

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, January 30, 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.

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, Vincent, Wiggins, Wyland, and Yee—40.

Quorum present.



PRAYER

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

Holy God, We give thanks this day for all those who have answered the call to serve in this Legislature, both today and in years past. May all those who come to these halls serve with distinction and honor; may they follow the light of their conscience as you give them the light; and may each of us keep the people of our nation and state ahead of our own interests.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 29, 2008

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

AB 69	AB 376	AB 180	AB 990
AB 591	AB 545	AB 242	AB 1127
AB 660	AB 572	AB 290	AB 1141
AB 725	AB 1017	AB 368	AB 1329
AB 730	AB 1075	AB 439	AB 1446
AB 811	AB 1150	AB 531	AB 1586
AB 1065	AB 1158	AB 541	AB 1654
AB 1133	AB 1301	AB 567	AB 1666
AB 1154	AB 1356	AB 624	AB 1699
AB 1203	AB 1436	AB 628	AB 499
AB 1605	AB 1479	AB 642	AB 501
AB 1701	AB 1480	AB 681	AB 904
AB 36	AB 54	AB 841	AB 1751
AB 94	AB 100	AB 851	
AB 259	AB 158	AB 873	

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 69—An act to add and repeal Sections 1934.5, 14255.5, 22159.5, and 50307.1 of the Financial Code, relating to mortgage lending.

Assembly Bill 591—An act to amend Section 87482.5 of the Education Code, relating to community colleges.

Assembly Bill 660—An act to amend Sections 190, 191, 2450, 2452, 2454, 2458, and 2460.5 of, and to repeal Sections 2454.5 and 2460.7 of, the Streets and Highways Code, relating to transportation.

Assembly Bill 725—An act to add Section 50455.7 to the Health and Safety Code, relating to housing.

Assembly Bill 730—An act to add Section 6612 to the Public Contract Code, relating to public contracts.

Assembly Bill 811—An act to amend Sections 5898.12, 5898.20, 5898.22, and 5898.30 of, and to add Sections 5898.14 and 5898.21 to, the Streets and Highways Code, relating to contractual assessments.

Assembly Bill 1065—An act to amend Sections 25402 and 25402.1 of the Public Resources Code, relating to public resources.

Assembly Bill 1133—An act to amend, repeal, and add Section 1305 of the Penal Code, relating to bail bonds.

Assembly Bill 1154—An act to add and repeal Section 131086 of the Health and Safety Code, relating to diabetes.

Assembly Bill 1203—An act to amend Section 1371.4 of the Health and Safety Code, relating to health care coverage.

Assembly Bill 1605—An act to amend Section 131006 of the Health and Safety Code, relating to the State Department of Public Health.

Assembly Bill 1701—An act to amend Section 14126.033 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 36—An act to add Section 22010 to the Education Code, to add Section 31455.5 to, and to add Article 3 (commencing with Section 20085) to Chapter 1 of Part 3 of Division 5 of Title 2 of, the Government Code, relating to public employees' retirement.

Assembly Bill 94—An act to amend Sections 25302.5 and 25534 of the Public Resources Code, to amend Sections 5, 20, 216, 353.11, 366.2, 380, 387, 387.5, 394.5, 395.5, 399.12, 701.8, 761.3, 848, 2774.5, 2827, 2852, 3302, 7000, 8340, and 9604 of, to amend and renumber Sections 228.5 and 399.25 of, to add Section 224.3 to, to repeal Section 399.1 of, to repeal the heading of Article 15 (commencing with Section 399) of Chapter 2.3 of, and to repeal the heading of Article 5 (commencing with Section 445) of Chapter 2.5 of, Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

Assembly Bill 259—An act to add Section 379 to the Penal Code, relating to crimes.

Assembly Bill 376—An act to amend Section 22013.7 of, and to add Section 20423.3 to, the Government Code, relating to public employees' retirement, and making an appropriation therefor.

Assembly Bill 545—An act to amend Section 1877.1 of, and to add Section 1877.35 to, the Insurance Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to insurance fraud.



