

## CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED NINETY-FIRST LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, May 1, 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, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee—35.

Quorum present.

*(NOTE: Senators Cogdill, Hollingsworth, Ridley-Thomas, and Runner will be excused this day on legislative business and Senator Vincent will be excused this day due to a family illness.)*



**PRAYER**

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

*Gracious God,* On this first day of May, we give thanks for the beauty of our state and the renewal of Spring. Give to us grateful hearts, help us to be mindful of those in the greatest of need, and give to our senators, the servants of your people, the strength to act courageously on behalf of those whom they serve.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Date of Hearing, April 28, 2008

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

SB 1258

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

TORLAKSON, Chair

Above measure ordered to second reading.

Senate Chamber, May 1, 2008

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

SB 1111      SB 1491      SB 1563      SB 1596

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

TORLAKSON, Chair

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

**Senate Bill 1111**—An act to add Section 60642.6 to the Education Code, relating to pupil testing.

Bill read second time.

**Senate Bill 1491**—An act to add Section 18934.10 to the Health and Safety Code, and to add Chapter 5 (commencing with Section 8370) to Division 4.1 of the Public Utilities Code, relating to remotely controlled devices.

Bill read second time.

**Senate Bill 1563**—An act to add Section 1374.73 to the Health and Safety Code, and to add Section 10144.55 to the Insurance Code, relating to health care coverage.

Bill read second time.



**Senate Bill 1596**—An act to amend Sections 10507.7 and 10509 of the Public Contract Code, relating to the University of California.

Bill read second time.

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

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

**Senate Bill 1717**—An act to amend Section 4658 of the Labor Code, relating to workers' compensation.

Bill read second time.

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

**Senate Bill 1350**—An act to amend Section 22353 of the Vehicle Code, relating to speed limits.

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

**Senate Bill 1096**—An act to amend Section 56.10 of the Civil Code, relating to medical information.

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

**Senate Bill 1113**—An act to amend Section 1021.5 of the Code of Civil Procedure, relating to attorney's fees.

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

**Senate Bill 1136**—An act to amend Sections 1770 and 1780 of the Civil Code, relating to public social services.

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

**Senate Bill 1396**—An act to amend Section 27388 of the Government Code, relating to local government.

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

**Senate Bill 1415**—An act to add Section 123106 to the Health and Safety Code, relating to patient records.

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

**Senate Bill 1612**—An act to amend Section 372 of the Code of Civil Procedure, to amend Section 7635 of the Family Code, and to add Section 326.7 to the Welfare and Institutions Code, relating to guardians ad litem.

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

**Senate Bill 1649**—An act to add Section 1714.43 to the Civil Code, relating to human trafficking.

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



**Senate Bill 1700**—An act to add Section 2775.8 to the Public Utilities Code, relating to gas corporations.

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

**Senate Bill 1482**—An act to add Section 3003 to the Government Code, relating to local government.

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

**Senate Bill 1212**—An act to amend Section 538d of the Penal Code, relating to crime.

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

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

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

Resolution read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed and to Consent Calendar.

#### **RE-REFERENCE TO COMMITTEE**

Pursuant to Senate Rule 29.10, the issue raised by the Assembly amendments to **SB 1040** was referred to the Committee on Rules.

#### **REQUEST TO DISPENSE WITH JOINT RULES**

The following request was presented by Senator Corbett:

Senate Chamber, May 1, 2008

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(5) in order that SB 1225 may be reported by the Committee on Judiciary after the April 18, 2008 deadline.

SENATOR CORBETT

#### **Recommendation of Rules Committee**

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

PERATA, Chair

#### **JOINT RULES DISPENSED WITH**

Without objection, pursuant to Joint Rule 33.1, Joint Rule 61(b)(5) was dispensed with as requested.

#### **MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **SCR 111**, **SCR 114**, **SR 24**, **ACR 113**, and **ACR 124** were withdrawn from Committee and placed on today's Special Consent Calendar.



**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS**

**Senate Bill 1524**—An act to amend Section 60900 of the Education Code, relating to the California Longitudinal Pupil Achievement Data System.

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 (30)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Cedillo, Corbett, Correa, Cox, Ducheny, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

**Senate Bill 1660**—An act to add Section 45031.5 to the Education Code, relating to teachers.

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 (28)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cox, Denham, Ducheny, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, McClintock, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Wiggins, Wyland, and Yee.

NOES (1)—Senator Correa.

Bill ordered transmitted to the Assembly.

**Senate Bill 1126**—An act to amend Section 186.22a of the Penal Code, relating to criminal street gangs, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Cedillo.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.



**Roll Call**

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

AYES (31)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution 85**—Relative to the Pacific bluefin tuna.

Resolution read third time and presented by Senator Kuehl.

**Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (27)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (6)—Senators Aanestad, Ackerman, Ashburn, Cox, Denham, and McClintock.

