

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED SIXTIETH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, March 3, 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, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Negrete McLeod, Oropeza, Padilla, Perata, Runner, Scott, Simitian, Steinberg, Wiggins, and Yee—32.

Quorum present.

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

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
February 29, 2008

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate



confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Gregory W. Jones, senior vice president, State Farm Insurance Company and has worked for them since 1968. Appointed 02/12/08. Effective 02/22/08.

Member, State Board of Education, vice Ruth E. Green, term expired, term ending 1/15/12.

Patrick Johnston, self-employed healthcare and education consultant; adjunct professor, Goldman School of Public Policy, University of California, Berkeley. Reappointed 02/29/08. Effective 02/29/08.

Member, California Bay Delta Authority, term ending 01/01/12.

Rosalie Mule, previous director of municipal development, Waste Management of the Inland Empire; and has served on the California Integrated Waste Management Board since 2004. Reappointed 02/28/08. Effective 02/28/08.

Member, California Integrated Waste Management Board, term ending 01/01/12.

Above appointments referred to the Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 28, 2008

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

ACR 94

ACR 97

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:

**Assembly Concurrent Resolution 94**—Relative to Black History Month.

**Assembly Concurrent Resolution 97**—Relative to the centennial celebration of Allensworth.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Business, Professions and Economic Development

Senate Chamber, March 3, 2008

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

AB 624



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

RIDLEY-THOMAS, Chair

**Second Reading of Bills—Author's Amendments**

**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.

Bill read second time.

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

**Committee on Transportation and Housing**

Senate Chamber, March 3, 2008

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

AB 963

AB 117

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**

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

Bill read second time.

**Assembly Bill 117**—An act to amend Section 20301 of the Public Contract Code, relating to transportation.

Bill read second time.

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

**Committee on Health**

Senate Chamber, March 3, 2008

Mr. President: The Chair of the Committee on Health, to which were referred:

AB 54

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 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.

Bill read second time.



**Assembly Bill 55**—An act to amend Section 14105.3 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 55 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DYMALLY

**Permission of Rules Committee**

Senate Chamber, March 3, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 55.

PERATA, Chair

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

**Committee on Appropriations**

Senate Chamber, March 3, 2008

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

AB 1491

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**

**Assembly Bill 1491**—An act to amend Sections 70321, 70363, 70374, and 70402 of, and to repeal and add Section 70322 of, the Government Code, relating to court facilities, 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 Judiciary**

Senate Chamber, March 3, 2008

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

AB 1679

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**

**Assembly Bill 1679**—An act to amend Section 150 of the Family Code, relating to support obligations.

Bill read second time.

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

**REQUEST FOR UNANIMOUS CONSENT (AB 450)**

Senator Aanestad asked for, and was granted, unanimous consent that AB 450 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 450**

**Assembly Bill 450**—An act to amend Section 2150.4 of the Fish and Game Code, relating to fish and game.

Bill read second time.

**Motion to Amend**

Amendments to AB 450 proposed by Senator Aanestad were read and adopted and the measure ordered printed and to second reading.

**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **AB 1100** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

**AB 860** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules.

**LEAVES OF ABSENCE FOR THE DAY**

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

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

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

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Daniel C. Bowen of Fullerton.

Senator Battin requested that when the Senate adjourns this day it do so in memory of William "Billy" Williams of Lake Elsinore.

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of Steven W. Delay of Modesto and Gordon Bell of Bridgeport.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Attilio R. Genasci of Loyalton and Billie Mitchell of Cameron Park.



Senator Denham requested that when the Senate adjourns this day it do so in memory of John W. Myers of Merced County.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Mary Frances Moneta of Ontario.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Bob Glesby of Los Angeles.

Senator Scott requested that when the Senate adjourns this day it do so in memory of James Atkinson of Thousand Oaks.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 4, 2008.

PAULA K. ROSSETTO, Minute Clerk

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