

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

---

---

# SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-NINTH LEGISLATIVE DAY

---

## IN SENATE

---

Senate Chamber, Sacramento  
Monday, January 7, 2008

The Senate met at 1 p.m.  
Hon. Don Perata, of the 9th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary Kipchoge Randall reading.

### QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.  
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:  
Aanestad, Ackerman, Alquist, Ashburn, 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, Wiggins, and Yee—38.

Quorum present.

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



**PRAYER**

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

*Holy and Gracious God*, We give you thanks for this New Year and its new possibilities. Watch over this Capitol and all who pass through these halls. We ask your blessing especially upon the Governor of California and his administration; the members the California Senate and Assembly and their staff; and the judges of our state and all who serve in the courts. Bless our public servants with the vision to serve all of your people, and the wisdom to know how. Give to them the courage and strength, integrity and patience to meet the challenges ahead.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol  
December 3, 2007

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Deborah E. Linden, chief of police, San Luis Obispo Police Department since 2003; and has served on the Commission on Peace Officer Standards and Training since 2004. Reappointed 11/08/07. Effective 11/08/07.

Member, Commission on Peace Officer Standards and Training, term ending 09/18/2010.

Anthony W. Batts, chief of police, Long Beach Police Department; and has served on the Commission on Peace Officer Standards and Training since 2004. Reappointed 11/08/07. Effective 11/08/07.

Member, Commission on Peace Officer Standards and Training, term ending 09/18/2010.

John W. Corbett, attorney in private practice since 1974; and served on the California Regional Water Quality Control Board, North Coastal Region since 2001. Reappointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, North Coastal Region, term ending 09/30/2011.



William R. Massey, licensed tax preparer in private practice; and served on the California Regional Water Quality Control Board, North Coastal Region since 2000. Reappointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, North Coastal Region, term ending 09/30/2011.

Dan B. Odenweller, has worked for the California Department of Fish and Game for 30 years in numerous capacities before retiring in 2001; and served on the board since 2005. Reappointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, Central Valley Region, term ending 09/30/2011.

Eric T. Anderson, vice president, La Costa Flower Shop and Nursery, Inc.; and former president of the California Farm Bureau. He has served on the California Regional Water Quality Control Board, San Diego Region since 2004. Reappointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, San Diego Region, term ending 09/30/2011.

John W. McCamman, acting director and chief deputy director of the Department of Fish and Game. Former senior vice president, Fleishman-Hillard Government Relations from 2003–2006. Appointed 11/15/07. Effective 11/15/07.

Commissioner, Pacific States Marine Fisheries Commission, vice L. Ryan Broddrick, resigned, term ending 09/18/2011.

L.B. Boydston, marine fishery advisor, California Department of Fish and Game and the Pacific Fishery Management Council since 2003. He has served on the Pacific States Marine Fisheries Commission since 2005. Reappointed 11/15/07. Effective 11/15/07.

Commissioner, Pacific States Marine Fisheries Commission, term ending 09/19/2011.

Elizabeth L. Mathieson, senior managing scientist, Exponent Failure Analysis Associates since 1999; and former principal geologist with TerraTech from 1983 to 1999. Appointed 11/08/07. Effective 11/08/07.

Member, Alfred E. Alquist Seismic Safety Commission, term ending 05/15/2011.

Marshall McKay, tribal chair, Rumsey Indian Rancheria since 1985; and a member of the board of trustees for the Autry National Center and the University of California, Davis. Appointed 11/14/07. Effective 11/14/07.

Member, Native American Heritage Commission, vice Mary Ann E. Martin Andreas, withdrawn from Senate, term ending at the Pleasure of the Governor.



Pamela L. Hemminger, partner in the law firm of Gibson, Dunn & Crutcher since 1985; and previous chair of the Labor and Employment Law section of the Los Angeles County Bar Association. Reappointed 11/28/07. Effective 11/28/07.

Member, California Law Revision Commission, term ending 10/01/2011.

Sidney M. Greathouse, director of legal services, Cheesecake Factory Incorporated; and former associate in the law firm Jackson, Lewis, Schnitzler & Krupman from 1999 to 2000. Reappointed 11/28/07. Effective 11/28/07.

