

CALIFORNIA LEGISLATURE
2007-08 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWELFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 10, 2008

The Senate met at 9 a.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—39.

Quorum present.

(NOTE: Senator Ridley-Thomas will be excused this day on legislative business.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
June 10, 2008

To the Senate of the State of California:

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



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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Alice A. Huffman, founder, A.C. Public Affairs, currently serving as president and chief executive officer; former president, Black American Political Association of California, from 1984 to 1995; former associate executive director for politics, California Teachers Association, 1982 to 1994; and chief deputy director, State Parks and Recreation Department, 1975 to 1980. Appointed 05/22/08. Effective 06/09/08.

Member, State Park and Recreation Commission, vice, Clint Eastwood, term expired, term ending 01/15/12.

Lucetta A. Dunn, president and chief executive officer, Orange County Business Council, since 2005; director, Department of Housing and Community Development, 2004 to 2005; executive vice president, Hearthside Homes, 1998 to 2004; and a founding member, Bolsa Chica Conservancy and the Foundation for Economic and Environmental Progress. Appointed 06/04/08. Effective 06/04/08.

Member, California Transportation Commission, vice, Marian C. Bergeson, resigned, term ending 02/01/12.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES
Committee on Banking, Finance and Insurance

Senate Chamber, June 10, 2008

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

AB 1910

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1910—An act to amend Section 926.2 of, and to add Section 926.3 to, the Insurance Code, relating to insurer investments.

Bill read second time.

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

Committee on Public Employment and Retirement

Date of Hearing, June 9, 2008

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 376

AB 1936

AB 2156

AB 2191

AB 3042



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

WIGGINS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2008

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 2041

Reports the same back with the recommendation: Do pass.

WIGGINS, Chair

Above bill ordered to second reading.

Date of Hearing, June 9, 2008

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 2202

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

WIGGINS, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Energy, Utilities and Communications

Senate Chamber, June 10, 2008

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 94

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

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

Bill read second time.

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



Committee on Banking, Finance and Insurance

Date of Hearing, June 4, 2008

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

AB 2323

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

MACHADO, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 10, 2008

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

AB 131

AB 1329

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

Assembly Bill 131—An act to add and repeal Section 44265.2 of the Education Code, relating to teacher credentialing.

Bill read second time.

Assembly Bill 1329—An act to add Article 6 (commencing with Section 128570) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to occupational therapists.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, June 10, 2008

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

AB 1436

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

RIDLEY-THOMAS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1436—An act to amend Sections 2725.5 and 2835.5 of, and to add Section 2835.7 to, the Business and Professions Code, relating to nursing.

Bill read second time.



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

Committee on Appropriations

Senate Chamber, June 10, 2008

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

SB 1219

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 1219—An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Title 3 of the Education Code, relating to student financial aid.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1219 pursuant to Joint Rule 58.

SENATOR CEDILLO

Permission of Rules Committee

Senate Chamber, June 10, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1219.

PERATA, Chair

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

Committee on Environmental Quality

Senate Chamber, June 10, 2008

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

AB 2222

AB 2347

AB 2730

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

SIMITIAN, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2222—An act to add Section 10782 to the Water Code, relating to groundwater.

Bill read second time.

Assembly Bill 2347—An act to add Article 10.2.2 (commencing with Section 25214.8.10) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

Bill read second time.



Assembly Bill 2730—An act to amend Section 14514.7 of the Public Resources Code, relating to beverage containers.

Bill read second time.

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

Committee on Appropriations

Senate Chamber, June 10, 2008

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

AB 1935

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1935—An act to add and repeal Article 17 (commencing with Section 18881) of Chapter 3 of Part 10.2 of Division 2 of 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 Business, Professions and Economic Development

Date of Hearing, June 9, 2008

Mr. President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 55

AB 2442

AB 2445

AB 2482

AB 3024

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

RIDLEY-THOMAS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2008

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

AB 1944

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

RIDLEY-THOMAS, Chair

Above measure re-referred to the Committee on Health.



Date of Hearing, June 9, 2008

Mr. President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 1867 AB 2210

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

RIDLEY-THOMAS, Chair

Above measures re-referred to the Committee on Judiciary.