Resolution ordered transmitted to the Assembly.

**Senate Bill 1419**—An act to amend Section 97 of, and to add and repeal Section 97.5 of, the Streets and Highways Code, relating to highways.

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 1175**—An act to amend Section 15432 of the Government Code, and to add Section 4688.6 to the Welfare and Institutions Code, relating to regional center housing.

Bill read third time and presented by Senator Steinberg.

**Roll Call**

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

AYES (35)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton,



Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.  
NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1380**—An act to amend Sections 18358, 18358.05, 18358.10, 18358.15, 18358.20, 18358.23, 18358.25, and 18358.30 of the Welfare and Institutions Code, relating to foster care.

Bill read third time and presented by Senator Steinberg.

#### Roll Call

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

AYES (35)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.  
NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1296**—An act to amend Section 3509 of the Government Code, relating to the Public Employment Relations Board.

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 (28)—Senators Alquist, Battin, Calderon, Cedillo, Corbett, Correa, Denham, Ducheny, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (5)—Senators Aanestad, Ackerman, Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

**Senate Bill 1731**—An act to add Section 9250.6 to the Vehicle Code, relating to vehicles.

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 1692**—An act to add Section 81838 to the Education Code, relating to community colleges.

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 (29)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Scott, Steinberg, Torlakson, Wiggins, and Yee.

NOES (4)—Senators Ackerman, Battin, Cox, and Harman.

Bill ordered transmitted to the Assembly.

**Senate Bill 1118**—An act to amend Sections 21670, 21670.1, 21670.4, 21671.5, 21674.7, 21675.1, 21678, 21679, and 21679.5 of, and to repeal Section 21677 of, the Public Utilities Code, relating to airports.

Bill read third time and presented by Senator Negrete McLeod.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

*(Note: Reconsideration granted later this day)*

**Senate Bill 1543**—An act to amend Section 29770 of the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

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

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Denham, Dutton, Harman, Maldonado, Margett, McClintock, and Wyland.

Bill ordered transmitted to the Assembly.





**Motion to Reconsider (SB 1118)**

Senator Migden moved to reconsider the vote whereby SB 1118 passed.

**Roll Call**

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

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

NOES (0)—None.

Measure ordered returned to third reading.

**Further Consideration of Senate Bill 1118**

**Senate Bill 1118**—An act to amend Sections 21670, 21670.1, 21670.4, 21671.5, 21674.7, 21675.1, 21678, 21679, and 21679.5 of, and to repeal Section 21677 of, the Public Utilities Code, relating to airports.

Bill read third time and presented by Senator Negrete McLeod.

**Roll Call**

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

AYES (32)—Senators Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Dutton, Florez, Harman, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (1)—Senator Migden.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 1419)**

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 1419 was passed by the following vote:

AYES (21)—Senators Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Florez, Kehoe, Lowenthal, Maldonado, Migden, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (13)—Senators Aanestad, Ackerman, Battin, Cox, Denham, Ducheny, Dutton, Harman, Machado, Margett, McClintock, Negrete McLeod, and Oropeza.

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 1731)**

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 1731 was refused passage by the following vote:

AYES (20)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Migden, Oropeza, Padilla, Perata, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Battin, Correa, Cox, Denham, Dutton, Harman, Machado, Maldonado, Margett, McClintock, Negrete McLeod, and Wyland.

**Motion to Reconsider (SB 1731)**

Senator Yee moved to reconsider the vote whereby SB 1731 failed passage.

**Roll Call**

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

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

NOES (0)—None.

Measure ordered returned to third reading.

**SPECIAL CONSENT CALENDAR**

**Senate Concurrent Resolution 111**—Relative to 9-1-1 for Kids Safety Education Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Concurrent Resolution 114**—Relative to American Stroke Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Resolution 24**—Relative to Digital Television Education Month.

Resolution read and adopted.

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Concurrent Resolution 113**—Relative to Financial Literacy Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 124**—Relative to Automotive Career Month.