Member, California Law Revision Commission, term ending 10/01/2011.

Susan D. Lee, deputy attorney general and supervisor in the opinions unit for the California Office of the Attorney General. Reappointed 11/28/07. Effective 11/28/07.

Member, California Law Revision Commission, term ending 10/01/2011.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol  
December 11, 2007

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Laura Y. Miranda, deputy general counsel, Pechanga Tribal Government since 2005; and was previously partner in the law firm, Miranda, Tomaras & Ogas, from 2003 to 2006. Appointed 11/09/07. Effective 11/09/07.

Member, Native American Heritage Commission, vice Edward L. Albert, deceased, term ending at the Pleasure of the Governor.

Julie L. Tumamait-Stenslie, consultant for Chumash Cultural Services since 1985; and was previously sales representative for the Ventura County Museum of History & Art since 1987. Appointed 11/08/07. Effective 11/08/07.

Member, Native American Heritage Commission, vice Marilyn J. Delgado, withdrawn from Senate, term ending at the Pleasure of the Governor.



James C. Ramos, cultural awareness program coordinator, San Manuel Band of Mission Indians since 1996; and was previously chair of the San Manuel Gaming Commission from 1994 to 1996. Appointed 11/09/07. Effective 11/09/07.

Member, Native American Heritage Commission, vice Joseph R. Benitez, withdrawn from Senate, term ending at the Pleasure of the Governor.

Wayne F. Rayfield, was previously on the Dana Point City Council from 1998 to 2006; and was mayor of Dana Point in 2005. Appointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, San Diego Region, term ending 09/18/2010.

Kris J. Weber, principal at Hunsaker & Associates since 2000; and previously a planner for Ron Martin and Associates from 1978 to 1980. Appointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, San Diego Region, vice Daniel E. Johnson, term expired, term ending 09/30/2011.

Carole A. Hood, was a private consultant on health and social services issues to government and non-profit agencies. Previously was chief deputy director, Department of Child Support Services from 2000 to 2004; and chief deputy director of the Department of Mental Health from 1993 to 1997. Appointed 11/28/07. Effective 11/28/07.

Chief Deputy Secretary, Adult Programs, Department of Corrections and Rehabilitation, vice Marisela Montes, reassigned, term ending at the Pleasure of the Governor.

Jeffrey D. Thompson, vice president of learning programs, Foundation for California Community Colleges. Previously was principal of Middle College High School at the San Joaquin Delta College from 1999 to 2005. Appointed 12/03/07. Effective 12/03/07.

Assistant Secretary, Health Care Policy, Department of Corrections and Rehabilitation, vice Darc D. Keller, resigned, term ending at the Pleasure of the Governor.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol  
December 20, 2007

*To the Senate of the State of California:*

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



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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

David G. Maxwell-Jolly, Ph.D., previously chief deputy director, Department of Child Support Services (DCSS) since 2005; and was project director, California Child Support Automation System at DCSS and the Franchise Tax Board, from 2002 to 2004. Appointed 12/19/07. Effective 12/19/07.

Director, Department of Child Support Services, vice Greta J. Wallace, resigned, term ending at the Pleasure of the Governor.

Leslie A. Lohse, tribal council treasurer and assistant administrator for the Paskenta Band of Nomlaki Indians since 1998. Appointed 11/13/07. Effective 11/13/07.

Member, Native American Heritage Commission, vice Fawn E. Morris, resigned, term ending at the Pleasure of the Governor.

Joan M. Hancock, owner, Her Land Enterprise since 1983; and previously co-owner, Hancock & Colyer Construction from 1977 to 1983. Appointed 11/14/07. Effective 11/14/07.

Member, Contractor's State License Board, Department of Consumer Affairs, vice Paul R. Baldacci, term expired, term ending 6/1/2011.

Lisa E. Miller-Strunk, president, Shellmaker Incorporated since 1991; and was previously an accounting clerk, Waterfront Enterprises from 1988 to 1991. Appointed 11/28/07. Effective 11/28/07.

Member, Contractor's State License Board, Department of Consumer Affairs, vice John B. Sandman, term expired, term ending 6/1/2010.

