

The California legislature officially adjourned for the end of the 2007 regular legislative session at around 3:30 AM on September 12. However, the Legislature is not actually finished for the year. The Governor called the legislature back for a special session to complete work on health care reform and water issues.

Prior to adjourning, the legislature passed and sent to the Governor's desk the three remaining tobacco-related bills that were still alive in the Assembly or Senate; AB 1585 – Expansion of Nonsale Distribution of Tobacco Products, AB 1617 - Restricting Internet Sales of Tobacco Products, and SB 7 – Prohibiting Smoking in Cars with Minors. The Governor now has eight tobacco-related bills that have been sent to him to sign or veto. The below legislative week in review contains details on the floor votes that occurred this week and a list of all the tobacco-related bills that are awaiting action by the Governor.

The Center will send out relevant updates as these bills are signed or vetoed by the Governor. In addition, after the Governor has acted on all these bills, The Center will send out a comprehensive Vote Record for the 2007 legislative session. The Vote Record will include details on the fate of each tobacco-related bill, as well as information on how every member of the legislature voted on each bill.

#### **AB 1585 (Lieber – D, Mountain View) Expansion of Nonsale Distribution of Tobacco Products**

This bill would modify the definition of nonsale distribution of smokeless tobacco to be defined to include gift certificates, gift cards, and other similar offers and apply the restrictions on sales of tobacco products over the Internet and other non face-to-face means to apply to nonsale distribution of tobacco products as well.

**Status:** The Senate passed AB 1585 by a vote of 26-14 on September 10. The Assembly passed the legislation 47-30 on September 12, concurring with the amendments that were made while the bill was in the Senate.

##### *Senate Vote*

*Voted in Favor* – Alquist, Calderon, Cedillo, Corbett, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Yee

*Voted Against* – Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, Wyland

##### *Assembly Vote*

*Voted in Favor* – Arambula, Bass, Beall, Berg, Brownley, Caballero, Calderon, Carter, Coto, Davis, De La Torre, De Leon, DeSaulnier, Dymally, Eng, Evans, Feuer, Fuentes, Galgiani, Hancock, Hayashi, Hernandez, Huffman, Jones, Karnette, Krekorian, Laird, Leno, Levine, Lieber, Lieu, Ma, Mendoza, Mullin, Nava, Nunez, Parra, Portantino, Price, Ruskin, Salas, Saldana, Solorio, Soto, Swanson, Torrico, Wolk

*Voted Against* – Adams, Aghazarian, Anderson, Benoit, Berryhill, Blakeslee, Cook, DeVore, Duvall, Emerson, Fuller, Gaines, Garcia, Garrick, Horton, Houston, Huff, Jeffries, Keene, La Malfa, Maze, Nakanishi, Niello, Plescia, Silva, Smyth, Spitzer, Tran, Villines, Walters

*Absent or Not Voting* – Runner, Strickland

**Next Step:** The bill will be sent to the Governor who can sign, veto or allow the legislation to become law without his signature.

#### **AB 1617 (DeSaulnier – D, Martinez) Restricting Internet Sales of Tobacco Products**

This bill would restrict Internet sales of cigarettes by making it unlawful for distributors to ship cigarettes to individuals in California and for common or contract carriers to knowingly transport cigarettes to individuals in California.

**Status:** The Senate passed AB 1617 by a vote of 22-14 on September 10. The Assembly passed the legislation 48-29 on September 12, concurring with the amendments that were made while the bill was in the Senate.

*Senate Vote*

*Voted in Favor* – Alquist, Calderon, Cedillo, Corbett, Correa, Kehoe, Kuehl, Lowenthal, Machado, Migden, Negrete McLeod, Oropeza, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Yee

*Voted Against* – Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Runner, Wyland

*Absent or Not Voting* – Denham, Ducheny, Florez, Padilla

*Assembly Vote*

*Voted in Favor* – Arambula, Bass, Beall, Berg, Brownley, Caballero, Calderon, Carter, Coto, Davis, De La Torre, De Leon, DeSaulnier, Dymally, Eng, Evans, Feuer, Fuentes, Galgiani, Hancock, Hayashi, Hernandez, Huffman, Jones, Karnette, Krekorian, Laird, Leno, Levine, Lieber, Lieu, Ma, Mendoza, Mullin, Nava, Nunez, Parra, Portantino, Price, Ruskin, Salas, Saldana, Smyth, Solorio, Soto, Swanson, Torrico, Wolk