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

*(NOTE: See Consent Calendar Roll Call)*

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

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1141**—An act to add Section 1797.9 to the Health and Safety Code, relating to emergency medical services.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1353**—An act to amend Section 19775.18 of the Government Code, relating to state employees.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1601**—An act to amend Sections 19889.7 and 22959.6 of the Government Code, relating to public employees, and making an appropriation therefor.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1117**—An act to add Chapter 2.3 (commencing with Section 35521) to Part 5 of Division 13 of the Water Code, relating to the Hot Spring Valley Water District.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1186**—An act to amend Sections 44225.7, 44252, 44252.5, 44380, 44385, 44500, 44560, 44561, 44830, and 44831 of, and to add Section 44253.12 to, the Education Code, relating to teachers.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1230**—An act to add Chapter 6.5 (commencing with Section 108740) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 1276**—An act to add Chapter 2.4 (commencing with Section 35523) to Part 5 of Division 13 of the Water Code, relating to the Vandalia Water District.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1279**—An act to amend Sections 1815, 12070, 12072, and 12921 of, and to repeal Sections 900.7, 12071, and 12073 of, the Insurance Code, relating to insurance.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1302**—An act to amend Sections 290.46, 1203.065, 1203.067, 12021, 12022.3, and 12022.8 of the Penal Code, relating to sex offenders.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1329**—An act to amend Sections 5240 and 6518 of the Corporations Code, and to add Part 7 (commencing with Section 18501) to Division 9 of, and to repeal Part 7 (commencing with Section 18500) of Division 9 of, the Probate Code, relating to charitable institutions.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1376**—An act to amend Sections 22954, 22955, 22955.5, and 23859 of the Education Code, relating to teachers' retirement.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1426**—An act to amend Section 12205 of the Public Contract Code, relating to public contracts.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1436**—An act to amend Section 2087 of the Fish and Game Code, relating to protected species.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1461**—An act to amend Section 10140.6 of the Business and Professions Code, relating to real estate.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 1469**—An act to amend Sections 7502.1, 7505.1, and 7507.10 of the Business and Professions Code, and to amend Section 29004 of the Vehicle Code, relating to collateral recovery.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1509**—An act to add Sections 241.5 and 243.65 to the Penal Code, relating to crimes against highway workers.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1546**—An act to amend, repeal, and add Section 6601 of the Welfare and Institutions Code, relating to sexually violent predators.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1548**—An act to amend Section 40600 of, and to add Section 40600.5 to, the Health and Safety Code, relating to air pollution.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1597**—An act to amend Section 111656.5 of the Health and Safety Code, relating to medical devices.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1666**—An act to amend Sections 626, 626.2, 626.8, and 626.85 of, and to add Section 626.1 to, the Penal Code, relating to entry onto school campuses.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1677**—An act relating to teachers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1726**—An act to amend Sections 7660.5, 7662, 8714.5, 8802, and 8814.5 of the Family Code, to amend Section 1510 of the Probate Code, and to amend Section 361 of the Welfare and Institutions Code, relating to adoption.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 1727**—An act to amend Section 2818 of the Vehicle Code, relating to highway safety.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1581**—An act to amend Sections 7030, 7159, and 7159.5 of the Business and Professions Code, relating to contractors.

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

*(NOTE: See Consent Calendar Roll Call)*

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

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

*(NOTE: See Consent Calendar Roll Call)*

**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.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

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

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

*(NOTE: See Consent Calendar Roll Call)*

#### **Special Consent Calendar Roll Call**

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

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

NOES (0)—None.

#### **LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Cogdill, Hollingsworth, Ridley-Thomas, and Runner.

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



### FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 10:10 a.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 Monday, May 5, 2008.

Motion carried.

### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 1, 2008

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

AB 1859	AB 3073	AB 2260	AB 2843
AB 1943	AB 1816	AB 2302	AB 2884
AB 1955	AB 1854	AB 2304	AB 2960
AB 1976	AB 1883	AB 2335	AB 3000
AB 2047	AB 1903	AB 2349	AB 3020
AB 2057	AB 2014	AB 2390	AB 3024
AB 2148	AB 2023	AB 2449	AB 3026
AB 2156	AB 2041	AB 2503	AB 3038
AB 2287	AB 2060	AB 2552	AB 3041
AB 2381	AB 2068	AB 2619	AB 3042
AB 2397	AB 2080	AB 2629	AB 3044
AB 2472	AB 2137	AB 2714	AB 3064
AB 2526	AB 2150	AB 2757	AB 3068
AB 2553	AB 2191	AB 2758	AB 3070
AB 2584	AB 2213	AB 2786	AB 3072
AB 2606	AB 2214	AB 2802	AB 3076
AB 2778	AB 2255	AB 2838	

Assembly Chamber, May 1, 2008

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

ACR 85	ACR 111	ACR 102
ACR 116	ACR 122	ACR 128

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 1859**—An act to amend Section 81010 of the Government Code, relating to the Political Reform Act of 1974.



**Assembly Bill 1943**—An act to add Article 2 (commencing with Section 5515) to Chapter 9 of Division 2 of the Public Utilities Code, relating to commercial airlines.

**Assembly Bill 1955**—An act to amend Section 1204.5 of the Penal Code, relating to criminal proceedings.

**Assembly Bill 1976**—An act to amend Section 653y of the Penal Code, relating to crimes.

**Assembly Bill 2047**—An act to amend Sections 7093.6, 9278, 30459.15, 32471.5, 41171.5, 46628, 50156.18, 55332.5, and 60637 of the Revenue and Taxation Code, relating to taxation.

**Assembly Bill 2057**—An act to amend Sections 35535, 44225, 44252, 44256, 44260.8, 44263, 44270, 44279.1, 44327, 44830, 44865, 56028, and 56043 of the Education Code, relating to education.