James P. McGrath, previously, manager, environmental department for the Port of Oakland from 1990 to 2005; and was a coastal protection analyst, California Coastal Commission from 1976 to 1990. Appointed 11/28/07. Effective 11/28/07.

Member, California Regional Water Quality Control Board, San Francisco Bay Region, vice Gary Wolff, Ph.D., reassigned, term ending 9/30/2011.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol  
December 26, 2007

*To the Senate of the State of California:*

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

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

William A. Ruh, is on the Montclair City Council since 1998; and has served on the Santa Ana Regional Water Quality Control Board since 2002. Reappointed 11/13/07. Effective 11/13/07.

Member, California Regional Water Quality Control Board, Santa Ana Region, term ending 9/30/2011.

Thomas J. Davis, chief planning and development officer, Agua Caliente Band of Cahuilla Indians since 1997; and former senior associate for David Evans and Associates from 1995 to 1997. Appointed 11/30/07. Effective 11/30/07.

Member, California Regional Water Quality Control Board, Colorado River Basin Region, vice Marie S. Barrett, resigned, term ending 9/30/2008.

Edward J. Muzik, chief financial officer, for the Hi-Desert Water District since 2002 and is acting general manager. Previously was director of operations and finance for Vicom Systems Incorporated from 1993 to 2002. Appointed 11/30/07. Effective 11/30/07.

Member, California Regional Water Quality Control Board, Colorado River Basin Region, vice Nancy S. Wright, term expired, term ending 9/30/2011.

Above appointments referred to the Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 11, 2007

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

SB 98

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered to unfinished business file.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

State Capitol, January 7, 2008

The Committee on Rules has re-referred the following measures to committees:

**Environmental Quality**—SB 509, SB 895.

**Governmental Organization**—SB 157, SB 902.

**Health**—SB 107, SB 349, SB 648, SB 772.

**Human Services**—SB 825, SB 977.

**Judiciary**—SB 150, SB 222, SB 685.

**Labor and Industrial Relations**—SB 726, SB 940.

**Public Employment and Retirement**—SB 755.

**Public Safety**—SB 746, SB 860.

**Veterans Affairs**—SB 607, SB 983.

State Capitol, December 6, 2007

Mr. President: The Senate Rules Committee has appointed Senator Hollingsworth as a member of the Joint Legislative Committee on Emergency Services and Homeland Security to replace Senator Ashburn.

PERATA, Chair

#### **Committee on Judiciary**

Senate Chamber, January 7, 2008

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

SB 364

SB 482

SB 843

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

CORBETT, Chair

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

**Senate Bill 364**—An act to repeal and amend Section 1798.29 of the Civil Code, relating to personal information.

Bill read second time.

**Senate Bill 482**—An act to amend Section 1950.5 of, and to add Section 1950.55 to, the Civil Code, relating to residential tenancies.

Bill read second time.

**Senate Bill 843**—An act to amend Section 56.10 of the Civil Code, relating to medical information.

Bill read second time.

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

#### **Committee on Public Safety**

Senate Chamber, January 7, 2008

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

SB 1033

AB 442

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

ROMERO, Chair





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

**Senate Bill 1033**—An act to add Section 1203.42 to the Penal Code, relating to criminal procedure.

Bill read second time.

**Assembly Bill 442**—An act to amend Sections 311.1, 311.2, 311.3, 311.4, and 311.9 of the Penal Code, relating to sex offenses.

Bill read second time.

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

**Committee on Human Services**

Senate Chamber, January 7, 2008

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

SB 648

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

ALQUIST, Chair

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

**Senate Bill 648**—An act to amend Section 16001.9 of the Welfare and Institutions Code, relating to foster children.

Bill read second time.

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

**Committee on Appropriations**

Senate Chamber, January 7, 2008

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

SB 292

SB 491

SB 623

SB 662

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

TORLAKSON, Chair

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

**Senate Bill 292**—An act to add Section 75067 to the Public Resources Code, relating to urban greening.

Bill read second time.

**Senate Bill 491**—An act to add Division 8.75 (commencing with Section 9800) to the Welfare and Institutions Code, relating to older Californians .

Bill read second time.



