

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, May 6, 2009

The Senate met at 12 p.m.  
Hon. Darrell Steinberg, of the 6th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary Zach Twilla reading.

### QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.  
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:

Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—35.

Quorum present.

*(NOTE: Senators Aanestad and Cedillo will be excused this day on legislative business and Senators DeSaulnier and Runner will be excused this day on personal business.)*



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

This Sunday is Mother's Day. Many of us will take the time to honor and acknowledge the mothers in our lives who have influenced us, nurtured us, and inspired us.

Golda Meir was more than the Prime Minister of her country, she was also a mother and grandmother. And these wise words she offered sound more like advice she would have given to her children than to her constituents, wise sentiments that echo what many of us have heard from our own mothers. She said:

"Trust yourself. Create the kind of self that you will be happy to live with all your life. Make the most of yourself by fanning the tiny, inner sparks of possibility into flames of achievement."

May the Holy One of Blessing help us find the sparks of possibility that dwell in each of us. May we have the self awareness to recognize them, and may these sparks illuminate our lives so that we might find true happiness.

May this be God's will.— AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 4, 2009

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

SCR 26

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, May 4, 2009

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

ACR 39      ACR 47      ACR 58      AJR 2

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measures were read the first time and referred to the Committee on Rules:

**Assembly Concurrent Resolution 39**—Relative to children.

**Assembly Concurrent Resolution 47**—Relative to Cinco de Mayo Week.

**Assembly Concurrent Resolution 58**—Relative to School Bus Drivers' Day.

**Assembly Joint Resolution 2**—Relative to Mexican braceros.



**REPORTS OF STANDING COMMITTEES****Committee on Environmental Quality**

Senate Chamber, May 6, 2009

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

SB 586

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**

**Senate Bill 586**—An act to add Section 19622.5 to the Business and Professions Code, and to add Section 11011.27 to the Government Code, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Committee on Transportation and Housing**

Senate Chamber, May 6, 2009

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

SB 527

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**

**Senate Bill 527**—An act relating to high-speed rail.

Bill read second time.

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

**Committee on Natural Resources and Water**

Senate Chamber, May 6, 2009

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

SB 650

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

PAVLEY, Chair



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

**Senate Bill 650**—An act relating to parks, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Committee on Judiciary**

Date of Hearing, May 5, 2009

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

SB 367

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

CORBETT, Chair

Above measure ordered to second reading.

Date of Hearing, May 5, 2009

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

SB 105

SB 219

SB 722

SB 804

Reports the same back with the recommendation: Do pass.

CORBETT, Chair

Above bills ordered to second reading.

**Committee on Local Government**

Date of Hearing, May 6, 2009

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

SB 198

SB 263

SB 652

SB 715

Reports the same back with the recommendation: Do pass.

WIGGINS, Chair

Above bills ordered to second reading.

Date of Hearing, May 6, 2009

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

SB 530

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

WIGGINS, Chair

Above measure re-referred to the Committee on Appropriations.



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

**Senate Bill 25**—An act to amend Sections 41780, 44009, 45014, 45024, and 48000 of, to add Sections 40142, 41780.01, and 41826 to, and to add Chapter 12.8 (commencing with Section 42649) to Part 3 of, Chapter 2.7 (commencing with Section 48300) to Part 7 of, and Chapter 8 (commencing with Section 49700) to Part 8 of, Division 30 of, the Public Resources Code, relating to solid waste.

Bill read second time.

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

**Senate Bill 792**—An act to repeal Section 5006.8 of the Public Resources Code, to repeal Section 3 of Chapter 2 of the Statutes of 1958 of the First Extraordinary Session, to repeal Chapter 1046 of the Statutes of 1998, to repeal Chapter 464 of the Statutes of 2002, and to repeal Chapter 435 of the Statutes of 2003, relating to tidelands and submerged lands.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Senate Bill 173**—An act to add Sections 110153 and 111836 to, and to add Article 6.7 (commencing with Section 110808) to Chapter 5 of Part 5 of Division 104 of, the Health and Safety Code, relating to food safety.

Bill read second time.

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

**Senate Bill 190**—An act to add Sections 110726 and 110727 to the Health and Safety Code, relating to misbranded food.

Bill read second time.

