

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, August 6, 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, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee—39.

Quorum present.

(NOTE: Senator Vincent will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Education

Date of Hearing, August 6, 2008

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

AB 3084

Reports the same back with the recommendation: Do pass.

SCOTT, Chair

Above bill ordered to second reading.

Date of Hearing, August 6, 2008

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

AB 916

AB 2165



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

SCOTT, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing, August 4, 2008

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

AB 2315

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

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, August 6, 2008

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

AB 2293

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

FLOREZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2293—An act to add Section 25503.40 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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

Committee on Environmental Quality

Date of Hearing, August 6, 2008

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

AB 706

Reports the same back with the recommendation: Do pass.

SIMITIAN, Chair

Above bill ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 35: By Senator Padilla (Principal coauthor: Assembly Member Levine) (Coauthor: Senator Kehoe)—Relative to broadband Internet access.

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

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

Bill read second time and ordered to third reading.

Assembly Bill 1982—An act to amend Sections 9801, 9802.5, and 9808 of the Unemployment Insurance Code, relating to employment development.

Bill read second time and ordered to third reading.

Assembly Bill 2272—An act to amend Sections 400 and 21714 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2584—An act to amend Sections 103, 9602, 11303, and 13314 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 2000—An act to add Section 65584.095 to the Government Code, relating to housing.

Bill read second time and ordered to third reading.

Assembly Bill 109—An act to amend Sections 44270.3, 44271, 44272, 44273, and 44274 of, to amend and renumber Section 44271.5 of, and to add the headings of Article 1 (commencing with Section 44270), Article 2 (commencing with Section 44272), and Article 3 (commencing with Section 44274) to Chapter 8.9 of Part 5 of Division 26 of, the Health and Safety Code, relating to air pollution.

Bill read second time and ordered to third reading.

Assembly Bill 408—An act to amend Section 350 of the Labor Code, relating to service gratuities.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 550—An act to amend Section 469 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 567—An act to amend Section 1373 of, to add Section 1363.7 to, and to add and repeal Chapter 11 (commencing with Section 1380.010) of Title 6 of Part 4 of Division 2 of, the Civil Code, relating to common interest developments.

Bill read second time and ordered to third reading.



Assembly Bill 994—An act to amend Section 128401 of the Health and Safety Code, relating to nursing.

Bill read second time and ordered to third reading.

Assembly Bill 1418—An act to add Section 14385 to the Financial Code, and to add Section 13997.8 to the Government Code, relating to community development.

Bill read second time and ordered to third reading.

Assembly Bill 1574—An act to amend Section 4190 of the Business and Professions Code, relating to clinics.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 2439—An act to amend Section 2023 of, and to amend and renumber Section 2435.2 of, the Business and Professions Code, and to amend Section 128553 of the Health and Safety Code, relating to physicians and surgeons, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2466—An act to add Chapter 7.5 (commencing with Section 2830) to Part 2 of Division 1 of the Public Utilities Code, relating to energy.

Bill read second time and ordered to third reading.

Assembly Bill 2543—An act to add Sections 4984.76 and 4996.66 to the Business and Professions Code, and to amend Sections 128454, 128552, and 128553 of, and to add Section 128459 to, the Health and Safety Code, relating to loan assistance, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2565—An act to add Section 1254.4 to the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2569—An act to add Sections 1389.7 and 1389.8 to the Health and Safety Code, and to add Sections 10119.2 and 10119.3 to the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

Assembly Bill 2599—An act to amend Sections 124977, 124991, and 125002 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.



Assembly Bill 2770—An act to add Section 1002.5 to the Fish and Game Code, relating to the Department of Fish and Game.

Bill read second time and ordered to third reading.

Assembly Bill 2855—An act to add Article 7.5 (commencing with Section 54750) and Article 7.7 (commencing with Section 54760) to Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, relating to career technical education.

Bill read second time and ordered to third reading.

Assembly Bill 2857—An act to amend Section 739.5 of the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 2885—An act to add Section 887 to the Public Utilities Code, relating to telecommunications.

Bill read second time and ordered to third reading.

