

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-FIFTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, April 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, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Negrete, McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Wyland—31.

Quorum present.

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

### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 3, 2008

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

SCR 73

Above resolution ordered enrolled.

Assembly Chamber, April 3, 2008

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

AB 1870

AB 2215

AB 2299

AB 2574



Assembly Chamber, April 3, 2008

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

ACR 98

AJR 41

Assembly Chamber, April 3, 2008

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 1100

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 1870**—An act to amend Section 21628 of the Business and Professions Code, relating to secondhand goods.

**Assembly Bill 2215**—An act to amend Section 830.1 of the Penal Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 2299**—An act to amend Sections 2293, 3635, 4846.5, 8027, 17539.55, 19513, 19576, 19861, 19870, 21701.1, and 25658.4 of the Business and Professions Code, to amend Sections 916, 922, 1799.3, and 3344.1 of the Civil Code, to amend Sections 129, 1033.5, and 2025.560 of the Code of Civil Procedure, to amend Sections 8971, 17002, 18032, 19323, 32255, 49091.10, 52740, 52742, 52743, 56341.1, and 60204 of the Education Code, to amend Sections 2052, 2053, 9082.5, and 18541 of the Elections Code, to amend Sections 795, 1118, and 1294 of the Evidence Code, to amend Sections 3170, 7572, 10005, and 20034 of the Family Code, to amend Sections 8880.30, 11124.1, 11130, 12811.3, 14999.31, 26202.6, 26206.7, 26206.8, 27491.47, 34090.6, 34090.7, 34090.8, 50028, 53160, 53161, 53162, 54953.5, 54960, and 68151 of the Government Code, to amend Sections 1569.69, 1736.5, 7158.3, 13220, 13221, 25201.11, 40828, 100171, and 127240 of the Health and Safety Code, to amend Sections 1758.97 and 2071.1 of the Insurance Code, to amend Sections 298.1, 599aa, 868.7, 1191.15, 1203.098, and 3043 of the Penal Code, to amend Section 4423.1 of the Public Resources Code, to amend Section 1611 of the Revenue and Taxation Code, and to amend Section 19639 of the Welfare and Institutions Code, relating to the maintenance of the codes.

**Assembly Bill 2574**—An act to amend Section 4025.5 of the Penal Code, relating to jails.

**Assembly Concurrent Resolution 98**—Relative to Historic State Highway Route 395.

**Assembly Joint Resolution 41**—Relative to endangered species.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, April 2, 2008

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

**Environmental Quality**—SB 1781.

**Judiciary**—AB 1866.

**Public Safety**—AB 1823.

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

**Revenue and Taxation and Rules**—SCA 24.

**Rules and Elections, Reapportionment and Constitutional Amendments**—SCA 22, SCA 23.

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

**Agriculture**—SB 1466.

**Appropriations**—SB 1068.

**Banking, Finance and Insurance**—SB 1448.

**Business, Professions and Economic Development**—SB 1200.

**Education**—SB 1248, SB 1254, SB 1269, SB 1544, SB 1629, SB 1660, SB 1672, SB 1736.

**Elections, Rapportionment and Constitutional Amendments**—SB 1749.

**Energy, Utilities and Communications**—SB 1737.

**Governmental Organization**—SB 1537, SB 1764.

**Health**—SB 1459.

**Labor and Industrial Relations**—SB 1490, SB 1547.

**Local Government**—SB 1557, SB 1587.

**Public Employment and Retirement**—SB 1611.

**Public Safety**—SB 1382; AB 1724.

**Revenue and Taxation**—SB 1610, SB 1641, SB 1710.

**Transportation and Housing**—SB 1455, SB 1462, SB 1507, SB 1722.



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

**Agriculture and Environmental Quality—SB 1723.**

**Agriculture and Rules—SB 1574.**

**Business, Professions and Economic Development and Governmental Organization—SB 1060.**

**Education and Appropriations—SB 1709.**

**Education and Judiciary—SB 1347.**

**Governmental Organization and Environmental Quality—SB 1346.**

**Local Government and Appropriations—SB 1699.**

**Public Safety and Elections, Reapportionment and Constitutional Amendments—SB 1686.**

**Revenue and Taxation and Environmental Quality—SB 1484.**

**Committee on Banking, Finance and Insurance**

Date of Hearing, April 2, 2008

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

SB 1054

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Business, Professions and Economic Development.

MACHADO, Chair

Above measure re-referred to the Committee on Business, Professions and Economic Development.

**Committee on Governmental Organization**

Senate Chamber, April 3, 2008

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

SB 1681

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

FLOREZ, Chair

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

**Senate Bill 1681**—An act to amend Section 89720.5 of the Education Code, and to amend Sections 8790.41, 54221, 54222, 54226, 54227, and 54230.5 of, to repeal Sections 11011.2, 11011.3, 11011.4, 11011.6,



11011.8, and 11011.9 of, and to repeal and add Section 11011.1 of, the Government Code, relating to state surplus property.