**Assembly Bill 2148**—An act to amend Sections 14825, 14826, 14827, 14830, 14838, 14841, 14842, 14843, 14844, 14845, 14855, and 14860 of, to add Sections 14832 and 14833 to, to repeal Sections 14857, 14858, and 14859 of, and to repeal and add Section 14856 of, the Health and Safety Code, relating to firefighters.

**Assembly Bill 2156**—An act to amend Section 21537 of the Government Code, relating to public employee benefits.

**Assembly Bill 2287**—An act to amend Section 22820 of the Government Code, relating to firefighters' benefits.

**Assembly Bill 2381**—An act to amend Section 125292.10 of the Health and Safety Code, relating to stem cell research.

**Assembly Bill 2397**—An act to add Section 25245 to the Business and Professions Code, relating to alcoholic beverages.

**Assembly Bill 2472**—An act to amend Sections 2 and 3 of Chapter 188 of the Statutes of 1999, relating to conveyances.

**Assembly Bill 2526**—An act to amend Sections 31520.1, 31520.2, 31520.3, and 31520.5 of, and to repeal and add Section 31523 of, the Government Code, relating to county retirement.

**Assembly Bill 2553**—An act to add Section 6320.5 to the Family Code, relating to domestic violence.

**Assembly Bill 2584**—An act to amend Sections 9050, 9051, 9052, 9053, 9054, and 13247 of, and to amend the heading of Article 5 (commencing with Section 9050) of Chapter 1 of Division 9 of, the Elections Code, relating to ballot measures.

**Assembly Bill 2606**—An act to amend Sections 1001.60, 1001.64, and 1001.65 of the Penal Code, relating to the bad check diversion program.





**Assembly Bill 2778**—An act to amend Section 14837 of the Government Code, relating to public contracts.

**Assembly Bill 3073**—An act to amend Section 19549 of the Business and Professions Code, and to amend Section 4058 of the Food and Agricultural Code, relating to horse racing.

**Assembly Bill 1816**—An act to add Section 9610 to the Business and Professions Code, relating to cemeteries.

**Assembly Bill 1854**—An act to add Section 904.9 to the Penal Code, relating to grand juries.

**Assembly Bill 1883**—An act to amend Section 4953 of the Public Resources Code, relating to fire.

**Assembly Bill 1903**—An act to amend Section 831.8 of, and to add and repeal Section 831.9 of, the Government Code, relating to liability, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 2014**—An act to amend Sections 1063, 2400, and 2600 of, and to add Section 2401.1 to, the Probate Code, relating to guardians and conservators.

**Assembly Bill 2023**—An act to amend Section 21156 of the Government Code, relating to public employee disability benefits.

**Assembly Bill 2041**—An act to add Sections 31486.36 and 31490.7 to the Government Code, relating to county employees' retirement.

**Assembly Bill 2060**—An act to add Section 9104.2 to the Vehicle Code, relating to vehicles.

**Assembly Bill 2068**—An act to add Section 6103.3 to the Government Code, relating to local government.

**Assembly Bill 2080**—An act to amend Sections 24081 and 24082 of the Business and Professions Code, relating to alcoholic beverages.

**Assembly Bill 2137**—An act to amend Section 10232.3 of the Insurance Code, relating to insurance.

**Assembly Bill 2150**—An act to add Section 787.1 to the Insurance Code, relating to insurance.

**Assembly Bill 2191**—An act to amend Sections 24950, 24953, 25100, 25101, 25111, 25112, 25113, 25114, and 25115 of the Education Code, to amend Section 12420.2 of the Government Code, and to amend Section 770.3 of the Insurance Code, relating to public employees.

**Assembly Bill 2213**—An act to amend Section 49110 of the Education Code, relating to pupils.

**Assembly Bill 2214**—An act to amend Section 48985 of the Education Code, relating to pupils.



**Assembly Bill 2255**—An act to amend Section 5096.520 of, and to amend the heading of Article 3 (commencing with Section 5096.520) of Chapter 1.695 of Division 5 of, the Public Resources Code, relating to resource conservation.

**Assembly Bill 2260**—An act to repeal Section 81676.5 of the Education Code, relating to postsecondary education.

**Assembly Bill 2302**—An act to amend and repeal Section 44265.1 of the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 2304**—An act to amend Section 1277 of the Code of Civil Procedure, relating to name changes.

**Assembly Bill 2335**—An act to repeal Sections 19830, 19831, and 19832 of, and to repeal and add Section 19825 of, the Health and Safety Code, relating to building permits.

**Assembly Bill 2349**—An act to amend Section 9166 of the Food and Agricultural Code, relating to animals.

**Assembly Bill 2390**—An act to amend Sections 24214, 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers' retirement.

**Assembly Bill 2449**—An act to amend Section 395.06 of the Military and Veterans Code, relating to military and veterans.