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

**Senate Bill 183**—An act to amend Sections 1102.6 and 1102.6d of the Civil Code, and to add Sections 17926, 17926.1, and 17926.3 to, and to add Chapter 8 (commencing with Section 13260) to Part 2 of Division 12 of, the Health and Safety Code, relating to residential building safety.

Bill read second time.



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

**Senate Bill 195**—An act to amend Section 66290 of the Education Code, relating to postsecondary education.

Bill read second time.

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

**Senate Bill 459**—An act to amend Section 6302.1 of, and to add Section 6302.2 to, the Public Resources Code, relating to tidelands and submerged lands .

Bill read second time.

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

**Senate Bill 653**—An act to amend Sections 17001, 17056, 17060, 17450, and 17451 of the Corporations Code, relating to business.

Bill read second time.

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

**Senate Bill 755**—An act to amend, repeal, and add Sections 14838.5 and 14839 of, and to add and repeal Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2 of, the Government Code, and to amend Section 19404 of the Welfare and Institutions Code, relating to state contracts.

Bill read second time.

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

**Senate Bill 372**—An act to amend Section 5019.50 of the Public Resources Code, relating to state parks.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.



**Senate Bill 341**—An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to pharmaceuticals.

Bill read second time.

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

**Senate Bill 268**—An act to amend Section 11834.03 of the Health and Safety Code, relating to alcohol and drug programs.

Bill read second time.

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

**Senate Bill 337**—An act to amend Section 1280.15 of the Health and Safety Code, relating to health facilities.

Bill read second time.

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

**Senate Bill 438**—An act to add Section 12693.766 to the Insurance Code and to add Section 14011.61 to the Welfare and Institutions Code, relating to health care coverage.

Bill read second time.

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

**Senate Bill 223**—An act to amend Section 51225.3 of the Education Code, relating to education.

Bill read second time.

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

**Senate Bill 247**—An act to amend Section 60422 of the Education Code, relating to electronic instructional materials.

Bill read second time.

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



**Senate Bill 130**—An act relating to the King City Joint Union High School District, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Senate Bill 193**—An act to add and repeal Section 52124.2 of the Education Code, relating to class size reduction, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Senate Bill 271**—An act to add Part 70 (commencing with Section 102000) to Division 14 of Title 3 of the Education Code, relating to education facilities, and by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

Bill read second time.

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

**Senate Bill 305**—An act to add Section 17075.20 to the Education Code, relating to school facilities.

Bill read second time.

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

**Senate Bill 361**—An act to amend Section 66025.8 of the Education Code, relating to postsecondary education.

Bill read second time.

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

**Senate Bill 471**—An act to add Article 13 (commencing with Section 33475) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to education.

Bill read second time.

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





**Senate Bill 518**—An act to amend Section 76360 of the Education Code, to add Section 2117.5 to the Streets and Highways Code, and to amend Section 22508 of, and to add Division 19 (commencing with Section 43000) to, the Vehicle Code, relating to vehicles.

Bill read second time.

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

**Senate Bill 592**—An act to amend Sections 17078.57 and 17078.62 of, and to add Section 17078.63 to, the Education Code, relating to school facilities.

Bill read second time.

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

**Senate Bill 621**—An act to amend Section 51226 of the Education Code, relating to career technical education.

Bill read second time.

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

**Senate Bill 701**—An act to amend Section 56195.1 of the Education Code, relating to special education.

Bill read second time.

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

**Senate Bill 212**—An act to amend Sections 17578 and 17579 of, and to add Section 33134 to, the Education Code, relating to school safety.

Bill read second time.

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

**Senate Bill 687**—An act to add Section 1418.65 to the Health and Safety Code, relating to long-term health care facilities.

Bill read second time.

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



**Senate Bill 761**—An act to add Section 128196 to the Health and Safety Code, relating to health care workforce.

Bill read second time.

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

**Senate Bill 730**—An act to add Section 48009 to the Public Resources Code, relating to solid waste.

Bill read second time.

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

**Senate Bill 364**—An act to add Section 1285.5 to the Health and Safety Code, relating to health facilities.

Bill read second time.