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, April 3, 2008

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

SB 1729

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 1729**—An act relating to care facilities.

Bill read second time.

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

Date of Hearing, April 2, 2008

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

SCR 74

Reports the same back with the recommendation: Be adopted.

PERATA, Chair

Above resolution ordered to third reading.

State Capitol, April 2, 2008

Mr. 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:

Robin J. Dezember, Chief Division of Correctional Health Care Services, Department of Corrections and Rehabilitation (5–0)

PERATA, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, April 2, 2008

Mr. 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:

John A. Wagner, Director, State Department of Social Services (5–0)

PERATA, Chair

Above appointment ordered placed on unfinished business file.



State Capitol, April 2, 2008

Mr. 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:

Donald E. Bradley, Member, Hastings College of the Law, Board of Directors (5-0)

Tina W. Combs, Member, Hastings College of the Law, Board of Directors (5-0)

Maureen E. Corcoran, Member, Hastings College of the Law, Board of Directors (5-0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

### **Committee on Revenue and Taxation**

Senate Chamber, April 3, 2008

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

SB 1146

SB 1502

SB 1757

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

OROPEZA, Chair

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

**Senate Bill 1146**—An act to amend Sections 19551 and 19551.1 of, and to add Section 19551.5 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

**Senate Bill 1502**—An act to add Chapter 9 (commencing with Section 104324.6) to Part 1 of Division 103 of the Health and Safety Code, and to add Article 17 (commencing with Section 18881) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to amyotrophic lateral sclerosis (ALS).

Bill read second time.

**Senate Bill 1757**—An act to amend Section 41150 of the Revenue and Taxation Code, relating to emergency telephone systems.

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, April 3, 2008

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

SB 1387



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**

**Senate Bill 1387**—An act to amend Section 1371.1 of, and to add Section 1371.385 to, the Health and Safety Code, and to amend Sections 10123.145 and 10133.661 of the Insurance Code, relating to health care coverage.

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**

Senate Chamber, April 3, 2008

Mr. President: The Chair of the Committee on Natural Resources and Water, to which were referred:

SB 1172

SB 1618

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

STEINBERG, Chair

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

**Senate Bill 1172**—An act to amend Sections 332, 1528, 3684, 3686, and 4332 of, and to add Sections 333, 4332.5, and 4764 to, and to repeal Sections 3685 and 4334 of the Fish and Game Code, relating to wildlife.

Bill read second time.

**Senate Bill 1618**—An act to add Section 2083.5 to the Fish and Game Code, and to amend Section 30253 of, and to add Sections 21082.3 and 30253.5 to, the Public Resources Code, relating to public resources.

Bill read second time.

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

**Committee on Health**

Date of Hearing, March 26, 2008

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

SB 1168

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

KUEHL, Chair

Above measure ordered to second reading.



Senate Chamber, April 3, 2008

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

SB 1606

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**

**Senate Bill 1606**—An act to amend Sections 5250, 5256.4, 5257, 5346, 5347, and 5348 of, and to repeal Section 5349 of, the Welfare and Institutions Code, relating to assisted outpatient treatment services.

Bill read second time.

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

Date of Hearing, April 2, 2008

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

SB 1565

SB 1773

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

KUEHL, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, April 2, 2008

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

SB 1651

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

KUEHL, Chair

Above measure re-referred to the Committee on Public Safety.

Date of Hearing, April 2, 2008

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

SB 1121

SB 1576

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

KUEHL, Chair

Above measures re-referred to the Committee on Rules.

Date of Hearing, April 2, 2008

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

SB 1260





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.

### **Committee on Rules**

Senate Chamber, April 3, 2008

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

SB 1460

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 1460**—An act to amend Section 2851 of the Public Utilities Code, relating to solar energy.

Bill read second time.

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

### **Committee on Revenue and Taxation**

Senate Chamber, April 3, 2008

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 1463

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

OROPEZA, Chair

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

**Senate Bill 1463**—An act to add Sections 23701m and 24357.11 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

### **Committee on Health**

Date of Hearing, March 26, 2008

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

SB 1348

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

KUEHL, Chair

Above measure ordered to second reading.



**Committee on Elections, Reapportionment and Constitutional Amendments**

Senate Chamber, April 3, 2008

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which were referred:

SB 1694

AB 1292

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

CALDERON, Chair

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

**Senate Bill 1694**—An act to amend Sections 13102, 14102, 14105, 14200, 14201, 14272, and 14432 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill 1292**—An act to add Section 3023.5 to the Elections Code, relating to absentee voters.

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, April 3, 2008

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

SB 1676

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 1676**—An act to amend Section 45108.7 of the Education Code, relating to classified employees.

