

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, January 15, 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:

Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee—35.

Quorum present.

(NOTE: Senators Aanestad, Lowenthal, and Ridley-Thomas will be excused this day on legislative business, Senator Vincent will be excused this day due to a family illness, and Senator Wyland will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Labor and Industrial Relations

Date of Hearing, January 14, 2008

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

SB 940

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

MIGDEN, Chair

Above measure re-referred to the Committee on Appropriations.



Committee on Public Employment and Retirement

Date of Hearing, January 14, 2008

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

SB 392

Reports the same back with the recommendation: Do pass.

WIGGINS, Chair

Above bill ordered to second reading.

Date of Hearing, January 14, 2008

Mr. President: The Committee on Public Employment and Retirement,
to which were referred:

SB 689

SB 695

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

WIGGINS, Chair

Above measures re-referred to the Committee on Appropriations.

January 14, 2008

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

SB 608

Reports the same back with the recommendation: That the Assembly
amendments be concurred in.

WIGGINS, Chair

Above measure ordered to unfinished business.

Committee on Health

Date of Hearing, January 9, 2008

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

SB 891

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, January 15, 2008

Mr. President: The Committee on Energy, Utilities and
Communications, to which were referred:

SB 780

SB 911



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

KEHOE, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing, January 15, 2008

Mr. President: The Committee on Public Safety, to which was referred:
SB 327

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

ROMERO, Chair

Above measure ordered to second reading.

Date of Hearing, January 15, 2008

Mr. President: The Committee on Public Safety, to which was referred:
SB 612

Reports the same back with the recommendation: Do pass.

ROMERO, Chair

Above bill ordered to second reading.

Date of Hearing, January 15, 2008

Mr. President: The Committee on Public Safety, to which were referred:
SB 31 SB 610 SB 1033

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

ROMERO, Chair

Above measures re-referred to the Committee on Appropriations.

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 1099: By Senator Battin—An act to amend Section 13263 of the Elections Code, relating to elections.

Senate Bill 1100: By Senator Battin—An act to amend Section 87100 of the Government Code, relating to conflicts of interest.

Senate Bill 1101: By Senator Cedillo—An act to amend Section 18855 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 1102: By Senators Machado and Steinberg—An act to repeal Division 26.4 (commencing with Section 79400) of the Water Code, relating to water.



Senate Bill 1103: By Senator Cedillo—An act to add Section 53083 to the Government Code, relating to economic development.

Senate Bill 1104: By Senator Scott—An act to amend Sections 44260, 44260.1, 44260.8, and 44399 of, and to repeal Section 44253 of, the Education Code, relating to teacher credentials.

Senate Bill 1105: By Senator Margett (Principal coauthor: Assembly Member Spitzer)—An act to amend Sections 44009, 44242.5, 44424, and 44425 of the Education Code, relating to teacher credentialing.

Senate Bill 1106: By Senator Cedillo—An act to amend Section 65583 of the Government Code, relating to local planning.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill 999—An act to amend Section 190.5 of the Penal Code, relating to crime.

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

Senate Bill 446—An act to amend Sections 10200, 10202, 10203, 10204, 10205, and 10214.5 of the Unemployment Insurance Code, relating to the employment training panel, and making an appropriation therefor.

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

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SB 446 to be heard in the Committee on Labor and Industrial Relations on January 17 without four days notice in the Daily File.

RE-REFER TO COMMITTEE

Without objection **SB 446** was re-referred to the Committee on Rules.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 983** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Energy, Utilities and Communications

SB 780—Do pass and re-refer to Committee on Appropriations (corrected 02/01/08)

AYES (8)—Senators Battin, Cox, Dutton, Kehoe, Oropeza, Padilla, Simitian, and Wiggins.

NOES (0)—None.



SB 911—Do pass and re-refer to Committee on Appropriations
(Corrected 02/01/08)

AYES (8)—Senators Battin, Cox, Dutton, Kehoe, Oropeza, Padilla, Simitian, and Wiggins.

NOES (0)—None.

Date of Hearing: 1/15/2008

Kehoe (Chair)

Committee on Labor and Industrial Relations**SB 726**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Kuehl, Migden, Padilla, and Wyland.

NOES (1)—Senator Ackerman.

SB 940—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Kuehl, Migden, and Padilla.

NOES (0)—None.

Date of Hearing: 1/14/2008

Migden (Chair)

Committee on Public Employment and Retirement**SB 392**—Do pass

AYES (4)—Senators Ashburn, Migden, Negrete McLeod, and Wiggins.

NOES (1)—Senator McClintock.

SB 608—That the Assembly amendments be concurred in

AYES (4)—Senators Ashburn, Migden, Negrete McLeod, and Wiggins.

NOES (1)—Senator McClintock.

SB 689—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Migden, Negrete McLeod, and Wiggins.

NOES (2)—Senators Ashburn and McClintock.

SB 695—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Ashburn, Migden, Negrete McLeod, and Wiggins.

NOES (1)—Senator McClintock.

SB 760—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Migden, Negrete McLeod, and Wiggins.

NOES (2)—Senators Ashburn and McClintock.

SB 1032—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Ashburn and McClintock.

NOES (2)—Senators Migden and Wiggins.

Failed passage



SB 1032—Reconsideration granted

AYES (5)—Senators Ashburn, McClintock, Migden, Negrete McLeod, and Wiggins.

NOES (0)—None.

Date of Hearing: 1/14/2008

Wiggins (Chair)

Committee on Public Safety**SB 31—Do pass and re-refer to Committee on Appropriations**

AYES (4)—Senators Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

SB 129—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

SB 228—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Cogdill.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 256—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (1)—Senator Romero.

Failed passage

SB 327—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

SB 476—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 479—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 501—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 502—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage



SB 503—Do pass

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 550—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 591—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 610—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

SB 612—Do pass

AYES (4)—Senators Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

SB 628—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

SB 636—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 712—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage

SB 860—Do pass as amended and re-refer to Committee on Appropriations

AYES (1)—Senator Cogdill.

NOES (1)—Senator Romero.

Failed passage

SB 913—Do pass

AYES (2)—Senators Cogdill and Margett.

NOES (2)—Senators Cedillo and Romero.

Failed passage



SB 1033—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

Date of Hearing: 1/15/2008

Romero (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad, Lowenthal, and Ridley-Thomas.

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

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Battin requested that when the Senate adjourns this day it do so in memory of Robert Pond of Palm Springs.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Raymond A. Reyes of Diamond Bar.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, January 16, 2008.

PAULA K. ROSSETTO, Minute Clerk

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