Assembly Bill 572—An act to amend Sections 14521, 14550, and 14550.5 of the Welfare and Institutions Code, relating to adult day health care.

Assembly Bill 1017—An act to amend Section 21151 of the Public Resources Code, relating to environmental quality.

Assembly Bill 1075—An act to amend Sections 40116 and 40201 of the Public Resources Code, relating to solid waste.

Assembly Bill 1150—An act to add Section 1389.6 to the Health and Safety Code, and to add Section 10385 to the Insurance Code, relating to health care.

Assembly Bill 1158—An act to amend Section 1340 of the Penal Code, relating to witnesses.

Assembly Bill 1301—An act to amend Sections 101, 113, 118, 250, 365, 1232, 1542, 1761, 1900, 1912, 1913, 1913.5, and 3516 of, to amend the heading of Chapter 6 (commencing with Section 750) of Division 1 of, to add Sections 201, 218, 219, 364, 760, 767, 1239, 1240, 1330, 1331, 1332, 1592, 1593, and 1911.5 to, to add a heading as Article 1 (commencing with Section 750) to, to add Article 2 (commencing with Section 780) and Article 3 (commencing with Section 790) to, Chapter 6 of Division 1 of, to add Article 1.5 (commencing with Section 1210) to Chapter 10 of Division 1 of, to add Chapter 4 (commencing with Section 500) to, Chapter 4.5 (commencing with Section 550) to, and Chapter 18 (commencing with Section 3350) to, Division 1 of, to repeal Sections 751.7, 760.1, 761.5, 771, 772, 773, 774, 775, 775.1, 776, 777, 777.5, 778, 779, 782, 1335, and 1336 of, to repeal Article 5 (commencing with Section 419) of Chapter 3 of Division 1 of, to repeal Chapter 4 (commencing with Section 490) and Chapter 18 (commencing with Section 3350) of Division 1 of, and to repeal and add Sections 752, 753, 754, 755, 756, 758, 759, 761, 762, 763, 764, 765, 766, 768, and 769 of, the Financial Code, relating to financial institutions.

Assembly Bill 1356—An act to amend Section 1695.17 of the Civil Code, relating to real property.

Assembly Bill 1436—An act to amend Section 2835.5 of the Business and Professions Code, relating to the nursing.

Assembly Bill 1479—An act to amend Sections 17175, 94120, and 94125 of the Education Code, to amend Sections 8869.83, 15433, 15434, and 16480.1 of, and to add Section 8869.94 to, the Government Code, to amend Sections 44515, 44519, and 50199.8 of the Health and Safety Code, and to amend Section 26008 of the Public Resources Code, relating to state bodies.



Assembly Bill 1480—An act to amend Section 24976 of, and to add Section 24950.5 to, the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

Assembly Bill 54—An act to amend Section 1373.10 of the Health and Safety Code, and to amend Sections 10127.3 and 10176 of the Insurance Code, relating to health care coverage.

Assembly Bill 100—An act relating to public education facilities.

Assembly Bill 158—An act to add Article 4.6 (commencing with Section 14146) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 180—An act to amend Sections 2945.1, 2945.2, 2945.3, and 2945.4 of, and to add Section 2945.45 to, the Civil Code, relating to mortgages.

Assembly Bill 242—An act to amend Section 65584.07 of the Government Code, relating to land use.

Assembly Bill 290—An act to amend Section 21809 of the Vehicle Code, relating to vehicles.

Assembly Bill 368—An act to add Section 1367.195 to the Health and Safety Code, and to add Section 10123.75 to the Insurance Code, relating to health care coverage.

Assembly Bill 439—An act to amend Section 5008 of the Penal Code, relating to prisoners.

Assembly Bill 531—An act to add Section 51204.6 to the Education Code, relating to the public school curriculum.

Assembly Bill 541—An act to add Article 2.6 (commencing with Section 52300) to Chapter 2 of Division 18 of the Food and Agricultural Code, relating to liability.

Assembly Bill 567—An act to amend Sections 1365 and 1373 of, to add Section 1363.7 to, and to add and repeal Chapter 11 (commencing with Section 1380.010) of Title 6 of Part 4 of Division 2 of, the Civil Code, relating to common interest developments.