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

**Senate Bill 726**—An act to amend Sections 2401 and 2401.1 of the Business and Professions Code, relating to medicine.

Bill read second time.

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

**Senate Bill 217**—An act to add Sections 71090.3 and 89500.5 to, and to add Article 2 (commencing with Section 92010) to Chapter 1 of Part 57 of Division 9 of Title 3 of, the Education Code, relating to public postsecondary education.

Bill read second time.

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

**Senate Bill 234**—An act to amend Section 51225.3 of the Education Code, relating to curriculum.

Bill read second time.

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



**Senate Bill 386**—An act to add and repeal Section 66406.8 of the Education Code, relating to college textbooks.

Bill read second time.

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

**Senate Bill 611**—An act to amend Section 69434 of the Education Code, relating to student financial aid.

Bill read second time.

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

**Senate Bill 646**—An act to amend Section 66025.6 of, to add Sections 66025.4 and 66025.5 to, and to add the heading of Article 3.7 (commencing with Section 66025.3) to Chapter 2 of Part 40 of Division 5 of Title 3 of, the Education Code, relating to student financial aid.

Bill read second time.

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

**Senate Bill 651**—An act to add Section 48070.6 to the Education Code, relating to pupil retention.

Bill read second time.

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

**Senate Bill 738**—An act to amend Section 32500 of, and to add Sections 32501, 32502, and 32503 to, the Education Code, and to amend Section 2053.4 of the Penal Code, relating to inmate education.

Bill read second time.

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

**Senate Bill 742**—An act to add Article 5 (commencing with Section 52065) to Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, relating to school accountability.

Bill read second time.

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



**Senate Bill 815**—An act to add Article 20.7 (commencing with Section 69999.10) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

Bill read second time.

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

**Senate Bill 350**—An act to amend Section 9875.1 of the Business and Professions Code, relating to motor vehicle insurance.

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

**Senate Bill 266**—An act to add and repeal Article 10 (commencing with Section 48350) of Chapter 2 of Part 27 of Division 4 of Title 2 of the Education Code, relating to public schools.

Bill read second time.

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

**Senate Bill 416**—An act to add Section 49437 to the Education Code, to add Section 18739 to the Food and Agricultural Code, and to add Section 4335 to the Government Code, relating to antibiotics.

Bill read second time.

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

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

Without objection, **SCR 32** and **ACR 35** were withdrawn from Committee and placed on today's Special Consent Calendar.

#### **CONSENT CALENDAR**

##### **Objection Raised**

Senator Cox objected to **SB 126** being on the Special Consent Calendar.

The President ordered the above measure placed on the third reading file.

#### **JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended to permit the Committee on Budget and Fiscal Review to meet, hear, and report on the Governor's Reorganization Plan No. 1 without four day's notice in the Daily File.

#### **RECESS**

At 12:14 p.m., on motion of Senator Ducheny the Senate recessed in order to convene the Committee on Budget and Fiscal Review.



**REASSEMBLED**

At 12:20 p.m., the Senate reconvened.

Hon. Dean Florez, of the 16th District, presiding.

**REPORTS OF STANDING COMMITTEES****Committee on Budget and Fiscal Review**

Date of Hearing, May 6, 2009

Mr. President: The Committee on Budget and Fiscal Review, to which was referred:

GRP 1

Reports the same back with the recommendation: That the plan be allowed to take effect.

DUCHENY, Chair

Above plan ordered placed on file.

**REQUEST FOR UNANIMOUS CONSENT (SCR 26)**

Senator Correa asked for, and was granted, unanimous consent that SCR 26 asked for, and was granted, unanimous consent to take up

**Consideration of Senate Concurrent Resolution 26****Consideration of Assembly Amendments**

**Senate Concurrent Resolution 26**—Relative to California Peace Officers' Memorial Day.

Measure presented by Senator Correa.

The question being: Shall the Senate concur in the Assembly amendments to SCR 26?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (33)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above measure ordered enrolled.



**CONSIDERATION OF DAILY FILE (RESUMED)**  
**UNFINISHED BUSINESS**

**Consideration of Governor's Appointments**

Senator Steinberg placed the following Governor's appointments before the Senate:

HEDY L. CHANG, Member, Medical Board of California.

SHELTON J. DURUISSEAU Ph.D., Member, Medical Board of California.