**Senate Bill 623**—An act to add Section 14133.231 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

**Senate Bill 662**—An act to amend Section 82011 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

#### **Committee on Health**

Senate Chamber, January 7, 2008

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

SB 891

SB 1000

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

KUEHL, Chair

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

**Senate Bill 891**—An act to add and repeal Section 1256.01 of the Health and Safety Code, relating to public health.

Bill read second time.

**Senate Bill 1000**—An act to amend Sections 11831.5, 11834.01, 11834.02, 11834.03, 11834.09, 11834.10, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.29, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, to add Sections 11834.04 and 11834.11 to, and to repeal and add Section 11834.16 of, the Health and Safety Code, relating to substance abuse.

Bill read second time.

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

#### **Committee on Revenue and Taxation**

Senate Chamber, January 7, 2008

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

AB 1451

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

OROPEZA, Chair



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

**Assembly Bill 1451**—An act to amend Section 73 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, January 7, 2008

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

SB 43	SB 607	SB 825	AJR 22
SB 222	SB 657	SB 860	AJR 30
SB 301	SB 685	SB 902	
SB 361	SB 746	SB 911	
SB 398	SB 772	SB 940	

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 43**—An act to add and repeal Section 44261.5 to the Education Code, relating to teacher credentialing.

Bill read second time.

**Senate Bill 222**—An act to amend Section 5000 of the Penal Code, relating to the Department of Corrections and Rehabilitation.

Bill read second time.

**Senate Bill 301**—An act relating to local government.

Bill read second time.

**Senate Bill 361**—An act to amend Section 17077.40 of the Education Code, relating to school facilities.

Bill read second time.

**Senate Bill 398**—An act to amend Section 14600 of the Government Code, relating to the Department of General Services.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 398 pursuant to Joint Rule 58.

SENATOR DENHAM

**Permission of Rules Committee**

Senate Chamber, January 7, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 398.

PERATA, Chair



**Senate Bill 607**—An act to amend Section 13102 of the Government Code, relating to state infrastructure.

Bill read second time.

**Senate Bill 657**—An act to amend Section 186.21 of the Penal Code, relating to criminal street gangs.

Bill read second time.

**Senate Bill 685**—An act relating to gaming.

Bill read second time.

**Senate Bill 746**—An act to amend Section 11781 of the Insurance Code, relating to insurance.

Bill read second time.

**Senate Bill 772**—An act to amend Sections 104190, 104192, and 104193 of, and to repeal and add Section 104191 of, the Health and Safety Code, relating to Lyme disease.

Bill read second time.

**Senate Bill 825**—An act to add Section 100.1 to the Water Code, relating to water.

Bill read second time.

**Senate Bill 860**—An act relating to crimes.

Bill read second time.

**Senate Bill 902**—An act relating to juveniles.

Bill read second time.

**Senate Bill 911**—An act to relating to emergency services.

Bill read second time.

**Senate Bill 940**—An act to relating to wages.

Bill read second time.

**Assembly Joint Resolution 22**—Relative to Hurricane Katrina disaster relief.

Resolution read second time.

**Assembly Joint Resolution 30**—Relative to the Lyme and Tick-Borne Disease Prevention, Education, and Research Act of 2007.

Resolution read second time.

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



**Committee on Banking, Finance and Insurance**

Senate Chamber, January 7, 2008

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

SB 723

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

MACHADO, Chair

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

**Senate Bill 723**—An act to add Section 11778.5 to the Insurance Code, relating to insurance.

Bill read second time.

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

**Committee on Public Safety**

Senate Chamber, January 7, 2008

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

SB 844

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

ROMERO, Chair

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

**Senate Bill 844**—An act to amend Sections 626, 626.2, 626.7, 626.8, 626.81, 626.85, and 626.9 of, and to add Section 626.1 to, the Penal Code, relating to crime.

Bill read second time.

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

Senate Chamber, January 7, 2008

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

SB 327

SB 447

SB 628

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

ROMERO, Chair

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

**Senate Bill 327**—An act to amend Sections 11106, 12030, 12076, 12077, and 12078 of, and to add Section 12084 to, the Penal Code, relating to firearms.

**Senate Bill 447**—An act to amend Sections 21606 and 21608 of, and to add Section 21606.1 to, the Business and Professions Code, relating to junk dealers.