**Assembly Bill 2503**—An act to amend Section 29735 of, and to add Section 29735.1 to, the Public Resources Code, relating to the Delta Protection Act.

**Assembly Bill 2552**—An act to amend Section 84506 of the Government Code, relating to the Political Reform Act of 1974.

**Assembly Bill 2619**—An act to amend Sections 2034.420 and 2034.430 of the Code of Civil Procedure, relating to civil discovery.

**Assembly Bill 2629**—An act to add Section 7311.25 to the Labor Code, relating to safety of conveyances.

**Assembly Bill 2714**—An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

**Assembly Bill 2757**—An act to add Section 60902 to the Education Code, relating to a coding system for educational institutions.

**Assembly Bill 2758**—An act to amend Section 19103 of the Elections Code, relating to voting systems.

**Assembly Bill 2786**—An act to amend Sections 3102, 3103, and 3103.5 of the Elections Code, relating to elections.



**Assembly Bill 2802**—An act to amend Section 11836 of the Health and Safety Code, and to amend Section 23103.5 of the Vehicle Code, relating to vehicles.

**Assembly Bill 2838**—An act to add Section 21002 to the Government Code, relating to public employees' retirement.

**Assembly Bill 2843**—An act to amend Section 8482.3 of the Education Code, relating to after school programs.

**Assembly Bill 2884**—An act to amend Section 273 of the Code of Civil Procedure, relating to court reporters.

**Assembly Bill 2960**—An act to amend Section 3064 of the Family Code, relating to child custody.

**Assembly Bill 3000**—An act to amend Sections 4780, 4782, 4783, 4784, and 4785 of, and to amend the heading of Part 4 (commencing with Section 4780) of Division 4.7 of, the Probate Code, relating to health care decisions.

**Assembly Bill 3020**—An act to repeal and add Section 10106 of the Public Contract Code, relating to public contracts.

**Assembly Bill 3024**—An act to amend Section 7103 of the Public Contract Code, relating to payment bonds.

**Assembly Bill 3026**—An act to amend Sections 15261 and 19250 of, and to add Section 19217 to, the Elections Code, relating to elections.

**Assembly Bill 3038**—An act to amend Section 293 of the Penal Code, relating to crime, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 3041**—An act to amend Section 2610 of the Family Code, to amend Sections 20037.6, 20037.7, 20037.8, 20037.9, 20037.10, 20037.11, 20037.12, 20305, 20475, 20479, 20967, 21252, 21753, 22126, 22839, 22960.15, 75006, 75028.5, 75507, and 75552 of, and to add Sections 21310.5, 75080.5, and 75580.5 to, the Government Code, relating to public employees' retirement.

**Assembly Bill 3042**—An act to amend Section 1094.5 of the Code of Civil Procedure, and to amend Sections 18670, 19175, 19574, 19574.1, 19574.2, 19575, 19576, 19578, 19582, and 19583 of, to repeal Sections 19173.1, 19175.3, 19570.1, 19572.1, 19576.5, 19576.6, 19582.1, and 19582.6 of, and to repeal and add Section 18575 of, the Government Code, relating to civil service.

**Assembly Bill 3044**—An act to amend Sections 31458.3, 31458.4, 31459, 31522.5, 31529.9, 31640, 31663.25, 31663.26, 31664.15, 31664.65, and 31808.6 of, and to repeal Section 31639.4 of, the Government Code, relating to county employees' retirement.



**Assembly Bill 3064**—An act to amend Section 8879.23 of the Government Code, to amend Section 99243 of the Public Utilities Code, and to amend Section 13005 of the Vehicle Code, relating to transportation.

**Assembly Bill 3068**—An act to amend Section 1363.03 of the Civil Code, to amend Sections 354.5, 14225, and 19255 of the Elections Code, and to amend Section 22970.20 of the Water Code, relating to voting.

**Assembly Bill 3070**—An act to amend Section 10704 of the Elections Code, relating to elections.

**Assembly Bill 3072**—An act to add Article 9 (commencing with Section 12093.01) to Chapter 1 of Part 2 of Division 3 of Title 2 of, and to repeal Sections 12012.25, 12012.30, 12012.35, 12012.40, 12012.45, 12012.46, 12012.465, 12012.47, 12012.475, 12012.48, 12012.485, 12012.49, 12012.495, 12012.5, 12012.51, 12012.515, and 12012.52, of, the Government Code, relating to gaming.

**Assembly Bill 3076**—An act to amend Sections 116450, 116455, and 116470 of the Health and Safety Code, relating to public water systems.