Committee on Banking, Finance and Insurance

Senate Chamber, June 10, 2008

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

AB 69

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 69—An act to add Sections 22159.5 and 50307.1 to the Financial Code, relating to mortgage lending.

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, June 10, 2008

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

SB 1610 SCA 24

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 1610—An act to amend Section 69.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Senate Constitutional Amendment 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (a) of Section 2 of Article XIII A thereof, relating to taxation.

Resolution read second time.

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



Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 10, 2008

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:
AB 2584

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

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.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, June 10, 2008

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

AB 1684

AB 2738

AB 2874

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 1684—An act to amend Sections 26202.6, 26206.8, 34090.6, 34090.8, 53160, and 53162 of, and to add Sections 26206.9, 34090.9, and 53163 to, the Government Code, relating to local government records.

Bill read second time.

Assembly Bill 2738—An act to amend Section 2782 of, and to add Sections 2782.9 and 2782.95 to, the Civil Code, relating to indemnity.

Bill read second time.

Assembly Bill 2874—An act to amend Section 12970 of the Government Code, relating to civil rights.

Bill read second time.

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



Committee on Environmental Quality

Senate Chamber, June 10, 2008

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

AB 2901

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

SIMITIAN, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2901—An act to amend Sections 25214.1, 25214.2, 25214.3, 25214.4.2, 25214.12, 25214.13, 25214.14, 25214.15, 25214.17, and 25214.18 of, and to add Sections 25214.3.1, 25214.3.2, 25214.3.3, 25214.3.4, 25214.22, 25214.22.1, 25214.23, 25214.24, 25214.25, and 25214.26 to, the Health and Safety Code, relating to toxics.

Bill read second time.

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

Committee on Banking, Finance and Insurance

Senate Chamber, June 10, 2008

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

AB 529

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

MACHADO, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 529—An act to add Section 2924.8 to the Civil Code, relating to mortgages.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, June 10, 2008

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

AB 224

AB 1225

AB 2045

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

STEINBERG, Chair

Above measures re-referred to the Committee on Environmental Quality.



Date of Hearing, June 10, 2008

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

AB 2255 AB 2840 AJR 49

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

STEINBERG, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 10, 2008

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

AB 2094

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

STEINBERG, Chair

Above measure re-referred to the Committee on Local Government.

Date of Hearing, June 10, 2008

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

AB 3029

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

STEINBERG, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 10, 2008

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

AB 2330 AB 2437 AB 2503 AB 2559

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

STEINBERG, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Energy, Utilities and Communications

Senate Chamber, June 10, 2008

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 1064 AB 1851

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

KEHOE, Chair



Second Reading of Bills—Author’s Amendments

Assembly Bill 1064—An act to amend Sections 224 and 379.6 of the Public Utilities Code, relating to energy.

Bill read second time.

Assembly Bill 1851—An act to add Division 25.8 (commencing with Section 38900) to the Health and Safety Code, relating to greenhouse gas emission offsets.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, June 10, 2008

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

AB 2479

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

RIDLEY-THOMAS, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2479—An act to amend Section 7028.7 of, and to add Section 7110.05 to, the Business and Professions Code, relating to energy efficiency.

Bill read second time.

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

Date of Hearing, June 9, 2008

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

AB 2412

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

RIDLEY-THOMAS, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Date of Hearing, June 10, 2008

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

AB 2327

Reports the same back with the recommendation: Do pass.

FLOREZ, Chair

Above bill ordered to second reading.



Date of Hearing, June 10, 2008

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

AB 2817

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Natural Resources and Water with the recommendation: To Consent Calendar.

FLOREZ, Chair

Above measure re-referred to the Committee on Natural Resources and Water.

Date of Hearing, June 10, 2008

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

AB 2567

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

FLOREZ, Chair

Above measure re-referred to the Committee on Education.

Date of Hearing, June 10, 2008

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

AB 1964	AB 1974	AB 2080	AB 2524
AB 2778	AB 2992	AB 3020	

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

FLOREZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 10, 2008

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

AB 2004	AB 2133	AB 2258
AB 2266	AB 2397	AB 2472

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

FLOREZ, Chair

Above measures re-referred to the Committee on Appropriations.