Assembly Bill 2923—An act to amend Sections 5093.34, 5093.35, and 5093.39 of the Public Resources Code, relating to state lands.

Bill read second time and ordered to third reading.

Assembly Bill 2971—An act to amend Section 66484 of, and to add Section 14054 to, the Government Code, relating to transportation facilities.

Bill read second time and ordered to third reading.

Assembly Bill 1873—An act to amend Sections 116.570, 116.610, and 116.820 of the Code of Civil Procedure, relating to small claims court.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1954—An act to add Section 149.8 to the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2687—An act to add Chapter 1.58 (commencing with Section 5095.60) to Division 5 of the Public Resources Code, relating to parks and recreation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 2954—An act to add and repeal Title 7.25 (commencing with Section 66700) of the Government Code, relating to the San Francisco Bay Restoration Authority.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 10—An act to amend Section 127775 of the Health and Safety Code, relating to health care providers.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 211—An act to add Section 101037 to, and to add Article 3 (commencing with Section 104705) to Chapter 2 of Part 3 of Division 103 of, the Health and Safety Code, relating to health.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 981—An act to add Chapter 9 (commencing with Section 1967) to Division 2.5 of the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1407—An act to add Section 21665 to the Public Utilities Code, relating to aviation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1519—An act to add Chapter 2.5 (commencing with Section 7070) to Part 1 of Division 7 of the Health and Safety Code, relating to human remains.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1725—An act to amend Section 12011.5 of the Government Code, relating to judicial appointments.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 2220—An act to add Section 1371.395 to the Health and Safety Code, relating to health care service plans.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2339—An act to amend Section 5272 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2440—An act to add Section 14105.76 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2589—An act to add Section 1367.08 to the Health and Safety Code, and to add Section 10604.5 to the Insurance Code, relating to health care.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2669—An act to amend Section 12810 of, and to add Section 22351.5 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2945—An act to amend Sections 5093.32 and 5093.36 of the Public Resources Code, relating to state wilderness areas.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 3078—An act to amend Sections 18535, 18536, 18662, 18668, 19136, 21004, and 25106 of, to amend, repeal, and add Section 21006, and to add Section 19311.5 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.



Assembly Bill 158—An act to amend Section 2191 of the Business and Professions Code, relating to medicine.

Bill read second time and ordered to third reading.

Assembly Bill 368—An act to add Section 1367.195 to the Health and Safety Code, and to add Section 10123.75 to the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 660—An act to amend Sections 190, 191, 2450, 2452, 2454, 2458, and 2460.5 of, and to repeal Section 2454.5 of, the Streets and Highways Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 730—An act to add Section 6612 to the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 815—An act to add Sections 221 and 222 to the Fish and Game Code, relating to fish and game.

Bill read second time and ordered to third reading.

Assembly Bill 873—An act to amend Sections 8281, 8283, 8284, and 8285 of the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 876—An act to add Section 66205.7 to the Education Code, relating to career technical education.

Bill read second time and ordered to third reading.

Assembly Bill 1017—An act to amend Section 21151 of the Public Resources Code, relating to environmental quality.

Bill read second time and ordered to third reading.

Assembly Bill 1022—An act to amend Sections 1569.145, 1771, 1771.3, 1771.8, and 1790 of, and to add Section 1779.12 to, the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time and ordered to third reading.

Assembly Bill 1188—An act to amend Section 742.245 of the Insurance Code, relating to multiple employer welfare arrangements.

Bill read second time and ordered to third reading.



Assembly Bill 1209—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1261—An act to amend Sections 5956, 5956.1, 5956.2, 5956.3, 5956.4, 5956.5, 5956.6, 5956.7, 5956.8, 5956.9, and 5956.10 of, and to add Section 5956.11 to, the Government Code, relating to infrastructure financing.

Bill read second time and ordered to third reading.

Assembly Bill 1390—An act to amend Section 1322 of the Health and Safety Code, relating to hospitals.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 1829—An act to amend Section 10333 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 1846—An act to amend Section 19315 of the Food and Agricultural Code, relating to inedible kitchen grease.

Bill read second time and ordered to third reading.

