Article 6 (commencing with Section 128559) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to physician assistants.

Bill read third time.

Amendments Adopted

Amendments to AB 611 proposed by Senator Cox were read and adopted and the measure ordered printed and ordered to the inactive file.

REQUEST FOR UNANIMOUS CONSENT (AB 1526)

Senator Alquist asked for, and was granted, unanimous consent that AB 1526 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1526

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.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1526 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LIEBER

Permission of Rules Committee

Senate Chamber, September 7, 2007

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1526.

PERATA, Chair

Motion to Amend

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

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1103—An act to add Section 25402.10 to the Public Resources Code, relating to energy.

Bill read third time.

Amendments Adopted

Amendments to AB 1103 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1663—An act to amend Sections 49076, 56000, 56026.1, 56028.5, 56031, 56033.5, 56058, 56059, 56171, 56173, 56205, 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 third time.

Amendments Adopted

Amendments to AB 1663 proposed by Senator Romero were read and adopted and the measure ordered printed and to third reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1711)

Senator Migden asked for, and was granted, unanimous consent that AB 1711 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1711

Assembly Bill 1711—An act to amend Section 6330 of the Labor Code, relating to occupational injury or illness.

Bill read second time.

Motion to Amend

Amendments to AB 1711 proposed by Senator Migden were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 414—An act to amend Sections 65583.2 and 65863 of the Government Code, relating to local planning.

Bill read third time.

Amendments Adopted

Amendments to AB 414 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 980—An act to add Sections 1098, 1098.5, and 1102.6e to the Civil Code, relating to real estate transfer fees.

Bill read third time.

Amendments Adopted

Amendments to AB 980 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1113—An act to amend Section 14007.9 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Amendments Adopted

Amendments to AB 1113 proposed by Senator Migden were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 12—An act to add Division 113 (commencing with Section 131500) to the Health and Safety Code, relating to health care coverage.

Bill read third time.



Amendments Adopted

Amendments to AB 12 proposed by Senator Alquist were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 8—An act to amend Section 11126 of, and to add Sections 6254.28, 12803.1, and 12803.2 to, the Government Code, to amend Sections 1357, 1357.12, 1363, and 1378 of, to add Section 1347 to, 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, and to add Chapter 4 (commencing with Section 128850) to Part 5 of Division 107 of, the Health and Safety Code, to amend Sections 10607, 10700, 10714, 12693.43, 12693.70, 12693.73, 12693.755, and 12693.76 of, to add Sections 10293.5, 12693.57, 12693.58, 12693.59, 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 amend Section 144 of, to add Sections 131.1, 683.5, and 1095.1 to, 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 amend and repeal Section 14011.16 of, to add Sections 14005.301, 14005.331, 14005.82, 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 third time.

Amendments Adopted

Amendments to AB 8 proposed by Senator Perata were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1—An act to amend Section 123870 of the Health and Safety Code, to amend Sections 12693.43, 12693.70, 12693.73, 12693.76, 12693.98, 12693.98a, and 12694 of, to amend and repeal Section 12693.981 of, to add Sections 12693.55, 12693.56, 12693.57, 12693.701, 12693.981a, and 12693.983 to, and to add Chapter 16.2 (commencing with Section 12694.1) to Part 6.2 of Division 2 of, the Insurance Code, and to amend Sections 14005.23, 14011.65, and 14011.65a of, and to add Sections 14005.26, 14011.01, and 14011.61 to, the Welfare and Institutions Code, relating to health care coverage.

Bill read third time.

Amendments Adopted

Amendments to AB 1 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 159—An act to amend Section 12011.5 of, and to add Sections 69614.2 and 69615 to, the Government Code, relating to courts.

Bill read third time.



Amendments Adopted

Amendments to AB 159 proposed by Senator Harman were read and adopted and the measure ordered printed and 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 third time.

Amendments Adopted

Amendments to AB 1187 proposed by Senator Cogdill were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 241—An act to amend Sections 19410 and 19605.51 of, and to add Sections 19410.7, 19605.25, and 19605.54 to, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 241 proposed by Senator Florez were read and adopted and the measure ordered printed and to third reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 34 proposed by Senator Migden were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 665—An act to add Section 65075 to the Government Code, and to add Section 50461 to the Health and Safety Code, relating to land use.