Bill read second time.

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

**Committee on Education**

Senate Chamber, April 3, 2008

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

SB 1672



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 1672**—An act to add Division 16.2 (commencing with Section 26200) to the Public Resources Code, relating to energy, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

Bill read second time.

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

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

Senate Chamber, April 3, 2008

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

SB 1282

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 1282**—An act to amend Section 7570 of, and to add Section 7560.5 to, the Business and Professions Code, relating to private investigators.

Bill read second time.

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

Senate Chamber, April 3, 2008

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

SB 1504

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 1504**—An act to amend Sections 4052.5 and 4073 of the Business and Professions Code, relating to pharmacies.

Bill read second time.

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



**Committee on Education**

Senate Chamber, April 3, 2008

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

SB 1621

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 1621**—An act to amend Section 70101 of the Education Code, relating to nursing education.

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, April 3, 2008

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

SB 1317

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 1317**—An act to amend Section 4851 of, and to add Section 4853.5 to, the Welfare and Institutions Code, relating to developmental services.

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, April 3, 2008

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

SB 1447

SB 1503

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 1447**—An act relating to energy.

Bill read second time.



**Senate Bill 1503**—An act to add Chapter 7.5 (commencing with Section 104323) to Part 1 of Division 103 of the Health and Safety Code, relating to Amyotrophic Lateral Sclerosis.

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, April 3, 2008

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

SB 1642

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 1642**—An act to add Section 9204 to the Public Contract Code, relating to public contracts.

Bill read second time.

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

#### **Committee on Education**

Senate Chamber, April 3, 2008

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

SB 1446

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 1446**—An act to add and repeal Section 60852.4 of the Education Code, relating to the high school exit examination, 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 Transportation and Housing**

Date of Hearing, March 25, 2008

Mr. President: The Committee on Transportation and Housing, to which was referred:

SB 1263



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

LOWENTHAL, Chair

Above measure ordered to second reading.

### **Committee on Rules**

Senate Chamber, April 3, 2008

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

SB 1561

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 1561**—An act to amend Section 7508 of the Public Utilities Code, relating to railroads.

Bill 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 Concurrent Resolution 99:** By Senators Battin, Aanestad, Denham, Ducheny, and Lowenthal (Coauthors: Assembly Members Adams, Duvall, Dymally, Garcia, Garrick, Huff, Jeffries, Keene, Nava, and Parra)—Relative to Motorcycle Awareness Month.

### **CONSIDERATION OF DAILY FILE**

#### **SECOND READING OF SENATE BILLS**

**Senate Bill 1236**—An act to amend Section 76000.5 of the Government Code, and to amend Section 1797.98a of the Health and Safety Code, relating to county penalties.

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 Rules.

**Senate Bill 1106**—An act to amend Sections 65583, 65583.2, and 65584.04 of the Government Code, relating to local planning.

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

**Senate Bill 1220**—An act to amend Section 50675.1 of the Health and Safety Code, relating to housing.

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



**Senate Bill 1394**—An act to repeal Section 103900 of the Health and Safety Code, and to amend and repeal Section 12818 of, and to add Article 6 (commencing with Section 13010) to Chapter 1 of Division 6 of, the Vehicle Code, relating to lapses in consciousness.

Bill read second time.

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

**Senate Bill 1300**—An act to add Sections 1262.55 and 1367.49 to the Health and Safety Code, and to add Section 10117.6 to the Insurance Code, relating to health care coverage.

Bill read second time.

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

**Senate Bill 1356**—An act to amend Section 1219 of the Code of Civil Procedure, relating to civil procedure.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 1252**—An act to add Section 8316 to the Government Code, relating to wireless telecommunications carriers.

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

**Senate Bill 1458**—An act to amend Sections 25643, 50078.1, 54251, 56036, 56375, and 57075 of, to amend and renumber Section 25210 of, to add Chapter 2.5 (commencing with Section 25210) to, and to repeal Chapter 2.2 (commencing with Section 25210.1) of, Part 2 of Division 2 of Title 3 of, the Government Code, to amend Section 5470 of the Health and Safety Code, to repeal Section 20394.3 of the Public Contract Code, to amend Sections 5621, 13031, and 13215 of, and to repeal Section 13030 of, the Public Resources Code, to amend Section 97.41 of the Revenue and Taxation Code, to amend Section 1179.5 of the Streets and Highways Code, and to amend Sections 22976, 22981, and 22982 of the Water Code, relating to local government.

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

**Senate Bill 1510**—An act to amend Section 1936 of the Civil Code, and to amend Sections 170010, 170011, 170013, 170016, 170017, and 170018 of, and to add Sections 170035 and 170036 to, the Public Utilities Code, relating to airports.

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



**Senate Joint Resolution 20**—Relative to medical marijuana.

Resolution read second time.

