

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, January 8, 2008

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

ROLL CALL

The roll was called and the following Senators answered to their names:

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

Quorum present.

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



REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, January 8, 2008

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

SB 602

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 602—An act to amend Sections 33352 and 51222 of, and to amend, repeal, and add Section 51241 of, the Education Code, relating to physical education.

Bill read second time.

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

Committee on Banking, Finance and Insurance

Senate Chamber, January 8, 2008

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

AB 1051

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1051—An act to amend Section 1760.5 of 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 Governmental Organization

Date of Hearing, January 8, 2008

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

SB 157

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

FLOREZ, Chair

Above measure ordered to second reading.



Date of Hearing, January 8, 2008

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

SB 971

SB 994

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

FLOREZ, Chair

Above measures ordered to second reading.

Date of Hearing, January 8, 2008

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

SB 441

SB 902

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

FLOREZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, January 8, 2008

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

SB 561

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

FLOREZ, Chair

Above measure ordered to second reading.

Date of Hearing, January 8, 2008

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

SB 996

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

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Education

Senate Chamber, January 8, 2008

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

SB 908

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

SCOTT, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 908—An act to amend Section 47604.5 of the Education Code, relating to charter schools.

Bill read second time.

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

Committee on Human Services

Date of Hearing, January 8, 2008

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

SB 825

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

ALQUIST, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Veterans Affairs

Date of Hearing, January 8, 2008

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

SB 292

SB 607

SB 623

SB 662

SB 983

Reports the same back with the recommendation: Do pass.

WYLAND, Chair

Above bills ordered to second reading.

Committee on Transportation and Housing

Date of Hearing, January 8, 2008

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

SB 585

SB 791

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

LOWENTHAL, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, January 8, 2008

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

SB 287

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 287—An act to add Section 5101.1 to the Vehicle Code, relating to vehicles.

Bill read second time.

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

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 1064: By Senator Hollingsworth—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.128, 195.129, 195.130, 195.131, 195.132, and 195.133 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1065: By Senator Correa—An act to add Sections 52013.6, 52013.7, 52017, and 52018 to the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

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

Senate Bill 446—An act to repeal Part 4 (commencing with Section 18000) of Division 7 of the Business and Professions Code, and to add Chapter 2.7 (commencing with Section 13996.8) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to economic development, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 447** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Business, Professions and Economic Development.

SENATE COMMITTEE ROLL CALLS**Committee on Environmental Quality**

SB 509—Do pass as amended

AYES (5)—Senators Florez, Kuehl, Lowenthal, Simitian, and Steinberg.

NOES (1)—Senator Aanestad.

Date of Hearing: 1/7/2008

Simitian (Chair)

Committee on Governmental Organization

SB 157—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.



SB 441—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.

SB 561—Do pass, to Consent Calendar

AYES (5)—Senators Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.

SB 902—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.

SB 971—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Battin, Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.

SB 994—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.

SB 996—Do pass as amended

AYES (5)—Senators Florez, Maldonado, Negrete McLeod, Wiggins, and Yee.

NOES (0)—None.

Date of Hearing: 1/8/2008

Florez (Chair)

Committee on Human Services**SB 825—Do pass and re-refer to Committee on Appropriations**

AYES (4)—Senators Alquist, Cogdill, Romero, and Yee.

NOES (1)—Senator Harman.

SB 977—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

Date of Hearing: 1/8/2008

Alquist (Chair)

Committee on Transportation and Housing**SB 585—Do pass and re-refer to Committee on Appropriations**

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

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



SB 791—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

Date of Hearing: 1/8/2008

Lowenthal (Chair)

Committee on Veterans Affairs**SB 292—Do pass**

AYES (4)—Senators Correa, Denham, Negrete McLeod, and Wiggins.

NOES (0)—None.

SB 607—Do pass

AYES (4)—Senators Correa, Denham, Negrete McLeod, and Wiggins.

NOES (0)—None.

SB 623—Do pass

AYES (4)—Senators Correa, Denham, Negrete McLeod, and Wiggins.

NOES (0)—None.

SB 662—Do pass

AYES (4)—Senators Correa, Denham, Negrete McLeod, and Wiggins.

NOES (0)—None.

SB 983—Do pass

AYES (4)—Senators Correa, Denham, Negrete McLeod, and Wiggins.

NOES (0)—None.

Date of Hearing: 1/8/2008

Wyland (Chair)

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 Senators were granted leaves of absence for the day due to illness: Senators Oropeza and Vincent.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Runner requested that when the Senate adjourns this day it do so in memory of John Larkin Lynch of Harlingen, TX and Karen “Kari” Vandrick of Kelseyville.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Jack P. Gonsalves of La Mirada.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Wednesday, January 9, 2008.



IN JOINT CONVENTION
2008 State of the State Address

Assembly Chamber, Sacramento
Tuesday, January 8, 2008

At 3:28 p.m., the Senate and Assembly met in Joint Convention.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

(NOTE: For text of State of the State Address see Assembly Journal for January 8, 2008.)

ADJOURNMENT OF JOINT CONVENTION

At 4:03 p.m., there being no further business, Speaker Fabian Núñez declared the Joint Convention adjourned *sine die*.

PAULA K. ROSSETTO, Minute Clerk

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