**Senate Bill 628**—An act to amend Sections 11378, 11379, and 11379.7 of the Health and Safety Code, to add Section 12022.76 to, and to add Chapter 8.5 (commencing with Section 13875) to Title 6 of Part 4 of, the Penal Code, relating to controlled substances.

Bill read second time.

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

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

Senate Chamber, January 7, 2008

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

SB 585

SB 791

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

LOWENTHAL, Chair

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

**Senate Bill 585**—An act to amend Section 16000 of, to amend, renumber, and add Section 16004 of, and to add Section 16005 to, the Public Resources Code, relating to recycled concrete.

Bill read second time.

**Senate Bill 791**—An act to add Section 104.20 to the Streets and Highways Code, relating to highways.

Bill read second time.

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

#### **Committee on Health**

Senate Chamber, January 7, 2008

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

SB 790

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

KUEHL, Chair



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

**Senate Bill 790**—An act to add Section 101037 to the Health and Safety Code, relating to public health.

Bill read second time.

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

**Committee on Public Safety**

Senate Chamber, January 7, 2008

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

SB 31

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

ROMERO, Chair

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

**Senate Bill 31**—An act to add Title 1.80 (commencing with Section 1798.79) and Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

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, January 7, 2008

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

SB 1007

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 1007**—An act to add Division 20.5 (commencing with Section 51000) to the Financial Code, relating to exchange facilitators.

Bill read second time.

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

Senate Chamber, January 7, 2008

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

SB 677

SB 986



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 677**—An act to add Section 14998.17 to the Government Code, relating to economic development.

Bill read second time.

**Senate Bill 986**—An act to amend Section 878 of the Penal Code, relating to criminal procedure.

Bill read second time.

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

Senate Chamber, January 7, 2008

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

SB 926

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 926**—An act relating to mobilehome parks.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 926 pursuant to Joint Rule 58.

SENATOR PERATA

**Permission of Rules Committee**

Senate Chamber, January 7, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 926.

PERATA, Chair

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

**Committee on Public Employment and Retirement**

Senate Chamber, January 7, 2008

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

SB 695

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

WIGGINS, Chair





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

**Senate Bill 695**—An act to add Section 19827.4 to the Government Code, relating to public employment.

Bill read second time.

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

**Committee on Energy, Utilities and Communications**

Senate Chamber, January 7, 2008

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

SB 780

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

KEHOE, Chair

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

**Senate Bill 780**—An act to add Sections 750 and 751 to the Public Utilities Code, relating to telecommunications.

Bill read second time.

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

**MOTIONS TO REFER MEASURES TO INACTIVE FILE**

Senator Kuehl moved that **AB 184** be placed on the inactive file.

Senator Romero moved that **AB 97** be placed on the inactive file.

Senator Corbett moved that **SB 145** be placed on the inactive file.

Senator Ridley-Thomas moved that **AB 1400** be placed on the inactive file.

Motions carried.

**MOTION TO TAKE MEASURE FROM THE INACTIVE FILE**

Senator Yee moved that **SB 446** be taken from the inactive file and placed on the second reading file.

Motion carried.

**RE-REFERENCE TO COMMITTEE**

Pursuant to Senate Rule 29.10, **SB 608** was referred to the Committee on Rules.

**REQUEST TO RETURN BILLS TO ASSEMBLY**

On the request of Senator Kehoe, SB 1040 was returned to the Assembly for further action.

On the request of Senator Wiggins, SB 562 was returned to the Assembly for further action.



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

Without objection, **SB 648** was withdrawn from the Committee on Human Services and re-referred to the Committee on Rules; and

**JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Health to hear SB 349, SB 648 and SB 790 on January 9 without four days notice in the Daily File.

**MOMENT OF SILENCE**

Senator Ridley-Thomas asked that the Senate observe a Moment of Silence in honor of former Assembly Member Augustus Hawkins.

**Senator Romero Presiding****RECESS**

At 1:20 p.m., on motion of Senator Perata the Senate recessed in order to convene the Second Extraordinary session.

**REASSEMBLED**

At 2:03 p.m., the Senate reconvened.

Hon. Gloria Romero, of the 24th District, presiding.