MARY L. MORAN M.D., Member, Medical Board of California.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

**Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**Senator Yee Presiding**

**Consideration of Governor's Appointments**

Senator Steinberg placed the following Governor's appointments before the Senate:

LINDY DEKOVEN, Member, State Park and Recreation Commission.

ALICE A. HUFFMAN, Member, State Park and Recreation Commission.

WILLIAM G. KOGERMAN, Member, State Park and Recreation Commission.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

**Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (32)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.



**Senator Florez Presiding****Consideration of Governor's Appointment**

Senator Steinberg placed the following Governor's appointment before the Senate:

DAVID R. SHAW, Inspector General of the Department of Corrections and Rehabilitation.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

**Roll Call**

The roll was called and the appointment was confirmed by the following vote:

AYES (34)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**Consideration of Governor's Appointment**

Senator Steinberg placed the following Governor's appointment before the Senate:

MATTHEW L. CATE, Secretary, Department of Corrections and Rehabilitation.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

**Roll Call**

The roll was called and the appointment was confirmed by the following vote:

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**Consideration of Governor's Appointment**

Senator Steinberg placed the following Governor's appointment before the Senate:

LUCETTA (LUCY) A. DUNN, Member, California Transportation Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"



**Roll Call**

The roll was called and the appointment was confirmed by the following vote:

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**THIRD READING OF SENATE BILLS**

**Senate Bill 115**—An act to amend Sections 1360, 3103, and 18150 of, and to add Section 1225.5 to, the Government Code, relating to public employment.

Bill read third time and presented by Senator Lowenthal.

**Roll Call**

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

AYES (21)—Senators Alquist, Calderon, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (11)—Senators Ashburn, Benoit, Cogdill, Correa, Cox, Dutton, Harman, Hollingsworth, Huff, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

**Senate Bill 45**—An act to amend Section 1777.1 of the Labor Code, relating to prevailing wage.

Bill read third time and presented by Senator Padilla.

**Roll Call**

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

AYES (21)—Senators Alquist, Calderon, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (11)—Senators Ashburn, Benoit, Cogdill, Cox, Dutton, Harman, Hollingsworth, Huff, Maldonado, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

**Senate Bill 11**—An act to add Article 8.10 (commencing with Section 31699.1) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to county employees retirement.

Bill read third time and presented by Senator Negrete McLeod.





**Roll Call**

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

AYES (31)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Denham, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

**Senate Bill 152**—An act to add Section 5778.5 to the Welfare and Institutions Code, relating to mental health.

Bill read third time and presented by Senator Cox.

**Roll Call**

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

AYES (34)—Senators Alquist, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 204**—An act to amend Sections 17405, 17600, 50123, and 50124 of, and to amend and repeal Section 17207 of, the Financial Code, relating to financial transactions.

Bill read third time and presented by Senator Benoit.

**Roll Call**

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

AYES (33)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Oropeza.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 23**—An act to amend Sections 1366.20, 1366.21, 1366.22, and 1366.25 of the Health and Safety Code, and to amend Sections 10128.50, 10128.51, 10128.52, and 10128.55 of the Insurance Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Alquist.



**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**Roll Call**

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

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 237**—An act to amend Sections 11302, 11314, 11315, 11315.5, 11316, 11318, 11319, 11328, 11409, and 11422 of, to add Sections 11320.5, 11345, 11345.1, 11345.2, 11345.3, 11345.4, 11345.45, 11345.6, and 11406.5 to, and to repeal and add Section 11343 of, the Business and Professions Code, and to amend Section 1090.5 of the Civil Code, relating to real estate appraisers, and making an appropriation therefor.

Bill read third time and presented by Senator Calderon.

**Roll Call**

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

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 121**—An act to amend Section 14183 of the Penal Code, relating to crime prevention.

Bill read third time and presented by Senator Denham.

**Roll Call**

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

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado,



Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 197**—An act to amend Sections 1335, 1336, 1337, and 1341 of the Penal Code, relating to domestic violence.

Bill read third time and presented by Senator Pavley.

#### Roll Call

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

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 802**—An act to amend Section 10261 of, and to add Section 7201 to, the Public Contract Code, relating to public contracts.