**Assembly Concurrent Resolution 85**—Relative to Arts Month.

**Assembly Concurrent Resolution 111**—Relative to Senior Volunteer Month.

**Assembly Concurrent Resolution 102**—Relative to the Airborne Memorial Highway.

**Assembly Concurrent Resolution 116**—Relative to Adolfo Camarillo Memorial Highway.

**Assembly Concurrent Resolution 122**—Relative to the Robert and Pat Nimmo Memorial Highway.

**Assembly Concurrent Resolution 128**—Relative to the Officer Sixto Maldonado, Jr., Memorial Highway.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

State Capitol, April 30, 2008

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

**Agriculture**—AB 1913, AB 2284.

**Banking, Finance and Insurance**—AB 2139, AB 2149.

**Business, Professions and Economic Development**—AB 1897, AB 1907, AB 2189, AB 2442, AB 2444, AB 2445, AB 2482, AB 2946, AB 3045.

**Education**—AB 1754, AB 1871, AB 1893, AB 1916, AB 2468, AB 2555.



**Elections, Reapportionment and Constitutional Amendments—**  
AB 1998.

**Energy, Utilities and Communications—**AB 2192.

**Environmental Quality—**AB 2347.

**Governmental Organization—**AB 1810, AB 1829, AB 1924, AB 1974.

**Health—**AB 2010, AB 2079, AB 2216, AB 2275, AB 2440, AB 2658.

**Human Services—**AB 1825, AB 2096.

**Judiciary—**AB 1779, AB 1824, AB 1877, AB 1949, AB 2059, AB 2130,  
AB 2142, AB 2193, AB 2343, AB 2379, AB 2433.

**Local Government—**AB 1764.

**Natural Resources and Water—**AB 2330, AB 2559, AB 2840.

**Public Employment and Retirement—**AB 1936.

**Public Safety—**AB 1769, AB 1864, AB 1923, AB 2092, AB 2100,  
AB 2131, AB 2523, AB 2816.

**Revenue and Taxation—**AB 1901, AB 1935, AB 2518.

**Transportation and Housing—**AB 2074, AB 2188, AB 2272, AB 2295,  
AB 2554, AB 2742, AB 2906

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

**Governmental Organization—**AJR 39.

**Judiciary—**SCR 112.

**Natural Resources and Water—**AJR 49.

**Public Safety—**AB 717.

**Transportation and Housing—**ACR 80, ACR 90, ACR 96; AJR 52.

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

**Agriculture and Environmental Quality—**AB 1846.

**Business, Professions and Economic Development and Judiciary—**  
AB 1867, AB 2210.

**Health and Judiciary—**AB 2352.

**Human Services and Judiciary—**AB 2160.

**Local Government and Business, Professions and Economic  
Development—**AB 2427.

**Public Safety and Rules—**AB 2618.



**Public Safety and Judiciary**—SB 1407.

**Revenue and Taxation and Rules**—SB 1750.

**Transportation and Housing and Public Safety**—AB 2039, AB 2042, AB 2273.

**Committee on Judiciary**

Date of Hearing, April 29, 2008

Mr. President: The Committee on Judiciary, to which was referred:  
SB 1225

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 measure ordered to second reading.

Senate Chamber, May 1, 2008

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

SB 1375

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 1375**—An act to amend Section 2924c of the Civil Code, relating to real 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**

State Capitol, April 30, 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:

Joseph D. Compton, Member, Board of Parole Hearings (5–0)

PERATA, Chair

Above appointment ordered placed on unfinished business file.



State Capitol, April 30, 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:

Mark B. Horton, M.D., Public Health Officer, State Department of Public Health (5-0)

PERATA, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, April 30, 2008

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

L.B. Boydston, Member, Pacific States Marine Fisheries Commission (5-0)

Thomas Harman, Member, Pacific States Marine Fisheries Commission (5-0)

John W. McCamman, Member, Pacific States Marine Fisheries Commission (5-0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

#### **Committee on Appropriations**

Date of Hearing, April 28, 2008

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

SB 1627

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

TORLAKSON, Chair

Above measure ordered to second reading.

#### **Committee on Public Safety**

Date of Hearing, April 29, 2008

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

AB 36

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

ROMERO, Chair

Above measure ordered to second reading.



**Committee on Environmental Quality**

Date of Hearing, April 28, 2008

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

SB 1405

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

Above measure ordered to second reading.

Date of Hearing, April 28, 2008

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

SCR 87

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Agriculture.  
SIMITIAN, Chair

Above measure ordered to second reading.

**Committee on Judiciary**

Senate Chamber, May 1, 2008

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

AB 1949

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 1949**—An act to amend Section 36 of the Code of Civil Procedure, to amend Sections 6103, 68071, 71601 of the Government Code, to amend Section 832.9 of the Penal Code, and to amend Section 42006 of the Vehicle Code, relating to courts.

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 MEASURE**

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

**Senate Joint Resolution 29:** By Senator Ackerman—Relative to U.S.-Colombia Trade Promotion Agreement.

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

Without objection, **AB 837** was withdrawn from the Committee on Natural Resources and Water and re-referred to the Committee on Rules.





**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **ACR 104** and **ACR 121** were withdrawn from Committee and placed on third reading.