Assembly Bill 624—An act to add Section 5081 to the Corporations Code, and to add Section 16065 to the Probate Code, relating to private foundations.

Assembly Bill 628—An act to add Section 226.71 to the Labor Code, relating to employment.

Assembly Bill 642—An act to amend Section 20175.2 of, and to add and repeal Article 5.5 (commencing with Section 20193) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, relating to public contracts.



Assembly Bill 681—An act to add Chapter 1.5 (commencing with Section 101556) to Part 4 of Division 101 of the Health and Safety Code, relating to public health.

Assembly Bill 841—An act to add Section 290.024 to the Penal Code, relating to sex offenses.

Assembly Bill 851—An act to amend Section 14007.9 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 873—An act to amend Sections 8281, 8283, 8284, and 8285 of the Public Utilities Code, relating to public utilities.

Assembly Bill 990—An act to add Section 71.7.5 to the Harbors and Navigation Code, and to amend Sections 7 and 14 of Chapter 1617 of the Statutes of 1982, relating to harbors, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 1127—An act to add Section 116365.6 to the Health and Safety Code, relating to drinking water.

Assembly Bill 1141—An act to amend Sections 11055, 11057, and 11377 of the Health and Safety Code, relating to controlled substances.

Assembly Bill 1329—An act relating to occupational therapists.

Assembly Bill 1446—An act to amend Section 48260.5 of the Education Code, relating to pupils.

Assembly Bill 1586—An act to add Section 66205.3 to the Education Code, relating to public postsecondary education.

Assembly Bill 1654—An act to add and repeal Section 12242.5 of the Elections Code, relating to voting.

Assembly Bill 1666—An act to add Section 226.72 to the Labor Code, relating to employment.

Assembly Bill 1699—An act to amend Section 1765 of the Insurance Code, relating to license fees.

Assembly Bill 499—An act to add and repeal Chapter 4.3 (commencing with Section 18259) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to sexually exploited minors.

Assembly Bill 501—An act to add Section 118288 to the Health and Safety Code, relating to pharmaceutical devices.

Assembly Bill 904—An act to add Chapter 6.5 (commencing with Section 42390) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Assembly Bill 1751—An act to repeal and add Section 22659.5 of the Vehicle Code, relating to vehicles.



MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **ACR 81** was withdrawn from Committee and placed on today's special consent calendar.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Without objection, **AB 218** was taken from the inactive file and placed on the second reading file.

Motions carried.

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

Senate Bill 996—An act to add Section 12012.6 to the Government Code, relating to gaming.

Bill read third time and presented by Senator Florez.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Florez moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Wiggins.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wiggins moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Wiggins.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wiggins moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Wiggins.



Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Wiggins.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 996)**

On motion of Senator Florez, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 996 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Cox, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Denham, Dutton, Harman, Hollingsworth, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 292)**

On motion of Senator Wiggins, further proceedings under the call of the Senate were dispensed with.



Roll Call

The names of the absentees were called and SB 292 was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 607)**

On motion of Senator Wiggins, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 607 was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Correa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 392—An act to amend Section 31874.6 of the Government Code, relating to county employees' retirement.

Bill read third time and presented by Senator Ducheny.



Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (4)—Senators Aanestad, Harman, McClintock, and Wyland.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Alquist, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (7)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 602—An act to amend Section 51241 of the Education Code, relating to physical education.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—Senators 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, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator Simitian.



Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (3)—Senators Ackerman, Harman, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 509—An act to add Article 6 (commencing with Section 108670) to Chapter 5 of Part e of Division 104 of the Health and Safety Code, relating to consumer product safety.

Bill read third time and presented by Senator Simitian.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Simitian moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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 third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—Senators 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, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 585—An act to amend Sections 22507.8, 22511.7, 22511.8, and 40203.5 of the Vehicle Code, relating to parking for persons with disabilities.

Bill read third time and presented by Senator Lowenthal.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Denham, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado,



Maldonado, Migden, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 610—An act to amend Section 804 of the Penal Code, relating to criminal proceedings.