Bill read third time and presented by Senator Leno.

#### Roll Call

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

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

#### CONSENT CALENDAR

**Senate Bill 823**—An act to amend Sections 2512, 2781, 2782, 3731, 3791.4, and 3793.1 of, and to amend and renumber Section 4839.2 of, the Revenue and Taxation Code, relating to taxation.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 131**—An act to amend Section 25500.1 of the Business and Professions Code, relating to alcoholic beverages.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 253**—An act to add Section 52377.5 to the Education Code, relating to career technical education.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 645**—An act to amend Section 67600 of the Education Code, relating to military training.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 509**—An act to amend Sections 17592.5 and 52165 of the Education Code, relating to education.

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

*(NOTE: See Consent Calendar Roll Call)*

#### **SPECIAL CONSENT CALENDAR**

**Senate Concurrent Resolution 32**—Relative to emergency medical services.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 35**—Relative to Viral Hepatitis Awareness Day.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 286**—An act to add Section 1002.5 to the Fish and Game Code, relating to the Department of Fish and Game.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 448**—An act to add Article 3.7 (commencing with Section 2089.2) to Chapter 1.5 of Division 3 of the Fish and Game Code, relating to fish and wildlife.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 113**—An act to amend Section 15303 of the Education Code, to amend Sections 7902.7, 23232, 25210.2, 25332, 25502.3, 25502.5, 29000, 29001, 29002, 29005, 29006, 29007, 29008, 29009, 29040, 29042, 29043, 29044, 29045, 29060, 29061, 29062, 29063, 29064, 29065, 29081, 29082, 29083, 29084, 29085, 29086, 29088, 29089, 29090, 29092, 29093, 29100, 29100.6, 29109, 29120, 29121, 29122, 29124, 29125, 29126.1, 29126.2, 29127, 29128, 29130, 29141, 29142, 30200, 36516, 53601.8, 53646, 53961, 61002, 61061, 66412, 66434, 66439, 66445, and 66447 of, to amend the headings of Article 2 (commencing with Section 29040) of Chapter 1 of Division 3 of Title 3, Article 3 (commencing with Section 29060) of Chapter 1 of Division 3 of Title 3, and



Article 4 (commencing with Section 29080) of Chapter 1 of Division 3 of Title 3 of, to repeal Sections 29004, 29065.5, 29066, 29088.1, 29091, 29129, and 29140 of, to repeal Article 10 (commencing with Section 29520) of Chapter 2 of Division 3 of Title 3, Article 13 (commencing with Section 29560) of Chapter 2 of Division 3 of Title 3, and Chapter 6 (commencing with Section 60000) of Division 1 of Title 5 of, and to repeal and add Sections 29003 and 29080 of, the Government Code, to amend Sections 9002, 9074, 9078, 40100.5, 101350, and 103505 of, to add Section 103501 to, and to repeal Section 103500 of, the Health and Safety Code, to amend Sections 1121 and 1262 of the Military and Veterans Code, to amend Section 13041 of the Public Resources Code, to amend Sections 1550, 1550.1, 1552, and 5100 of, to repeal Sections 1551, 1553, and 1554 of, and to repeal and add Section 1550.2 of, the Streets and Highways Code, and to amend Sections 376 and 40355 of the Water Code, relating to local government.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 288**—An act to add Section 13211.7 to the Elections Code, relating to elections.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 357**—An act to amend Section 12718 of the Government Code, relating to gaming.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 424**—An act to add Section 11713.13 to the Vehicle Code, relating to vehicles , and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 434**—An act to add Section 4576 to the Penal Code, relating to correctional facilities.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 499**—An act to amend Section 1341.45 of the Health and Safety Code, relating to health care coverage.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 571**—An act to add Section 3724.32 to the Public Resources Code, relating to public resources.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 818**—An act to amend Sections 179 and 179.5 of the Military and Veterans Code, relating to military and veterans.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 682**—An act to add Section 52377.5 to the Education Code, relating to individuals with exceptional needs.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 312**—An act to add Section 33009.7 to the Education Code, and to add Section 15491 to the Government Code, relating to public meetings and hearings.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Concurrent Resolution 22**—Relative to Colorectal Cancer Awareness Month.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Consent Calendar Roll Call)*

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

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

**AYES (35)**—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

**NOES (0)**—None.

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

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad and Cedillo.