Assembly Bill 1867—An act to add Section 11329 to the Business and Professions Code, relating to real estate.

Bill read second time and ordered to third reading.

Assembly Bill 1889—An act to amend Section 37710 of, and to add and repeal Section 37710.5 of, the Education Code, relating to school districts.

Bill read second time and ordered to third reading.

Assembly Bill 1897—An act to add Section 4980.40.5 to the Business and Professions Code, relating to marriage and family therapists.

Bill read second time and ordered to third reading.

Assembly Bill 1900—An act to amend Section 76104.1 of the Government Code, and to amend Section 42007.5 of the Vehicle Code, relating to penalty assessments.

Bill read second time and ordered to third reading.

Assembly Bill 1911—An act to add Sections 7636 and 9615 to the Business and Professions Code, and to amend Section 8585 of the Health and Safety Code, relating to the Cemetery and Funeral Bureau.

Bill read second time and ordered to third reading.



Assembly Bill 1959—An act to amend Section 2781 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2046—An act to amend Section 66473.7 of the Government Code, and to amend Sections 10631 and 10910 of the Water Code, relating to water supply.

Bill read second time and ordered to third reading.

Assembly Bill 2049—An act relating to public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2074—An act to amend Section 671.5 of the Streets and Highways Code, relating to streets and highways.

Bill read second time and ordered to third reading.

Assembly Bill 2094—An act to amend Section 66536.1 of, and to add Sections 66536.2 and 66646.2 to, the Government Code, relating to regional planning.

Bill read second time and ordered to third reading.

Assembly Bill 2114—An act relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 2160—An act to add Section 9012.5 to, and to repeal Section 9653 of, the Welfare and Institutions Code, relating to senior wellness.

Bill read second time and ordered to third reading.

Assembly Bill 2168—An act to amend Sections 47000, 47001, 47002, and 47003 of, to add the heading of Article 1.5 (commencing with Section 47004) to Chapter 10.5 of Division 17 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 Sections 113789, 113877, and 113880 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 and ordered to third reading.

Assembly Bill 2181—An act to amend Sections 6409.1 and 6410 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 2210—An act to amend Section 1627.5 of the Business and Professions Code, relating to dentistry.

Bill read second time and ordered to third reading.



Assembly Bill 2233—An act to add Section 23117.5 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2267—An act to amend Sections 25620 and 25620.5 of, and to add Section 25102.5 to, the Public Resources Code, relating to California-based entities.

Bill read second time and ordered to third reading.

Assembly Bill 2291—An act to add and repeal Article 5.7 (commencing with Section 18755) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 2328—An act to add Section 1418.92 to the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2352—An act to amend Section 56.103 of the Civil Code, and to add Section 5328.04 to the Welfare and Institutions Code, relating to confidential information.

Bill read second time and ordered to third reading.

Assembly Bill 2370—An act to add Section 1569.658 to the Health and Safety Code, relating to care facilities.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 2398—An act to amend Section 2417 of the Business and Professions Code, relating to the practice of medicine.

Bill read second time and ordered to third reading.

Assembly Bill 2400—An act to add Section 1255.25 to the Health and Safety Code, relating to health care.

Bill read second time and ordered to third reading.

Assembly Bill 2401—An act to amend Sections 4760, 4770, 40210, 40220, 40222, 40265, 40267, and 40269 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2411—An act to amend Sections 2635, 4836, 5097, and 5151 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.



Assembly Bill 2432—An act to amend Sections 25620.1, 25620.7, and 25620.11 of the Public Resources Code, relating to energy.

Bill read second time and ordered to third reading.

Assembly Bill 2436—An act to amend Section 11713.22 of, and to add Sections 331.3 and 11713.23 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2438—An act to amend Sections 52055.5, 52055.51, 52055.55, and 52055.650 of the Education Code, relating to schools.

Bill read second time and ordered to third reading.

Assembly Bill 2464—An act to add Article 6.2 (commencing with Section 784.50) to Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to annuity transactions.

Bill read second time and ordered to third reading.

Assembly Bill 2468—An act to amend Section 60005 of the Education Code, relating to instructional materials.

Bill read second time and ordered to third reading.