Bill read third time and presented by Senator Corbett.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Ackerman, Alquist, Ashburn, Battin, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (3)—Senators Aanestad, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 791—An act to repeal Section 14529.15 of the Government Code, relating to transportation.

Bill read third time and presented by Senator Corbett.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alquist, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (1)—Senator Ashburn.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Simitian.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado,

Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Denham, Dutton, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 977—An act relating to infrastructure.

Bill read third time and presented by Senator Correa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Alquist, Calderon, Cedillo, Cogdill, Corbett, Correa, Denham, Ducheny, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, Hollingsworth, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 994—An act to amend Section 19605.25 of, 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 .

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 1033—An act to amend Section 12001.1 of the Penal Code, relating to undetectable knives, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Runner.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Cox, Denham, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas,



Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Cox, Denham, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 107—An act to add Article 2.7 (commencing with Section 115950) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to wave pools.

Bill read third time and presented by Senator Alquist.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, McClintock, Runner, and Wyland.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 509)**

On motion of Senator Simitian, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 509 was passed by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, Florez, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (16)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 301—An act to amend Sections 11005 and 11005.3 of the Revenue and Taxation Code, relating to local government finance.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator Ridley-Thomas.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ridley-Thomas moved a call of the Senate.

Motion carried.



THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Maldonado.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Maldonado moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 441—An act to add Section 11005.4 to the Government Code, relating to state property.

Bill read third time and presented by Senator Torlakson.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Torlakson moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Wiggins.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wiggins moved a call of the Senate.

Motion carried.

Senator Romero Presiding**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 940—An act to amend Sections 203, 203.1, 204, 210, 215, 220, and 2699.5 of, and to add Section 201.3 to, the Labor Code, relating to employment.

Bill read third time and presented by Senator Yee.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Yee moved a call of the Senate.

Motion carried.



THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 926—An act to add and repeal Sections 2923.5, 2923.6, 2924.8, and 2929.3 of the Civil Code, and to add and repeal Section 1161b of the Code of Civil Procedure, relating to mortgages, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Perata.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 349—An act to add Section 1363.08 to the Health and Safety Code, and to add Section 10113.92 to the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Alquist, Calderon, Cedillo, Corbett, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (10)—Senators Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Harman, Hollingsworth, McClintock, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 327—An act to amend Sections 11106, 12030, 12071, 12076, 12077, and 12078 of, and to add Section 12084 to, the Penal Code, relating to firearms.

Bill read third time and presented by Senator Migden.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Cox, Denham, Ducheny, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.



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

Bill read third time and presented by Senator Simitian.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (7)—Senators Ackerman, Cox, Denham, Dutton, Harman, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 902—An act to add Section 13159.85 to the Health and Safety Code, relating to firefighters.

Bill read third time and presented by Senator Padilla.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Alquist, Ashburn, Battin, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (4)—Senators Ackerman, Cogdill, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 491—An act to add Chapter 2.5 (commencing with Section 105000) to Part 4 of Division 103 of the Health and Safety Code, relating to public health.

Bill read third time and presented by Senator Alquist.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, and Yee.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator Padilla.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (6)—Senators Aanestad, Ackerman, Harman, Hollingsworth, McClintock, and Runner.

Bill ordered transmitted to the Assembly.

Senate Bill 726—An act to amend Section 3212.8 of the Labor Code, relating to workers' compensation.

Bill read third time and presented by Senator Alquist.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Harman, Hollingsworth, Margett, McClintock, and Runner.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator Torlakson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alquist, Calderon, Cedillo, Cogdill, Corbett, Cox, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (4)—Senators Ashburn, Denham, McClintock, and Wyland.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alquist, Calderon, Cedillo, Cogdill, Corbett, Cox, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, Negrete McLeod,



Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (4)—Senators Ashburn, Denham, McClintock, and Wyland.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Kenneth J. Williams, Member, State Board of Barbering and Cosmetology.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Appointments by the Governor

Division of Question Demanded

Senator McClintock demanded that the question be divided and that the confirmation of the appointment of:

Debbie Endsley, Deputy Director, Personnel Administration Department
be taken up separately.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Debbie Endsley, Deputy Director, Personnel Administration Department.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado,



Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Richard, Costigan, III. Member State Personnel Board.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (40)—Senators 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, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Appointments by the Governor

Division of Question Demanded

Senator McClintock demanded that the question be divided and that the confirmation of the appointment of:

Edward Prieto, Member, Corrections Standards Authority
be taken up separately.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Edward G. Prieto, Member, Corrections Standards Authority.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Cox, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (1)—McClintock.