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

**Senate Bill 1304**—An act to amend Sections 8344 and 8346 of the Education Code, relating to child care.

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

#### **SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 163**—An act to add Section 19965 to the Business and Professions Code, relating to gambling.

Bill read second time and ordered to third reading.

#### **MEASURE WITHDRAWN FROM COMMITTEE**

Without objection, **SB 1126** was withdrawn from Committee and placed on second reading.

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

Without objection, **SB 1627** was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Appropriations.

#### **MOTION TO RE-REFER TO COMMITTEE**

Without objection, **AB 163** was re-referred to the Committee on Rules.

#### **SENATE COMMITTEE ROLL CALLS**

##### **Committee on Banking, Finance and Insurance**

**SB 1054**—Do pass and re-refer to Committee on Business, Professions and Economic Development

AYES (9)—Senators Correa, Cox, Hollingsworth, Kehoe, Lowenthal, Machado, Margett, Scott, and Wiggins.

NOES (0)—None.

**SB 1059**—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Correa, Kehoe, Lowenthal, Machado, Scott, and Wiggins.

NOES (3)—Senators Cox, Hollingsworth, and Margett.

**SB 1137**—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Correa, Kehoe, Lowenthal, Machado, Scott, and Wiggins.

NOES (3)—Senators Cox, Hollingsworth, and Margett.

**SB 1145**—Do pass as amended and re-refer to Committee on Judiciary

AYES (9)—Senators Correa, Cox, Kehoe, Lowenthal, Machado, Margett, Runner, Scott, and Wiggins.

NOES (0)—None.





**SB 1551**—Do pass as amended and re-refer to Committee on Judiciary

AYES (8)—Senators Correa, Cox, Hollingsworth, Machado, Margett, Runner, Scott, and Wiggins.

NOES (0)—None.

**SB 1604**—Do pass as amended and re-refer to Committee on Judiciary

AYES (10)—Senators Correa, Cox, Hollingsworth, Kehoe, Lowenthal, Machado, Margett, Runner, Scott, and Wiggins.

NOES (0)—None.

Date of Hearing: 4/2/2008

Machado (Chair)

#### **Committee on Health**

**SB 1058**—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alquist, Cedillo, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (1)—Senator Cox.

**SB 1121**—Do pass and re-refer to Committee on Rules

AYES (6)—Senators Alquist, Cedillo, Kuehl, Ridley-Thomas, Steinberg, and Yee.

NOES (4)—Senators Aanestad, Cox, Maldonado, and Wyland.

**SB 1213**—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1260**—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1359**—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1395**—Do pass as amended and re-refer to Committee on Environmental Quality

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

NOES (1)—Senator Cox.

**SB 1398**—Do pass as amended and re-refer to Committee on Judiciary

AYES (4)—Senators Aanestad, Cox, Maldonado, and Wyland.

NOES (5)—Senators Alquist, Cedillo, Kuehl, Steinberg, and Yee.

Failed passage



**SB 1398—Reconsideration granted**

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1565—Do pass and re-refer to Committee on Judiciary**

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1576—Do pass and re-refer to Committee on Rules**

AYES (7)—Senators Alquist, Cedillo, Kuehl, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (2)—Senators Aanestad and Cox.

**SB 1594—Do pass as amended and re-refer to Committee on Appropriations**

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1616—Do pass as amended and re-refer to Committee on Appropriations**

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

NOES (3)—Senators Aanestad, Cox, and Wyland.

**SB 1651—Do pass and re-refer to Committee on Public Safety**

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

NOES (3)—Senators Aanestad, Cox, and Wyland.

**SB 1738—Do pass as amended and re-refer to Committee on Appropriations**

AYES (11)—Senators Aanestad, Alquist, Cedillo, Cox, Kuehl, Maldonado, Negrete McLeod, Ridley-Thomas, Steinberg, Wyland, and Yee.

NOES (0)—None.

**SB 1773—Do pass and re-refer to Committee on Judiciary**

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

NOES (2)—Senators Cox and Wyland.

Date of Hearing: 4/2/2008

Kuehl (Chair)

**Committee on Rules****SCR 74—Be adopted**

AYES (5)—Senators Ashburn, Cedillo, Dutton, Padilla, and Perata.

NOES (0)—None.

Date of Hearing: 4/2/2008

Perata (Chair)



**LEAVES OF ABSENCE FOR THE DAY**

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

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

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Negrete McLeod requested that when the Senate adjourns this day it do so in memory of Francis Montgomery of Rialto.

Senator Oropeza requested that when the Senate adjourns this day it do so in memory of Aletha Bernice Criddle Miller of Sacramento.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Nancy T.C. Lau of Monterey Park.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Thelma Ada Peeler of Rancho Cordova.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, April 7, 2008.

PAULA K. ROSSETTO, Minute Clerk

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