*Voted Against* – Adams, Aghazarian, Anderson, Benoit, Berryhill, Blakeslee, Cook, DeVore, Duvall, Emmerson, Fuller, Gaines, Garcia, Garrick, Horton, Houston, Huff, Jeffries, Keene, La Malfa, Maze, Nakanishi, Niello, Plescia, Silva, Spitzer, Tran, Villines, Walters

*Absent or Not Voting* – Runner, Strickland

**Next Step:** The bill will be sent to the Governor who can sign, veto or allow the legislation to become law without his signature.

**SB 7 (Oropeza – D, Carson) Prohibiting Smoking in Cars with Minors**

Senate Bill 7 would prohibit smoking in a motor vehicle, regardless of whether the vehicle is stationary or moving, in which a minor (17 years and younger) is present.

**Status:** The Assembly passed the bill by a vote of 44-31 on September 10. The Senate passed the legislation on September 12 by a vote of 21-18, concurring with the amendments that were made while the bill was in the Assembly.

*Assembly Vote*

*Voted in Favor* – Bass, Beall, Berg, Brownley, Caballero, Calderon, Carter, Coto, Davis, De La Torre, De Leon, DeSaulnier, Dymally, Eng, Evans, Feuer, Fuentes, Galgiani, Hayashi, Hernandez, Huffman, Jones, Karnette, Krekorian, Laird, Leno, Levine, Lieber, Lieu, Ma, Mendoza, Mullin, Nava, Nunez, Portantino, Price, Ruskin, Salas, Saldana, Solorio, Soto, Swanson, Torrico, Wolk

*Voted Against* – Adams, Aghazarian, Anderson, Arambula, Benoit, Berryhill, Blakeslee, Cook, DeVore, Duvall, Fuller, Gaines, Garcia, Garrick, Horton, Houston, Huff, Jeffries, Keene, La Malfa, Maze, Nakanishi, Niello, Parra, Plescia, Runner, Silva, Smyth, Tran, Villines, Walters

*Absent or Not Voting* – Emmerson, Hancock, Spitzer, Strickland

*Senate Vote*

*Voted in Favor* – Alquist, Calderon, Cedillo, Corbett, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Yee

*Voted Against* – Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Denham, Ducheny, Dutton, Harman, Hollingsworth, Machado, Margett, McClintock, Negrete McLeod, Runner, Wyland

*Absent or Not Voting* – Vincent

**Next Step:** The bill will be sent to the Governor who can sign, veto or allow the legislation to become law without his signature.

**BILLS THAT HAVE BEEN SENT TO THE GOVERNOR**

The Governor has 30 days to sign, veto, or allow a bill to become law without his signature once he has received the enrolled legislation. To help keep track of the bills that are awaiting action by the Governor, below is the list of bills that have been sent to him and the date that the Governor received them.

AB 1467 (DeSaulnier – D, Martinez) Expansion of Smokefree Workplaces – Received September 6

AB 1585 (Lieber – D, Mountain View) Expansion of Nonsale Distribution of Tobacco Products – Not yet received

AB 1617 (DeSaulnier – D, Martinez) Restricting Internet Sales of Tobacco Products – Not yet received  
SB 7 (Oropeza – D, Carson) Prohibiting Smoking in Cars with Minors – Not yet received  
SB 295 (Cogdill – R, Modesto) Definition of Untaxed Tobacco Product – Received September 6  
SB 624 (Padilla – D, Pacoima) Increasing STAKE Act Enforcement – Received September 11  
SB 625 (Padilla – D, Pacoima) Tobacco Product Retailers License Reinstatement Fee – Received September 6  
SB 655 (Margett – R, Glendora) Possession of Tobacco in Local Correctional Facilities – Received September 6

**Center for Tobacco Policy & Organizing, September 14, 2007**

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*Sources: Copies of the legislation outlined above and vote information may be obtained at <http://www.leginfo.ca.gov>.*