Committee on Banking, Finance and Insurance

Senate Chamber, June 10, 2008

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

AB 2740

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2740—An act to add Section 2938.1 to the Civil Code, relating to mortgages.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, June 10, 2008

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

AB 2179

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2179—An act to add Section 43867.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Committee on Local Government

Senate Chamber, June 10, 2008

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

AB 1576

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

NEGRETE McLEOD, Chair

Above measure ordered filed with the Secretary of the Senate.



Committee on Banking, Finance and Insurance

Senate Chamber, June 10, 2008

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

AJR 45

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments**Assembly Joint Resolution 45**—Relative to mortgage loans.

Resolution read second time.

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

Committee on Environmental Quality

Senate Chamber, June 10, 2008

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

AB 169

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments**Assembly Bill 169**—An act to amend Section 71205 of the Public Resources Code, relating to ballast water management.

Bill read second time.

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

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 10, 2008

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

AB 2607

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**Assembly Bill 2607**—An act to add and repeal Section 87500.1 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.



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

Committee on Energy, Utilities and Communications

Senate Chamber, June 10, 2008

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1763

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

KEHOE, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1763—An act to amend Section 739 of the Public Utilities Code, relating to energy.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, June 10, 2008

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

AB 1757

AB 2609

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

ROMERO, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1757—An act to amend Sections 3043, 3043.1, 3043.2, and 3043.3 of the Penal Code, relating to parole.

Bill read second time.

Assembly Bill 2609—An act to amend Section 594 of the Penal Code, relating to vandalism.

Bill read second time.

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

Date of Hearing, June 10, 2008

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

AB 360

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

ROMERO, Chair

Above measure re-referred to the Committee on Judiciary.



Committee on Education

Senate Chamber, June 10, 2008

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

AB 86

AB 1112

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

Assembly Bill 86—An act to amend Sections 32261, 32265, and 32270 of the Education Code, relating to pupil safety.

Bill read second time.

Assembly Bill 1112—An act to amend Section 15100 of the Education Code, relating to school district and community college district bonds.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1112 pursuant to Joint Rule 58.

ASSEMBLY MEMBER TORRICO

Permission of Rules Committee

Senate Chamber, June 10, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1112.

PERATA, Chair

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

Committee on Public Safety

Date of Hearing, June 10, 2008

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

AB 2618

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

ROMERO, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 10, 2008

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

AB 1769

AB 1864

AB 2039

AB 2802

AB 2827

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

ROMERO, Chair

Above measures re-referred to the Committee on Appropriations.



Date of Hearing, June 10, 2008

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

AB 1771 AB 1976 AB 2068
AB 2092 AB 2306

Reports the same back with the recommendation: Do pass.

ROMERO, Chair

Above bills ordered to second reading.

Committee on Business, Professions and Economic Development

Senate Chamber, June 10, 2008

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

AB 2592

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

RIDLEY-THOMAS, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2592—An act to amend Sections 6980, 6980.10, 6980.12, 6980.13, 6980.17, 6980.18, 6980.19, 6980.20, 6980.21, 6980.22, 6980.23, 6980.26, 6980.27, 6980.28, 6980.33, 6980.34, 6980.39, 6980.42, 6980.44, 6980.48, 6980.49, 6980.50, 6980.53, 6980.58, 6980.59, 6980.60, 6980.64, 6980.65, and 6980.79 of, to add Sections 6980.51, 6980.54, and 6980.77 to, to repeal Section 6980.36 of, and to repeal and add Section 6980.14 of, the Business and Professions Code, relating to locksmiths.

Bill read second time.

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

Committee on Agriculture

Senate Chamber, June 10, 2008

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

AB 1021 AB 2168

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

MALDONADO, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1021—An act to amend Section 75507 of, and to add Chapter 14 (commencing with Section 6300) to Part 1 of Division 4 of, the Food and Agricultural Code, relating to apple pests.

Bill read second time.

Assembly Bill 2168—An act to amend Sections 47000, 47001, 47002, and 47003 of, and to add Article 5 (commencing with Section 47030) to Chapter 10.5 of Division 17 of, the Food and Agricultural Code, and to



amend Section 113789 of, to add Section 113778.2 to, and to add Chapter 12.5 (commencing with Section 114375) to Part 7 of Division 104 of, the Health and Safety Code, relating to farm stands.

