

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-FIRST LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, January 9, 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, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Padilla, Perata, Ridley-Thomas, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee—35.

Quorum present.

*(NOTE: Senators Corbett and Romero will be excused this day on legislative business, 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 Public Safety

Senate Chamber, January 9, 2008

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

SB 550

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 550**—An act to amend Section 186.22 of the Penal Code, relating to gangs.

Bill read second time.

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

**Committee on Judiciary**

Senate Chamber, January 9, 2008

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

SB 685

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 685**—An act to amend Section 15211 of, and to repeal and add Section 15212 of, the Probate Code, relating to pet trusts.

Bill read second time.

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

**Committee on Rules**

State Capitol, January 9, 2008

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

**Banking, Finance and Insurance**—SB 1007.

**Budget and Fiscal Review**—SB 398.

**Business, Professions and Economic Development**—SB 677, SB 986, SJR 19.

**Education**—SB 43, SB 361.

**Energy, Utilities and Communications**—SB 911.

**Health**—SB 491.

**Local Government**—SB 301.

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

**Judiciary and Banking, Finance and Insurance**—SB 926.

**Public Safety and Judiciary**—SB 657.



State Capitol, January 9, 2008

Mr. President: The Senate Rules Committee has made the following member changes to standing committees:

Appointed Senator Oropeza to the Senate Committee on Elections, Reapportionment and Constitutional Amendments to replace Senator Padilla.

Appointed Senator Perata to the Senate Committee on Public Safety to replace Senator Ridley-Thomas.

Appointed Senator Oropeza to the Senate Committee on Energy, Utilities and Communications to replace Senator Ridley-Thomas.

Appointed Senator Denham to the Senate Committee on Governmental Organization to fill the existing vacancy.

The Senate Rules Committee has increased the membership of the Select Committee on Asian Pacific Islander Affairs from 14 to 18 and appointed the following members to serve on the committee: Senators Alquist, Harman, Maldonado and Romero (Senator Yee serves as Chair).

The Senate Rules Committee has appointed the following members to serve on the Joint Committee on Fisheries and Aquaculture to fill the existing vacancies: Senators Kehoe, Lowenthal and Maldonado (Senator Wiggins serves as Chair).

PERATA, Chair

#### **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 Constitutional Amendment 14:** By Senator Denham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

**Senate Constitutional Amendment 15:** By Senator Denham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

**Senate Constitutional Amendment 16:** By Senators Denham and Aanestad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

**Senate Concurrent Resolution 67:** By Senators Ridley-Thomas and Vincent—Relative to Dr. Martin Luther King, Jr. Day.

**Senate Concurrent Resolution 68:** By Senator Denham—Relative to Joint Rule 28.5.

**Senate Concurrent Resolution 69:** By Senator Denham—Relative to Joint Rule 36.9.



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

**Senate Bill 157**—An act to amend Sections 23356.1, 23399.6, and 25503.9 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Senate Bill 971**—An act to add Chapter 8.2 (commencing with Section 11820) to Part 1 of Division 3 of Title 2 of the Government Code, relating to government reorganization, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Senate Bill 994**—An act to add Section 19620.5 to, and to add Article 9.3 (commencing with Section 19609) to Chapter 4 of Division 8 of, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Senate Bill 561**—An act to amend Section 19592 of the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to Consent Calendar.

**Senate Bill 996**—An act to add Section 12012.92 to the Government Code, relating to gaming, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 292**—An act to amend Section 1010 of the Military and Veterans Code, relating to veterans.

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

**Senate Bill 607**—An act to amend Section 1120 of the Military and Veterans Code, relating to veterans.

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



**Senate Bill 623**—An act to amend Section 1011 of the Military and Veterans Code, relating to veterans.

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

**Senate Bill 662**—An act to amend Sections 1014 and 1023 of the Military and Veterans Code, relating to veterans.

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

**Senate Bill 983**—An act to amend Section 161 of the Military and Veterans Code, relating to the State Militia.

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

#### **LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Corbett and Romero.

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.

#### **REQUEST TO ADJOURN IN MEMORIAM**

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Mary Alice Boddy of Philadelphia, PA.

#### **ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Thursday, January 10, 2008.

PAULA K. ROSSETTO, Minute Clerk

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