The following Senators were granted leaves of absence for the day due to personal business: Senators DeSaulnier and Runner.

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

At 1:30 p.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.



**MOTION TO ADJOURN**

Senator Steinberg moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Thursday, May 7, 2009.

Motion carried.

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

Senate Chamber, May 6, 2009

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

SB 786

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

STEINBERG, Chair

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

**Senate Bill 786**—An act to amend Section 51 of the Civil Code, relating to civil rights.

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**

Date of Hearing, May 6, 2009

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

SB 673

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

WIGGINS, Chair

Above measure ordered to second reading.

**Committee on Appropriations**

Senate Chamber, May 6, 2009

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

SB 442

SB 535

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**

**Senate Bill 442**—An act to amend Sections 1200, 1213, 1214, 1219, 1229, and 1266 of, and to add Section 1212.5 to, the Health and Safety Code, relating to clinics.

Bill read second time.

**Senate Bill 535**—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

**Committee on Revenue and Taxation**

Senate Chamber, May 6, 2009

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

SCA 6

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

WOLK, Chair

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

**Senate Constitutional Amendment 6**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of, and by adding Section 4.5 to, Article XIII A thereof, by amending Section 2 of Article XIII C thereof, and by amending Section 3 of Article XIII D thereof, relating to taxation.

Resolution 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, May 6, 2009

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

SB 660

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

CALDERON, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, May 6, 2009

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

SB 633





Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

CALDERON, Chair

Above measure ordered to second reading.

### **Committee on Appropriations**

Senate Chamber, May 6, 2009

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

SB 334

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**

**Senate Bill 334**—An act to amend Section 17072.10 of the Education Code, relating to school facilities.

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, May 6, 2009

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

AB 83

AB 176

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 83**—An act to amend Section 1799.102 of the Health and Safety Code, relating to personal liability, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill 176**—An act to amend Sections 2293, 3635, 4846.5, 8027, 17539.55, 19513, 19576, 19861, 19870, 21701.1, and 25658.4 of the Business and Professions Code, to amend Sections 916, 922, 1799.3, and 3344.1 of the Civil Code, to amend Sections 129, 1033.5, and 2025.560 of the Code of Civil Procedure, to amend Sections 8971, 17002, 18032, 19323, 32255, 49091.10, 52740, 52742, 52743, 56341.1, and 60204 of the Education Code, to amend Sections 2052, 2053, 9082.5, and 18541 of the Elections Code, to amend Sections 795, 1118, and 1294 of the Evidence Code, to amend Sections 3170, 7572, 10005, and 20034 of the Family Code, to amend Sections 8880.30, 11124.1, 11130, 12811.3, 14999.31, 26202.6, 26206.7, 26206.8, 27491.47, 34090.6, 34090.7, 34090.8, 50028,



53160, 53161, 53162, 54953.5, 54960, and 68151 of the Government Code, to amend Sections 1569.69, 1736.5, 7158.3, 13220, 13221, 25201.11, 40828, 100171, and 127240 of the Health and Safety Code, to amend Sections 1758.97 and 2071.1 of the Insurance Code, to amend Sections 298.1, 599aa, 868.7, and 1203.098 of the Penal Code, to amend Section 4423.1 of the Public Resources Code, to amend Section 1611 of the Revenue and Taxation Code, and to amend Section 19639 of the Welfare and Institutions Code, relating to the maintenance of the codes.

Bill read second time.

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

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

Date of Hearing, May 6, 2009

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

SB 156

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

CALDERON, Chair

Above measure re-referred to the Committee on Judiciary.

#### **Committee on Education**

Date of Hearing, May 6, 2009

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

SB 388

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.

Date of Hearing, May 6, 2009

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

SB 572

SB 640

Reports the same back with the recommendation: Do pass.

ROMERO, Chair

Above bills ordered to second reading.

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

Senate Chamber, May 6, 2009

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

SB 49

SB 534



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

WOLK, Chair

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

**Senate Bill 49**—An act to amend Section 17059 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

**Senate Bill 534**—An act to add Section 74.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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**

Date of Hearing, May 4, 2009

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

SB 228

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

SIMITIAN, Chair

Above measure ordered to second reading.