Bill read second time.

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

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 121: By Senator Ashburn—Relative to Valley Fever Awareness Month.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill 507—An act to add Section 11752.75 to the Insurance Code, relating to workers' compensation.

Bill read second time.

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

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

Bill read second time.

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

Assembly Bill 512—An act to amend Section 1632 of the Civil Code, relating to contracts.

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2641** was withdrawn from the Committee on Veterans Affairs and re-referred to the Committee on Judiciary;

AB 1088 was withdrawn from the Committee on Local Government and re-referred to the Committee on Rules; and

AB 2158 was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT (AB 690)

Senator Simitian asked for, and was granted, unanimous consent that AB 690 be taken from the inactive file and taken up at this time.



Consideration of Assembly Bill 690

Assembly Bill 690—An act to add Sections 745, 746, and 746.5 to the Public Utilities Code, relating to water corporations.

Bill read second time.

Motion to Amend

Amendments to AB 690 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1252)

Senator Perata asked for, and was granted, unanimous consent that AB 1252 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1252

Assembly Bill 1252—An act to amend Sections 5640, 5641, 5642, 5643, 5644, 5645, 5646, 5647, 5648, 5649, 5650, 5651, and 5653 of, to amend the heading of Chapter 3.3 (commencing with Section 5640) of Division 5 of, and to add Sections 5643.6 and 5652.5 to, the Public Resources Code, relating to parks and recreation.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1252 pursuant to Joint Rule 58.

ASSEMBLY MEMBER CABALLERO

Permission of Rules Committee

Senate Chamber, June 10, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1252.

PERATA, Chair

Motion to Amend

Amendments to AB 1252 proposed by Senator Perata were read and adopted and the measure ordered printed and to second reading.

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

Assembly Bill 512—An act to amend Section 1632 of the Civil Code, relating to contracts.

Bill read third time.

Amendments Adopted

Amendments to AB 512 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.



SENATE COMMITTEE ROLL CALLS**Committee on Business, Professions and Economic Development****AB 55**—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Calderon, Corbett, Denham, Florez, Harman, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 547—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 1867—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 1944—Do pass and re-refer to Committee on Health

AYES (5)—Senators Calderon, Corbett, Ridley-Thomas, Simitian, and Yee.

NOES (3)—Senators Aanestad, Denham, and Harman.

AB 2210—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 2412—Do pass as amended and re-refer to Committee on Public Safety

AYES (9)—Senators Aanestad, Calderon, Corbett, Denham, Florez, Harman, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 2442—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 2444—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 2445—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (1)—Senator Aanestad.



AB 2482—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

AB 2649—Do pass as amended

AYES (7)—Senators Calderon, Corbett, Denham, Florez, Ridley-Thomas, Simitian, and Yee.

NOES (2)—Senators Aanestad and Harman.

AB 2946—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Calderon, Corbett, Ridley-Thomas, Simitian, and Yee.

NOES (2)—Senators Aanestad and Denham.

AB 3024—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Calderon, Corbett, Denham, Ridley-Thomas, Simitian, and Yee.

NOES (0)—None.

Date of Hearing: 6/9/2008

Ridley-Thomas (Chair)

Committee on Governmental Organization

AB 1964—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 1974—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2004—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2080—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2133—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Florez, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (3)—Senators Battin, Denham, and Harman.



AB 2258—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2266—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2327—Do pass

AYES (7)—Senators Denham, Florez, Negrete McLeod, Padilla, Vincent, Wiggins, and Yee.

NOES (3)—Senators Battin, Harman, and Wyland.

AB 2397—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2426—Do pass and re-refer to Committee on Natural Resources and Water

AYES (2)—Senators Negrete McLeod and Wyland.

NOES (5)—Senators Battin, Denham, Harman, Wiggins, and Yee.

Failed passage

AB 2426—Reconsideration granted

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2472—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Battin, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2524—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2567—Do pass and re-refer to Committee on Education

AYES (6)—Senators Florez, Negrete McLeod, Padilla, Vincent, Wiggins, and Yee.