**LEAVES OF ABSENCE FOR THE DAY**

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

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

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

At 2:04 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 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, January 8, 2008.

Motion carried.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, January 7, 2008

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 3–0, has referred SB 608 (Wiggins) to the Senate Committee on Public Employment and Retirement.

PERATA, Chair

State Capitol, January 7, 2008

The Committee on Rules has re-referred the following measures to committee:

**Health**—SB 648.

**Veterans Affairs**—SB 292, SB 623, SB 662.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time and transmitted to the Committee on Rules for assignment:

**Senate Bill 1053:** By Senator Machado (Principal coauthor: Senator Perata)—An act to amend Section 10148 of, to add Sections 10131.9, 10131.91, 10131.92, 10131.93, and 10131.95 to, and to repeal Section 10131.8 of, the Business and Professions Code, relating to real estate.

**Senate Bill 1054:** By Senator Machado (Principal coauthor: Senator Perata)—An act to add Sections 10087 and 10134 to the Business and Professions Code, relating to real estate.

**Senate Bill 1055:** By Senators Machado and Correa—An act to add Section 17144.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 1056:** By Senators Migden, Florez, and Steinberg (Coauthors: Senators Alquist and Wiggins)—An act to amend Sections 8670.25.5 and 8670.28 of the Government Code, relating to oil spills, and declaring the urgency thereof, to take effect immediately.

**Senate Bill 1057:** By Senator Migden—An act to amend Section 1936.01 of, and to add and repeal Section 1936.02 of, the Civil Code, relating to rental cars.

**Senate Bill 1058:** By Senator Alquist—An act to add Sections 1255.8 and 1569.39 to the Health and Safety Code, relating to health.

**Senate Bill 1059:** By Senator Migden—An act to amend Section 790.03 of the Insurance Code, relating to unfair insurance business acts.

**Senate Bill 1060:** By Senators Ridley-Thomas—An act relating to the Los Angeles Memorial Coliseum Commission.

**Senate Bill 1061:** By the Committee on Local Government (Senators Negrete McLeod (Chair), Cox, Harman, Kehoe, and Machado)—An act to



validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

**Senate Bill 1062:** By the Committee on Local Government (Senators Negrete McLeod (Chair), Cox, Harman, Kehoe, and Machado)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

**Senate Bill 1063:** By the Committee on Local Government (Senators Negrete McLeod (Chair), Cox, Harman, Kehoe, and Machado)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

**Senate Joint Resolution 18:** By Senator Wyland—Relative to citizenship and voting.

**Senate Joint Resolution 19:** By Senators Ridley-Thomas—Relative to health professionals.

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

**SB 292, SB 491, SB 623, and SB 662** were withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

#### **REQUESTS TO ADJOURN IN MEMORIAM**

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Annabella Grace Pulone of Aliso Viejo.

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Rollin Perry Cunningham of Fremont.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Sgt. Kyle Dayton and Raymond HeFley of El Dorado Hills, Dick Sipe of Auburn, Kenneth Semmler of Granite Bay, Frances Midgley Saxton of Sacramento and Dr. Harvey L. Rose of Carmichael.

Senators Cox and Steinberg requested that when the Senate adjourns this day it do so in memory of Dr. Gaspar Garcia of Sacramento.

Senators Ducheny and Kehoe requested that when the Senate adjourns this day it do so in memory of RAdm. Raymond Burk of Coronado.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Bob Gabriel of Santa Monica.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Sophie Logomarsino, Milton C. Gill and Edward “Dan” Brandstad of Linden, Edward Lawrence Redmond of Lodi and Forrest W. Landeen of Stockton.



Senator McClintock requested that when the Senate adjourns this day it do so in memory of William F. "Hoop" Hooper of Santa Monica.

Senator Perata requested that when the Senate adjourns this day it do so in memory of John Day of Glendale and Ethel Dotson of Richmond.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Young Ai Fong of Sacramento and Matthew White of Elk Grove.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Steven John Jimenez of Oakland.

Senator Wiggins requested that when the Senate adjourns this day it do so in memory of Ed Weber of Napa.

#### **ADJOURNMENT**

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, January 8, 2008.

PAULA K. ROSSETTO, Minute Clerk

O

