

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-SECOND LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Friday, March 28, 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, Battin, Cogdill, Corbett, Correa, Cox, Florez,  
Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Maldonado, Margett,  
McClintock, Negrete McLeod, Padilla, Perata, Romero, Torlakson,  
and Yee—22.

Quorum present.

*(NOTE: Senators Ashburn, Calderon, Cedillo, Denham, Ducheny, Machado, Migden, Oropeza, Ridley-Thomas, Runner, Scott, and Simitian will be excused this day on legislative business, Senators Steinberg and Wyland will be excused this day on personal business, Senators Alquist and Wiggins will be excused this day due to illness, and Senators Dutton and Vincent will be excused this day due to family illness.)*

### REPORTS OF STANDING COMMITTEES

#### Committee on Banking, Finance and Insurance

Senate Chamber, March 28, 2008

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which was referred:

SB 1053

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

MACHADO, Chair



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

**Senate Bill 1053**—An act to amend Section 10148 of, to add Sections 10131.9, 10131.91, 10131.92, 10131.93, and 10131.95 to, and to repeal Section 10131.8 of, the Business and Professions Code, relating to real estate.

Bill read second time.

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

**Committee on Natural Resources and Water**

Date of Hearing, March 25, 2008

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 1285

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

STEINBERG, Chair

Above measure ordered to second reading.

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

Senate Chamber, March 28, 2008

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

SB 1526

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**

**Senate Bill 1526**—An act to add Chapter 7.8 (commencing with Section 3575) to Division 2 of the Business and Professions Code, relating to healing arts.

Bill read second time.

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

**Committee on Human Services**

Senate Chamber, March 28, 2008

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

SB 1136

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

ALQUIST, Chair



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

**Senate Bill 1136**—An act to add Section 10003 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

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

**Committee on Natural Resources and Water**

Date of Hearing, March 25, 2008

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 1231

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

STEINBERG, Chair

Above measure ordered to second reading.

Date of Hearing, March 25, 2008

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 1431

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

STEINBERG, Chair

Above measure ordered to second reading.

**Committee on Environmental Quality**

Senate Chamber, March 28, 2008

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

SB 1165

SB 1500

SB 1625

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

SIMITIAN, Chair

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

**Senate Bill 1165**—An act to amend Section 6254 of the Government Code, and to amend Sections 21082.1, 21166, and 21167.1 of the Public Resources Code, relating to the environment.

Bill read second time.

**Senate Bill 1500**—An act to add Section 21096.5 to the Public Resources Code, relating to the environment.

Bill read second time.



**Senate Bill 1625**—An act to amend Sections 14501 and 14551 of, and to repeal Section 14523.5 of, the Public Resources Code, relating to recycling.

Bill read second time.

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

#### **Committee on Rules**

Senate Chamber, March 28, 2008

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

SB 1200          SB 1455          SB 1537          SB 1764

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 Bill 1200**—An act relating to Indian tribes.

Bill read second time.

**Senate Bill 1455**—An act to amend Section 5007 of the Vehicle Code, relating to vehicles.

Bill read second time.

**Senate Bill 1537**—An act relating to emergency services.

Bill read second time.

**Senate Bill 1764**—An act to amend Section 14650 of the Government Code, relating to the Department of General Services.

Bill read second time.

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

#### **Committee on Judiciary**

Senate Chamber, March 28, 2008

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

SB 1443

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 1443**—An act to amend Section 1714.25 of, and to add Section 1714.26 to, the Civil Code, relating to food facilities.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, March 28, 2008

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

SB 1459

SB 1749

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 Bill 1459**—An act relating to health care coverage.

Bill read second time.

**Senate Bill 1749**—An act relating to elections.

Bill read second time.

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

**Committee on Education**

Senate Chamber, March 28, 2008

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

SB 1592

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

SCOTT, Chair

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

**Senate Bill 1592**—An act to amend Section 52055.57 of the Education Code, relating to school accountability.

Bill read second time.

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



**Committee on Public Safety**

Date of Hearing, March 25, 2008

Mr. President: The Committee on Public Safety, to which was referred:  
SB 1343

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

Above measure ordered to second reading.

Senate Chamber, March 28, 2008

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

SB 1171

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 1171**—An act to amend Section 317 of, and to repeal Section 2006 of, the Fish and Game Code, and to amend Sections 12031 and 12070 of the Penal Code, relating to firearms.

Bill read second time.

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

Date of Hearing, March 25, 2008

Mr. President: The Committee on Public Safety, to which were referred:  
SB 1162 SB 1164

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 measures ordered to second reading.

**Committee on Environmental Quality**

Senate Chamber, March 28, 2008

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

SB 1313

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

SIMITIAN, Chair

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

**Senate Bill 1313**—An act to add Chapter 12 (commencing with Section 108940) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

Bill read second time.



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

**Committee on Judiciary**

Date of Hearing, March 25, 2008

Mr. President: The Committee on Judiciary, to which were referred:

SB 1233                      SB 1257                      SB 1333

SB 1421                      SB 1696

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

CORBETT, Chair

Above measures ordered to second reading.

**Committee on Rules**

Senate Chamber, March 28, 2008

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

SB 1484

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 Bill 1484**—An act relating to public resources.

Bill read second time.

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

**Committee on Judiciary**

Date of Hearing, March 25, 2008

Mr. President: The Committee on Judiciary, to which were referred:

SB 1140                      SB 1319                      SB 1630

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

CORBETT, Chair

Above measures ordered to second reading.

**Committee on Rules**

Senate Chamber, March 28, 2008

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

SB 1507                      SB 1722

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 Bill 1507**—An act relating to transportation.

Bill read second time.

**Senate Bill 1722**—An act relating to local government.

Bill read second time.

The amendments were read and adopted and the measures 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 24:** By Senator Romero—Relative to Digital Television Education Month.

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

**Senate Bill 1178**—An act to amend Section 1687 of the Business and Professions Code, relating to dentistry.

Bill read second time.

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

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

Without objection, **SB 1468** was withdrawn from the Committee on Education and re-referred to the Committees on Environmental Quality and Education.

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Ashburn, Calderon, Cedillo, Denham, Ducheny, Machado, Migden, Oropeza, Ridley-Thomas, Runner, Scott, and Simitian.

The following Senators were granted leaves of absence for the day due to personal business: Senators Steinberg and Wyland.

The following Senators were granted leaves of absence for the day due to illness: Senators Alquist and Wiggins.

The following Senators were granted leaves of absence for the day due to family illness: Senators Dutton and Vincent.





**REQUEST TO ADJOURN IN MEMORIAM**

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Abby Mann of West Hollywood.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 2 p.m., Tuesday, April 1, 2008.

PAULA K. ROSSETTO, Minute Clerk

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