NOES (4)—Senators Battin, Denham, Harman, and Wyland.



AB 2778—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2817—Do pass and re-refer to Committee on Natural Resources and Water, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 2992—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

AB 3020—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Denham, Florez, Harman, Negrete McLeod, Padilla, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Date of Hearing: 6/10/2008

Florez (Chair)

Committee on Natural Resources and Water

SCR 113—Do pass as amended, to Consent Calendar

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 224—Do pass and re-refer to Committee on Environmental Quality

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 990—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 1225—Do pass and re-refer to Committee on Environmental Quality

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 1883—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.



AB 1960—Do pass as amended and re-refer to Committee on Public Safety

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 2031—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2045—Do pass and re-refer to Committee on Environmental Quality

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 2065—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2094—Do pass and re-refer to Committee on Local Government

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 2132—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2148—Do pass as amended with the recommendation: To Consent Calendar (**Corrected June 11, 2008**)

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2255—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2330—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.



AB 2437—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2503—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2559—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2840—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AB 2911—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

AB 3029—Do pass and re-refer to Committee on Rules

AYES (8)—Senators Cogdill, Hollingsworth, Kehoe, Kuehl, Machado, Margett, Migden, and Steinberg.

NOES (0)—None.

AJR 49—Be adopted and re-refer to Committee on Appropriations

AYES (5)—Senators Kehoe, Kuehl, Machado, Migden, and Steinberg.

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

Date of Hearing: 6/10/2008

Steinberg (Chair)

Committee on Public Employment and Retirement

AB 376—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Migden, Negrete McLeod, and Wiggins.

NOES (2)—Senators Ashburn and McClintock.

AB 1936—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Ashburn, Migden, Negrete McLeod, and Wiggins.

NOES (0)—None.

AB 2041—Do pass

AYES (5)—Senators Ashburn, McClintock, Migden, Negrete McLeod, and Wiggins.

NOES (0)—None.



AB 2156—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, McClintock, Migden, Negrete McLeod, and Wiggins.

NOES (0)—None.

AB 2191—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Ashburn, Migden, Negrete McLeod, and Wiggins.

NOES (0)—None.

AB 2202—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators McClintock, Migden, Negrete McLeod, and Wiggins.

NOES (1)—Senator Ashburn.

AB 3042—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, McClintock, Migden, Negrete McLeod, and Wiggins.

NOES (0)—None.

Date of Hearing: 6/9/2008

Wiggins (Chair)

Committee on Public Safety

AB 129—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (3)—Senators Cedillo, Perata, and Romero.

Failed passage

AB 129—Reconsideration granted

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 360—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Cedillo, Margett, Perata, and Romero.

NOES (1)—Senator Cogdill.

AB 499—Do pass as amended

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 996—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 1278—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 1769—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Cedillo, Cogdill, and Margett.

NOES (2)—Senators Perata and Romero.



AB 1771—Do pass

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 1852—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Margett, Perata, and Romero.

NOES (0)—None.

AB 1864—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 1955—Do pass as amended

AYES (4)—Senators Cedillo, Cogdill, Margett, and Romero.

NOES (0)—None.

AB 1976—Do pass

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2039—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2068—Do pass

AYES (3)—Senators Cedillo, Cogdill, and Margett.

NOES (0)—None.

AB 2092—Do pass

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2131—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2306—Do pass

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2498—Do pass as amended

AYES (2)—Senators Cedillo and Romero.

NOES (2)—Senators Cogdill and Margett.

Failed passage

AB 2498—Reconsideration granted

AYES (4)—Senators Cedillo, Cogdill, Margett, and Romero.

NOES (0)—None.



AB 2618—Do pass and re-refer to Committee on Rules

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2724—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Cogdill and Margett.

NOES (0)—None.

Failed passage

AB 2724—Reconsideration granted

AYES (4)—Senators Cedillo, Cogdill, Margett, and Romero.

NOES (0)—None.

AB 2802—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

AB 2827—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Cogdill, Margett, Perata, and Romero.

NOES (0)—None.

Date of Hearing: 6/10/2008

Romero (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Ridley-Thomas.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, June 11, 2008.

PAULA K. ROSSETTO, Minute Clerk

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