

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 17, 2008

The Senate met at 9 a.m.

Hon. Gloria Romero, of the 24th 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, Cedillo, Cogdill, Corbett, Correa, Cox, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee—31.

Quorum present.

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 17, 2008

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

AB 518

AB 963

E. DOTSON WILSON, Chief Clerk of the Assembly



FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 518—An act to amend Section 7316 of the Business and Professions Code, relating to barbering and cosmetology.

Assembly Bill 963—An act to amend Section 1957 of the Streets and Highways Code, relating to vehicles.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 16, 2008

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

Health—SB 1058.

Judiciary—SB 1057, SB 1066.

Local Government—SB 1061, SB 1062, SB 1063.

Revenue and Taxation—SB 1055, SB 1064.

Rules—SB 1060, SB 1068, SB 1069, SB 1070, SB 1071, SB 1072, SB 1073, SB 1074, SB 1075, SB 1076, SB 1077, SB 1078, SB 1079, SB 1080, SB 1081, SB 1082, SB 1083, SB 1084, SB 1085, SB 1086, SB 1087, SB 1088, SB 1089, SB 1090, SB 1091, SB 1092, SB 1093.

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

Elections, Reapportionment and Constitutional Amendments—SJR 18.

Health—AJR 31.

Labor and Industrial Relations—SB 446.

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

Banking, Finance and Insurance and Judiciary—SB 1059.

Business, Professions and Economic Development and Banking, Finance and Insurance—SB 1053, SB 1054.

Natural Resources and Water and Environmental Quality—SB 1056.

Rules and Elections, Reapportionment and Constitutional Amendments—SCA 14, SCA 15, SCA 16.

Transportation and Housing and Rules—SB 1065.



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

Health and Judiciary—SJR 20.

State Capitol, January 16, 2008

Madam President: The Senate Rules Committee has made the following appointments to boards and commissions:

Reappointed Ms. Jane W. Carney of Riverside as a member of the South Coast Air Quality Management District Board to serve for a term ending January 15, 2012.

Reappointed Mr. Daniel B. Friedlander of Woodland as a member of the California Student Aid Commission to serve for a term ending January 1, 2012.

Appointed Mr. Philip H. Tagami of Oakland as a member of the California Transportation Commission to serve for a term ending January 1, 2012.

PERATA, Chair

Committee on Business, Professions and Economic Development

Date of Hearing, January 14, 2008

Madam President: The Committee on Business, Professions and Economic Development, to which was referred:

SB 447

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

RIDLEY-THOMAS, Chair

Above measure ordered to second reading.

Committee on Banking, Finance and Insurance

Date of Hearing, January 16, 2008

Madam President: The Committee on Banking, Finance and Insurance, to which was referred:

SB 1007

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

MACHADO, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, January 16, 2008

Madam President: The Committee on Health, to which was referred:

SB 491

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

KUEHL, Chair

Above measure re-referred to the Committee on Appropriations.



Senate Chamber, January 17, 2008

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

AB 55

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

Assembly Bill 55—An act to add Chapter 5.5 (commencing with Section 101855) to Part 4 of Division 101 of the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

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 16, 2008

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

Debbie L. Endsley, Deputy Director, Personnel Administration Department (5–0)

Richard S. Costigan III, Member, State Personnel Board (5–0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, January 16, 2008

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

Linda M. Penner, Member, Corrections Standards Authority (5–0)

Edward G. Prieto, Member, Corrections Standards Authority (5–0)

Travis F. Townsy, Member, Corrections Standards Authority (5–0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, January 16, 2008

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that he be confirmed:

Askia M. Abdulmajeed, Member, Board of Parole Hearings (4–0)

PERATA, Chair

Above appointment ordered placed on unfinished business file.



State Capitol, January 16, 2008

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that he be confirmed:

Michael F. Prizmich, Member, Board of Parole Hearings (4–0)

PERATA, Chair

Above appointment ordered placed on unfinished business file.

Committee on Local Government

Date of Hearing, January 16, 2008

Madam President: The Committee on Local Government, to which was referred:

SB 301

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

NEGRETE McLEOD, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, January 17, 2008

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

SB 780

SB 825

SB 994

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 780—An act to amend Section 739.3 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

Senate Bill 825—An act to add Article 3 (commencing with Section 24525) to Chapter 4.7 of Division 20 of, to add and repeal Section 24523 of, and to repeal Article 2 (commencing with Section 24520) of Chapter 4.7 of Division 20 of, the Health and Safety Code, relating to public health.

Bill read second time.

Senate Bill 994—An act 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 were read and adopted and the measures ordered printed and re-referred to the committee.



Committee on Banking, Finance and Insurance

Date of Hearing, January 16, 2008

Madam President: The Committee on Banking, Finance and Insurance, to which was referred:

SB 926

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

MACHADO, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, January 17, 2008

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

SCR 67

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 Concurrent Resolution 67—Relative to Dr. Martin Luther King, Jr. Day.

Resolution 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 measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Resolution 18: By Senator Migden—Relative to University of California study abroad programs.

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

Senate Bill 677—An act to amend Sections 14998.2, 14998.3, 14998.6, 14998.7, 14998.11, 14998.12, 14998.13, 14999.20, 14999.21, 14999.55 15363.61, and 15363.62 of the Government Code, and to amend Section 335 of the Unemployment Insurance Code, relating to economic development.

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

Senate Bill 986—An act to amend Section 122350 of the Health and Safety Code, relating to pet stores.

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



Senate Bill 361—An act to amend Section 66903 of, to repeal Sections 69563 and 99155 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code.

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

Senate Bill 908—An act to amend 33541 of the Education Code, relating to environmental education.

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

Senate Bill 364—An act to amend Sections 1798.29 and 1798.82 of the Civil Code, relating to personal information.

Bill read second time.

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

Senate Bill 760—An act to amend Sections 19993 and 19999.7 of the Government Code, relating to state employees.

Bill read second time.

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

Senate Bill 129—An act to amend Section 653m of the Penal Code, relating to criminal communications.

Bill read second time.

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

Senate Bill 242—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 361** and **SB 908** were re-referred to the Committee on Appropriations.

SENATE COMMITTEE ROLL CALLS

Committee on Health

SB 107—Do pass as amended

AYES (7)—Senators Alquist, Cedillo, Kuehl, Maldonado, Negrete McLeod, Steinberg, and Yee.

NOES (2)—Senators Aanestad and Cox.



SB 491—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Steinberg, and Yee.

NOES (0)—None.

Date of Hearing: 1/16/2008

Kuehl (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

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

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

The following Senators were granted leaves of absence for the day due to illness: Senators Denham, Perata, and Wyland.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Battin requested that when the Senate adjourns this day it do so in memory of Barbara Kenny of Corona and Vincent “Vince” Michael Sanada, Jr. of Rancho Mirage.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Thelma Reich of Stockton.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of Patti MacDonald of Santa Cruz.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Michael Carney of Santa Clarita.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Friday, January 18, 2008.

PAULA K. ROSSETTO, Minute Clerk

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