Bill read third time.

Amendments Adopted

Amendments to AB 665 proposed by Senator Wiggins were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1494—An act to amend Sections 11400 and 11462.02 of the Welfare and Institutions Code, relating to foster care.

Bill read third time.

Amendments Adopted

Amendments to AB 1494 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 1669—An act to add Section 13963.1 to the Government Code, relating to grants for trauma centers, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 1669 proposed by Senator Romero were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 110—An act to amend Section 121349.3 of, and to add Chapter 1.5 (commencing with Section 120780) to Part 4 of Division 105 of, the Health and Safety Code, relating to the use of state HIV prevention and education funds for distribution of needles and syringes.

Bill read third time.

Amendments Adopted

Amendments to AB 110 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 512—An act to amend Section 1632 of the Civil Code, relating to contracts.

Bill read third time.

Amendments Adopted

Amendments to AB 512 proposed by Senator Alquist were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1531—An act to amend Section 14679 of the Government Code, and to amend Sections 22511.59, 22511.7, 22511.8, and 42001.13 of, and to add Section 22511.95 to, the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 1531 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 233—An act to add Sections 43011.5 and 43704 to the Health and Safety Code, and to add Section 4755 to the Vehicle Code, relating to air pollution.

Bill read third time.

Amendments Adopted

Amendments to AB 233 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to third reading.

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

Bill read third time.



Amendments Adopted

Amendments to AB 1725 proposed by Senator Simitian were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1749—An act relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1749 proposed by Senator Simitian were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1130—An act to amend Sections 25270.2, 25270.3, 25270.6, 25270.8, 25270.12, 25270.13, 25404, 25404.1.1, 25404.5, and 25503.4 of, to add Section 25270.4.5 to, to repeal Sections 25270.1, 25270.7, and 25270.10 of, to repeal and add Sections 25270, 25270.4, 25270.5, and 25270.9 of, and to repeal, add, and repeal Section 25270.11 of, the Health and Safety Code, relating to aboveground storage tanks.

Bill read third time.

Amendments Adopted

Amendments to AB 1130 proposed by Senator Florez were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 5—An act to add Sections 65007, 65302.9, 65860.1, 65865.5, 65962, and 66474.5 to the Government Code, to add Section 50465 to the Health and Safety Code, and to add Chapter 4 (commencing with Section 8200) to Part 1 of, and to add Part 6 (commencing with Section 9600) to, Division 5 of, the Water Code, relating to flood management.

Bill read third time.

Amendments Adopted

Amendments to AB 5 proposed by Senator Machado were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 662—An act to amend Section 25402 of the Public Resources Code, relating to water conservation.

Bill read third time.

Amendments Adopted

Amendments to AB 662 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2—An act to amend Sections 1367.15, 1373.6, and 1373.622 of, to add Sections 1356.2, 1373.63, and 1399.819 to, and to amend, repeal, and add Section 1366.35 of, the Health and Safety Code, and to amend Sections 10127.16, 10176.10, 12682.1, 12700, 12705, 12711, 12723, 12725, 12737, and 12739 of, to amend, repeal, and add Sections 10785, 12712, and 12726 of, to add Sections 1827.86, 10127.19, 10901.10, 12714.1, and 12738 to, to add Chapter 9 (commencing with Section 12739.5) to Part 6.5 of Division 2 of, and to repeal and add Section



12718 of, the Insurance Code, relating to health care coverage, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 2 proposed by Senator Perata were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 7—An act to add Sections 1241, 14960, 22345, and 23038 to the Financial Code, and to amend Section 394 of the Military and Veterans Code, relating to consumer loans, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 7 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 118—An act to amend Section 16428.3 of the Government Code, to amend, repeal, and add Section 44060 of, to add Article 11 (commencing with Section 44125) to Chapter 5 of, to add Chapter 8.9 (commencing with Section 44270) to, Part 5 of Division 26 of, and to repeal Section 44091.1 of, the Health and Safety Code, and to amend, repeal, and add Sections 9250, 9261, and 9853 of the Vehicle Code, relating to fuels.

Bill read third time.

Amendments Adopted

Amendments to AB 118 proposed by Senator Perata were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1560—An act to amend Section 25402 of the Public Resources Code, relating to public resources.