Assembly Bill 2479—An act relating to civil actions, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2527—An act to amend Sections 14132.44 and 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 2529—An act to amend Section 4459.8 of the Government Code, relating to building standards.

Bill read second time and ordered to third reading.

Assembly Bill 2540—An act to amend Sections 113784, 113818, 113831, 113984, 114067, 114205, 114295, 114297, 114311, 114313, and 114314 of, and to add Section 114306 to, the Health and Safety Code, relating to food facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2570—An act to amend Sections 10201, 10202, 10202.5, 10204, 10205, 10209, 10212.2, 10214, 10214.5, 10214.7, and 10214.9 of the Unemployment Insurance Code, relating to the employment training panel.

Bill read second time and ordered to third reading.

Assembly Bill 2578—An act to amend, repeal, and add Sections 688.020 and 688.030 of the Code of Civil Procedure, and to amend



Sections 1013, 1701.2, 5135, and 5374 of, and amend, repeal, and add Section 2014 of, the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time and ordered to third reading.

Assembly Bill 2586—An act to amend Sections 789.3, 1950.5, and 1962 of, and to add Section 1942.2 to, the Civil Code, and to amend Sections 777.1, 10009.1, 12822.1, and 16481.1 of, and to repeal Sections 777, 10009, 12822, and 16481 of, the Public Utilities Code, relating to residential tenancies.

Bill read second time and ordered to third reading.

Assembly Bill 2592—An act to amend Sections 6980, 6980.10, 6980.12, 6980.13, 6980.18, 6980.22, 6980.23, 6980.26, 6980.33, 6980.42, 6980.48, 6980.53, 6980.59, 6980.60, 6980.64, and 6980.65 of, to add Section 6980.54 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 and ordered to third reading.

Assembly Bill 2679—An act to amend Sections 40120.1, 40122, 40141, 40160, 40192, 40194, 43209, 43214, 44100, 44306, 45000, 45002, 45005, 45010, 45011, 45012, 45013, 45017, 45019, 45020, 45021, 45022, 45023, and 45040 of, to add Sections 40115.5, 40116.1, 40150.2, 40162, 44000.5, 45000.1, 45003, 45010.1, and 45010.2 to, to add Chapter 2 (commencing with Section 45025) to Part 5 of Division 30 of, and to repeal Sections 40123 and 45033 of, the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

Assembly Bill 2697—An act to add Article 4 (commencing with Section 127450) to Chapter 2 of Part 2 of Division 107 of the Health and Safety Code, relating to hospitals.

Bill read second time and ordered to third reading.

Assembly Bill 2794—An act to add Section 655.8 to the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2796—An act to add Sections 8588.2 and 8657.5 to the Government Code, and to amend Section 1799.100 of the Health and Safety Code, relating to the Office of Emergency Services.

Bill read second time and ordered to third reading.

Assembly Bill 2804—An act to add Section 2851.5 to the Public Utilities Code, relating to energy.

Bill read second time and ordered to third reading.



Assembly Bill 2825—An act to amend Section 9889.20 of, to amend, repeal, and add Sections 9884.8 and 9884.9 of, and to add Section 9884.75 to, the Business and Professions Code, relating to automotive repair.

Bill read second time and ordered to third reading.

Assembly Bill 2842—An act to add Section 1361.1 to the Health and Safety Code, and to add Section 790.037 to the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

Assembly Bill 2854—An act to add and repeal Section 65054.6 of the Government Code, relating to the California Small Business Advocate.

Bill read second time and ordered to third reading.

Assembly Bill 2863—An act to amend Sections 218, 218.3, and 739.5 of, and to add Article 3 (commencing with Section 2868) to Chapter 9 of Part 2 of Division 1 of, the Public Utilities Code, relating to electricity.

Bill read second time and ordered to third reading.

Assembly Bill 2871—An act to add and repeal Chapter 3.6 (commencing with Section 8299) of Division 1 of Title 2 of the Government Code, relating to the Abraham Lincoln Bicentennial and American Civil War Sesquicentennial Commission.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 2881—An act to amend Section 11010 of the Business and Professions Code, and to amend Section 1103.4 of, and to amend the heading of Article 1.7 (commencing with Section 1103) of Chapter 2 of Title 4 of Part 4 of Division 2 of, the Civil Code, relating to nuisance.