**RE-REFERENCE TO COMMITTEE**

Pursuant to Joint Rule 10.5, **SB 1201** and **SB 1338** were re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1185**—An act to amend Sections 66452.11 and 66452.13 of, to add Section 66452.16 to, and to amend and renumber Sections 66452.11 and 66452.12 of, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to SB 1185 proposed by Senator Lowenthal were read and adopted and the measure ordered printed, engrossed, and to second reading.

**REQUEST FOR UNANIMOUS CONSENT (AB 109)**

Senator Lowenthal asked for, and was granted, unanimous consent that AB 109 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 109**

**Assembly Bill 109**—An act to amend Section 65041.1 of the Government Code, and to add Sections 38531 and 38599.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

**Motion to Amend**

Amendments to AB 109 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

**REQUEST FOR UNANIMOUS CONSENT (AB 1545)**

Senator Ridley-Thomas asked for, and was granted, unanimous consent that AB 1545 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 1545**

**Assembly Bill 1545**—An act to amend Section 48645.5 of the Education Code, relating to juvenile court schools.

Bill read second time.

**Motion to Amend**

Amendments to AB 1545 proposed by Senator Ridley-Thomas were read and adopted and the measure ordered printed and to second reading.



**SENATE COMMITTEE ROLL CALLS****Committee on Education****SB 1248**—Do pass as amended

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**SB 1254**—Do pass as amended

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

**SB 1269**—Do pass as amended

AYES (9)—Senators Alquist, Denham, Maldonado, Padilla, Romero, Scott, Simitian, Torlakson, and Wyland.

NOES (0)—None.

Date of Hearing: 4/30/2008

Scott (Chair)

**Committee on Health****SB 1713**—Do pass as amended

AYES (6)—Senators Alquist, Cedillo, Kuehl, Negrete McLeod, Steinberg, and Yee.

NOES (2)—Senators Aaenstad and Cox.

Date of Hearing: 4/30/2008

Kuehl (Chair)

**LETTERS OF TRANSMITTAL**

The following letters of transmittal were ordered printed in the Journal:

An audit report dated: April 25, 2008, relating to the Veterans Home of California at Yountville (Veterans Home), was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: April 15, 2008, relating to the Teacher Supply in California 2006–2007, was received from the Commission on Teacher Credentialing and transmitted to the Committee on Education.

An agency report dated: April 17, 2008, relating to the Dis-enrolled Students Report, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 15, 2008, relating to the EMS Fund 2006–07, was received from the County of Colusa and transmitted to the Committee on Health.

An agency report dated: April 9, 2008, relating to the Semi Annual Report on Program Performance, was received from the Department of Child Support Services and transmitted to the Committee on Judiciary.



An agency report dated: April 11, 2008, relating to the Statistical Fact Sheets for Programs Administered by the California Department of Aging, was received from the Department of Aging and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: April 17, 2008, relating to the State's Process for Placing Sex Offenders in Residential Facilities, was received from the California State Auditor and transmitted to the Committee on Rules.

An annual report dated: April 10, 2008, relating to the San Diego County EMS Fund 2006–07, was received from the County of San Diego and transmitted to the Committee on Health.

An agency report dated: April 7, 2008, relating to the Trial Court Interpreters Program Expenditures FY 2006–07, was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 21, 2008, relating to the 2008 Foster Youth Services Program, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: April 21, 2008, relating to the General Plan for the Use of the Lands Being Disposed, was received from the State Lands Commission and transmitted to the Committee on Natural Resources and Water.

An agency report dated: April 1, 2008, relating to the Student Civil Rights Complaint Report April 2008, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 21, 2008, relating to the Reading First Supplemental Survey Report, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 17, 2008, relating to the UC Santa Barbara Long Range Development Plan 2008, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: April 15, 2008, relating to the Allocations from the Appropriations Contained in AB 900, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 22, 2008, relating to the Green Buildings, was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review.



An agency report dated: April 17, 2008, relating to the Material Weaknesses in the Internal Control Structure, was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

A Title Summary Report 08-0009 dated: April 25, 2008, relating to the Marijuana Legalization. Individual Rights. Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

An annual report dated: April 18, 2008, relating to the 2006–07 Annual Report and Statistical Appendix, was received from the Department of Consumer Affairs and transmitted to the Committee on Business, Professions and Economic Development.

An annual report dated: April 15, 2008, relating to the Jenkins Act Compliance and Enforcement, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 3, 2008, relating to the Transmittal of Public Utilities Commission Report on the Renewables Portfolio Standard, was received from the Commission on Public Utilities and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 10, 2008, relating to the Tulare County EMS Fund 2006–07, was received from the County of Tulare and transmitted to the Committee on Health.

A supplemental report dated: April 14, 2008, relating to the Consortia Staff Long Term Travel Reimbursement, was received from the Department of Health and Human Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 23, 2008, relating to the Del Norte County DNA Fund 2007, was received from the County of Del Norte and transmitted to the Committee on Public Safety.