Bill read third time.

Amendments Adopted

Amendments to AB 1560 proposed by Senator Padilla were read and adopted and the measure ordered printed and to third reading.

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 third time.

Amendments Adopted

Amendments to AB 1613 proposed by Senator Dutton were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 715—An act to amend, renumber, and add Section 17921.5 of, to add and repeal Section 17921.4 of, and to repeal and add



Section 17921.3 of, the Health and Safety Code, relating to water conservation appliances.

Bill read third time.

Amendments Adopted

Amendments to AB 715 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1091—An act to amend Section 53562 of the Health and Safety Code, relating to housing.

Bill read third time.

Amendments Adopted

Amendments to AB 1091 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 101—An act to amend, repeal, and add Section 40207 of, and to add and repeal Article 3.5 (commencing with Section 40240) of Chapter 1 of Division 17 of, the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 101 proposed by Senator Migden were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 888—An act to add Part 4.5 (commencing with Section 71350) to Division 34 of the Public Resources Code, relating to building standards.

Bill read third time.

Amendments Adopted

Amendments to AB 888 proposed by Senator Simitian were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1034—An act to add Section 512.7 to of the Labor Code, relating to employment.

Bill read third time.

Amendments Adopted

Amendments to AB 1034 proposed by Senator Hollingsworth were read and adopted and the measure ordered printed and 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 third time.

Amendments Adopted

Amendments to AB 1656 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 1058—An act to amend Sections 18909, 18917.2, 18927, and 18941.5 of, to add Sections 18914.4 and 18918.4 to, and to add Chapter 4.7 (commencing with Section 18944.50) to Part 2.5 of Division 13 of, the Health and Safety Code, relating to environmental protection.

Bill read third time.

Amendments Adopted

Amendments to AB 1058 proposed by Senator Simitian were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 48—An act to add Sections 25214.10.3 and 25214.10.4 to the Health and Safety Code, relating to hazardous waste.

Bill read third time.

Amendments Adopted

Amendments to AB 48 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to third reading.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 160** was withdrawn from Committee and placed on third reading.

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

Assembly Bill 160—An act to add Article 2 (commencing with Section 1171) to Chapter 4.5 of Title 7 of Part 2 of the Penal Code, relating to sentencing.

Bill read.

Motion to Amend

Amendments to AB 160 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to third reading.

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 third time.

Amendments Adopted

Amendments to AB 1381 proposed by Senator Romero were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1406—An act to amend Section 13553 of the Water Code, relating to water.

Bill read third time.

Amendments Adopted

Amendments to AB 1406 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 31—An act to amend Sections 5640, 5641, 5642, 5643, 5644, 5645, 5646, 5647, 5648, 5649, 5650, 5651, and 5653 of, to amend the heading of Chapter 3.3 (commencing with Section 5640) of Division 5 of, and to add Sections 5643.6 and 5652.5 to, the Public Resources Code, relating to parks and recreation.

Bill read third time.

Amendments Adopted

Amendments to AB 31 proposed by Senator Padilla were read and adopted and the measure ordered printed and to third reading.

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 third time.

Amendments Adopted

Amendments to AB 236 proposed by Senator Florez were read and adopted and the measure ordered printed and to third reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 515 proposed by Senator Padilla were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 335—An act to amend Section 11450 of the Welfare and Institutions Code, relating to CalWORKs.

Bill read third time.

Amendments Adopted

Amendments to AB 335 proposed by Senator Alquist were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 70—An act to add Section 8307 to the Water Code, relating to flood liability.

Bill read third time.

Amendments Adopted

Amendments to AB 70 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to third reading.

SENATE COMMITTEE ROLL CALLS

Committee on Transportation and Housing

AB 1612—Do pass

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

NOES (0)—None.

Date of Hearing: 9/7/2007

Lowenthal (Chair)



REQUEST TO ADJOURN IN MEMORIAM

Senator Perata requested that when the Senate adjourns this day it do so in memory of James A. Watson, M.D. of Oakland.

ADJOURNMENT

At 5 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senator's request until 10:30 a.m., Monday, September 10, 2007.

PAULA K. ROSSETTO, Minute Clerk

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