Bill read second time and ordered to third reading.

Assembly Bill 2899—An act to add Section 120846 to the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.

Assembly Bill 2901—An act to amend Sections 25214.1, 25214.2, 25214.3, 25214.4, 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 and ordered to third reading.

Assembly Bill 2921—An act to amend Sections 51250, 51256, 51257, 51282, 51283, and 51297 of, and to add Section 51223 to, the Government Code, relating to local government.

Bill read second time and ordered to third reading.



Assembly Bill 2939—An act to amend Sections 17958.5, 17958.7, and 18941.5 of the Health and Safety Code, relating to building standards.
Bill read second time and ordered to third reading.

Assembly Bill 2966—An act relating to hospitals.
Bill read second time and ordered to third reading.

Assembly Bill 2973—An act to amend Section 244.5 of, and to add Section 12655 to, the Penal Code, relating to stun guns.
Bill read second time and ordered to third reading.

Assembly Bill 2976—An act to amend Section 11713.3 of the Vehicle Code, relating to vehicles.
Bill read second time and ordered to third reading.

Assembly Bill 2987—An act to amend Sections 4658.5 and 4658.6 of the Labor Code, relating to workers' compensation.
Bill read second time and ordered to third reading.

Assembly Bill 2988—An act to add Section 21065.1 to the Public Resources Code, relating to environmental quality.
Bill read second time and ordered to third reading.

Assembly Bill 3018—An act to add Division 8 (commencing with Section 15000) to the Unemployment Insurance Code, relating to job training.
Bill read second time and ordered to third reading.

Assembly Bill 3048—An act to amend Sections 25302.5, 25534, and 25741 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, 399.12.5, 701.8, 761.3, 747, 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 and ordered to third reading.

Assembly Concurrent Resolution 114—Relative to home-to-school transportation.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution 39—Relative to the Winnemem Wintu Tribe.

Resolution read second time and ordered to third reading.



Assembly Bill 2259—An act to amend Sections 1368 and 1373 of, and to add Section 1360.2 to, the Civil Code, relating to common interest developments.

Bill read second time and ordered to third reading.

Assembly Bill 290—An act to amend Section 21809 of, and to amend, repeal, and add Section 25256 of, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1340—An act to amend Sections 2250, 2323, 2340, and 2620 of the Probate Code, relating to guardians and conservators.

Bill read second time and ordered to third reading.

Assembly Bill 2846—An act to amend Section 1365.1 of, and to add Section 1367.6 to, the Civil Code, relating to common interest developments.

Bill read second time and ordered to third reading.

Assembly Bill 1461—An act to amend Section 10369.12 of the Insurance Code, relating to health insurance.

Bill read second time and ordered to third reading.

Assembly Bill 2968—An act to add Sections 1638.2 and 2259.8 to the Business and Professions Code, relating to cosmetic surgery.

Bill read second time and ordered to third reading.

MOTION TO RE-REFER TO COMMITTEE

Without objection, **AB 158** and **AB 408** were re-referred to the Committee on Rules.

Motion carried.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, August 7, 2008:

SB 1371	SB 1329	AB 1927	AB 2670
SB 1503	SB 1359	AB 1952	AB 2838
SB 1638	SB 1401	AB 2100	AB 2828
SCR 77	SB 1467	AB 2150	AB 1981
SB 361	SB 1548	AB 2304	AB 2043
SB 377	SB 1767	AB 2508	AB 3014
SB 1104	AB 3016	AB 2641	AB 2020
SB 1124	AB 611	AB 2749	AB 2023
SB 1167	AB 982	AB 3033	AB 2096
SB 1168	AB 1394	AB 3064	AB 2992
SB 1197	AB 1722	AB 3065	AB 3080
SB 1260	AB 1859	AB 2044	
SB 1326	AB 1871	AB 2103	

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

Assembly Bill 660—An act to amend Sections 190, 191, 2450, 2452, 2454, 2458, and 2460.5 of, and to repeal Section 2454.5 of, the Streets and Highways Code, relating to transportation.