An annual report dated: April 23, 2008, relating to the San Luis Obispo DNA Fund 2007, was received from the County of San Luis Obispo and transmitted to the Committee on Public Safety.

An annual report dated: April 23, 2008, relating to the San Joaquin County DNA Fund 2007, was received from the County of San Joaquin and transmitted to the Committee on Public Safety.

An agency report dated: April 16, 2008, relating to the CSU Channel Islands Site Authority, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: April 17, 2008, relating to the Public Interest Energy Research (PIER) Program, was received from the Commission on Energy Commission and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 21, 2008, relating to the Statewide Educational Technology Services (SETS) Statewide End of Year Evaluation Report 2000-07, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: April 21, 2008, relating to the California Technology Assistance Program (CTAP) Statewide End of Year Evaluation Report 2006-07, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: April 17, 2008, relating to the Solano County DNA Fund 2007, was received from the County of Solano and transmitted to the Committee on Public Safety.

An agency report dated: April 17, 2008, relating to the California Highway Patrol Enhanced Radio System, was received from the Business, Transportation and Housing Agency and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 17, 2008, relating to the Geologic Carbon Sequestration Strategies for California, was received from the California Energy Commission and transmitted to the Committee on Environmental Quality.

An annual report dated: April 15, 2008, relating to the DNA Fund 2005, was received from the County of San Joaquin and transmitted to the Committee on Public Safety.

An annual report dated: April 15, 2008, relating to the DNA Fund 2006, was received from the County of San Joaquin and transmitted to the Committee on Public Safety.

A supplemental report dated: April 8, 2008, relating to the Field Inspection and Technical Services Programs, was received from the Gambling Control Commission and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 7, 2008, relating to the Entry Level Writing Requirement, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: April 10, 2008, relating to the Sacramento EMS Fund FY 2006–07, was received from the County of Sacramento and transmitted to the Committee on Health.

An annual report dated: April 14, 2008, relating to the FY 2006–07 Annual Fees Report, was received from the County of State Water Resources Control Board and transmitted to the Committee on Natural Resources and Water.

An annual report dated: April 8, 2008, relating to the California Breast Cancer Research Program, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 4, 2008, relating to the Section 820.1 of the California Streets and Highways Code, was received from the Department of Transportation and transmitted to the Committee on Natural Resources and Water.

An agency report dated: April 10, 2008, relating to the Incompetent to Stand Trial Commitments Exceeding the 10 Day Limit, was received from the Department of Mental Health and transmitted to the Committee on Health.

An agency report dated: April 10, 2008, relating to the California's Caregiver Resource Center System, was received from the Department of Mental Health and transmitted to the Committee on Health.

An annual report dated: April 7, 2008, relating to the California Oil Transfer and Transportation Emission and Risk Reduction Program 2004 to 2009, was received from the State Lands Commission and transmitted to the Committee on Natural Resources and Water.

An annual report dated: April 25, 2008, relating to the State General Obligation Bond Measure for the School Facility Program, was received from the Department of General Services and transmitted to the Committee on Governmental Organization.

An annual report dated: April 23, 2008, relating to the County of San Luis Obispo, was received from the County of San Luis Obispo and transmitted to the Committee on Health.

An annual report dated: April 15, 2008, relating to the County of San Bernardino, was received from the County of San Bernardino and transmitted to the Committee on Health.



An agency report dated: April 30, 2008, relating to the 2008 OAL Determination No. 5(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

A quarterly report dated: April 23, 2008, relating to the Status of the REAL ID Act for quarter ending December 31, 2007, was received from the Department of Motor Vehicles and transmitted to the Committee on Transportation and Housing.

An annual report dated: April 24, 2008, relating to the County of Tehama DNA Fund, was received from the County of Tehama and transmitted to the Committee on Public Safety.

An agency report dated: April 25, 2008, relating to the Capitol Area Plan Progress Report, was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 23, 2008, relating to the Student Academic Preparation and Educational Partnerships (SAPEP) for the 2006–07 Academic Year, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

A Title Summary Report 08-0011 dated: May 1, 2008, relating to the Repeal of Voter Approved Human Embryonic Stem Cell Research. Constitutional Amendment and Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

An audit report dated: May 1, 2008, relating to the states implementation of the Safely Surrendered Baby Law (safe surrender law), was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: May 1, 2008, relating to the Use of Summer Term 2007, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 28, 2008, relating to the In Home Supportive Services, was received from the Department of Social Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: May 1, 2008, relating to the HR Modernization Project, was received from the Personnel Board and transmitted to the Committee on Budget and Fiscal Review.



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Paul Molé of Simi Valley.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Marcia Grimm.

Senator Yee requested that when the Senate adjourns this day it do so in memory of Adrian Ruiz of San Francisco.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Monday, May 5, 2008.

PAULA K. ROSSETTO, Minute Clerk

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