Consideration of Governor's Appointments

Senator Perata placed the following Governor's appointments before the Senate:

Linda M. Penner, Member, Corrections Standards Authority;
Travis F. Townsy, Member, Corrections Standards Authority.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Askia M. Abdulmajeed, Member, Board of Parole Hearings.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Michael F. Prizmich, Member, Board of Parole Hearings.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"



Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointments

Senator Perata placed the following Governor's appointments before the Senate:

Jerry A. Hill, Member, Air Resources Board;

Daniel Sperling, Ph.D., Member, Air Resources Board.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Consideration of Appointments by the Governor**Division of Question Demanded**

Senator McClintock demanded that the question be divided and that the confirmation of the appointment of:

Thomas Page, Ph.D., Member, Independent System Operator Governing Board

be taken up separately.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Thomas Page, Ph.D., Member, Independent System Operator Governing Board.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"



Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointments

Senator Perata placed the following Governor's appointments before the Senate:

Linda A. Capuano, Ph.D., Member, Independent System Operator Governing Board;

B. Timothy Gage, Member, Independent System Operator Governing Board.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

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

NOES (1)—Senator McClintock.

Consideration of Governor's Appointments

Senator Perata placed the following Governor's appointments before the Senate:

Kathy E. Lund, Member, State Mining and Geology Board;

Thomas J. Moran, Member, California Veterans Board.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata,



Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 677)**

On motion of Senator Ridley-Thomas, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 677 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Vincent, Wiggins, and Yee.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 447)**

On motion of Senator Maldonado, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 447 was passed by the following vote:

AYES (30)—Senators Ackerman, Alquist, Calderon, Cogdill, Corbett, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (7)—Senators Aanestad, Ashburn, Battin, Correa, Harman, Hollingsworth, and McClintock.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 441)**

On motion of Senator Torlakson, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 441 was passed by the following vote:

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Oropeza, Padilla, Perata,



Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (17)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Machado, Margett, McClintock, Runner, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 780)**

On motion of Senator Wiggins, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 780 was passed by the following vote:

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

NOES (3)—Senators Hollingsworth, McClintock, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 940)**

On motion of Senator Yee, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 940 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Cox, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Denham, Dutton, Harman, Hollingsworth, Machado, Maldonado, McClintock, and Runner.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 926)**

On motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.



Urgency Clause

The names of the absentees were called and the urgency clause to SB 926 was refused adoption by the following vote:

AYES (26)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, and Wyland.

Motion to Reconsider

Senator Perata moved to reconsider the vote whereby the urgency clause to SB 926 was refused adoption.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (40)—Senators 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, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered returned to third reading.

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 81—Relative to Dr. Martin Luther King, Jr., Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 612—An act to amend Section 786 of the Penal Code, relating to crime.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 685—An act to repeal and add Section 15212 of the Probate Code, relating to pet trusts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

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

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



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

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 911—An act to amend Sections 5500, 5501, and 5513 of the Public Utilities Code, relating to commercial air carriers.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (40)—Senators 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, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

January 30, 2008

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 983—Aye	SB 392—Aye	SB 602—Aye
SB 610—Aye	SB 129—Aye	SB 301—Aye
SB 364—No		

DICK ACKERMAN, Minority Floor Leader

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12:25 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 Thursday, January 31, 2008.

Motion carried.

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 19: By Senators Padilla, Cox, Ducheny, and Torlakson—Relative to National Engineers Week.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Ruby Elder of Sherman Oaks.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Dermot Lionel Cooper, Sr. of Pasadena.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, January 31, 2008.

PAULA K. ROSSETTO, Minute Clerk

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