Bill read third time.

Amendments Adopted

Amendments to AB 660 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2413—An act to add Section 118.8 to the Streets and Highways Code, relating to transportation.

Bill read third time.

Amendments Adopted

Amendments to AB 2413 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 749—An act to add Section 1569.695 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read third time.

Amendments Adopted

Amendments to AB 749 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1674—An act to add Section 12315 to the Welfare and Institutions Code, relating to public social services.

Bill read third time.

Amendments Adopted

Amendments to AB 1674 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1245—An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to AB 1245 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1863—An act to amend Section 51204.5 of the Education Code, relating to pupil instruction.

Bill read third time.

Amendments Adopted

Amendments to AB 1863 proposed by Senator Perata were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 2882—An act to add Chapter 3.4 (commencing with Section 370) to Division 1 of the Water Code, relating to water rates.

Bill read third time.

Amendments Adopted

Amendments to AB 2882 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1959—An act to amend Section 2781 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1959 proposed by Senator Oropeza were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2034)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2034 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2034

Assembly Bill 2034—An act to amend Section 51226.3 of, and to add Section 51204.7 to, the Education Code, relating to instructional materials.

Bill read.

Motion to Amend

Amendments to AB 2034 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2286—An act to amend Section 25404 of the Health and Safety Code, relating to aboveground storage tanks.

Bill read third time.

Amendments Adopted

Amendments to AB 2286 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2356—An act to add Section 13193.9 to the Water Code, relating to water quality.

Bill read third time.

Amendments Adopted

Amendments to AB 2356 proposed by Senator Ashburn were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 2706—An act to amend Section 12020.1 of the Penal Code, relating to dangerous weapons.

Bill read third time.

Amendments Adopted

Amendments to AB 2706 proposed by Senator Maldonado were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2702—An act to amend Sections 1797.98a and 1797.98e of the Health and Safety Code, and to amend Section 16953 of the Welfare and Institutions Code, relating to emergency medical services.

Bill read third time.

Amendments Adopted

Amendments to AB 2702 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 371)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 371 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 371

Assembly Bill 371—An act to add Section 15459.10 to the Government Code, relating to health facility financing, and making an appropriation therefor.

Bill read.

Motion to Amend

Amendments to AB 371 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2697—An act to add Article 4 (commencing with Section 127450) to Chapter 2 of Part 2 of Division 107 of the Health and Safety Code, relating to hospitals.

Bill read third time.

Amendments Adopted

Amendments to AB 2697 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1656)

Senator Torlakson asked for, and was granted, unanimous consent that AB 1656 be taken from the inactive file and taken up at this time.



Consideration of Assembly Bill 1656

Assembly Bill 1656—An act to amend Section 60900 of, and to add Section 60902 to, the Education Code, relating to pupil achievement.

Bill read second time.

Motion to Amend

Amendments to AB 1656 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 3034—An act to add Sections 185033, 185035, and 185037 to the Public Utilities Code, to amend Sections 2704.01, 2704.04, 2704.05, 2704.06, 2704.08, 2704.09, 2704.095, 2704.10, 2704.11, 2704.12, 2704.13, 2704.15, 2704.18, and 2704.21 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 3034 proposed by Senator Perata were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Education**

AB 916—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Maldonado, Padilla, Scott, Torlakson, and Wyland.

NOES (0)—None.

AB 2165—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Maldonado, Padilla, Scott, and Torlakson.

NOES (0)—None.

AB 3084—Do pass

AYES (6)—Senators Alquist, Maldonado, Padilla, Scott, Torlakson, and Wyland.

NOES (0)—None.

Date of Hearing: 8/6/2008

Scott (Chair)

Committee on Environmental Quality

AB 706—Do pass

AYES (4)—Senators Corbett, Kuehl, Lowenthal, and Simitian.

NOES (1)—Senator Aanestad.

Date of Hearing: 8/6/2008

Simitian (Chair)



LEAVES OF ABSENCE FOR THE DAY

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, August 7, 2008.

PAULA K. ROSSETTO, Minute Clerk

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