**Committee on Education**

Date of Hearing, April 29, 2009

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

SB 512

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

ROMERO, Chair

Above measure ordered to second reading.

**Committee on Judiciary**

Senate Chamber, May 6, 2009

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

SB 641

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

CORBETT, Chair



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

**Senate Bill 641**—An act to amend Section 6140 of the Business and Professions Code, relating to the State Bar Act.

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, May 6, 2009

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

SB 373

SB 658

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

WOLK, Chair

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

**Senate Bill 373**—An act to amend Sections 10752 and 10752.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

**Senate Bill 658**—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 measures were introduced, read the first time and transmitted to the Committee on Rules:

**Senate Concurrent Resolution 43:** By Senators Huff, Cogdill, Harman, and Strickland (Coauthors: Assembly Members Conway, Gilmore, Harkey, Ma, Nestande, Niello, and Silva)—Relative to California Water Awareness Month.

**Senate Concurrent Resolution 44:** By Senator Corbett—Relative to child care.

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

Without objection, **SB 728** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.



**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **SB 636** was withdrawn from Committee and placed on second reading; and

**SCR 35** and **ACR 56** were withdrawn from Committee and placed on third reading.

**SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures were set as a Special Consent Calendar to be taken up on Monday, May 11:

SCR 13	SB 369	SB 289	SB 607
SB 431	SB 24	SB 469	SB 634
SB 476	SB 191	SB 486	SB 822
SB 788	SB 230	SB 492	SB 824
SJR 6	SB 241	SB 562	

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

**Senate Bill 109**—An act to amend Sections 1812.601 and 1812.607 of the Civil Code, relating to auctioneers.

Bill read third time.

**Amendments Adopted**

Amendments to SB 109 proposed by Senator Calderon were read and adopted and the measure ordered printed, engrossed, and to second reading.

**SENATE COMMITTEE ROLL CALLS****Committee on Banking, Finance and Insurance**

**SB 156**—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Harman, Kehoe, Liu, Lowenthal, Padilla, and Wolk.

NOES (0)—None.

**SB 633**—Do pass, to Consent Calendar

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Harman, Kehoe, Liu, Lowenthal, Padilla, and Wolk.

NOES (0)—None.

**SB 660**—Do pass and re-refer to Committee on Judiciary

AYES (8)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, Padilla, and Wolk.

NOES (3)—Senators Cogdill, Cox, and Harman.

Date of Hearing: 5/6/2009

Calderon (Chair)

**Committee on Budget and Fiscal Review**

**GRP 1**—Permitted to take effect

AYES (35)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman,

Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

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

**SB 26**—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (8)—Senators Aanestad, Corbett, Florez, Negrete McLeod, Oropeza, Romero, Wyland, and Yee.

NOES (1)—Senator Walters.

**SB 36**—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (1)—Senator Aanestad.

**SB 109**—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, Wyland, and Yee.

NOES (2)—Senators Aanestad and Walters.

**SB 237**—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (1)—Senator Aanestad.

**SB 260**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, and Yee.

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

**SB 294**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Corbett, Negrete McLeod, Oropeza, Romero, Walters, and Yee.

NOES (1)—Senator Aanestad.

**SB 358**—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (1)—Senator Aanestad.

**SB 374**—Do pass and re-refer to Committee on Rules

AYES (7)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, Wyland, and Yee.

NOES (2)—Senators Aanestad and Walters.

**SB 392**—Do pass as amended and re-refer to Committee on Judiciary

AYES (8)—Senators Aanestad, Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (0)—None.



**SB 427—Do pass and re-refer to Committee on Judiciary**

AYES (5)—Senators Corbett, Negrete McLeod, Oropeza, Romero, and Yee.

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

Failed Passage

**SB 427—Reconsideration granted**

AYES (9)—Senators Aanestad, Corbett, Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (0)—None.

**SB 606—Do pass and re-refer to Committee on Appropriations**

AYES (8)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (1)—Senator Aanestad.

**SB 620—Do pass and re-refer to Committee on Appropriations**

AYES (8)—Senators Corbett, Florez, Negrete McLeod, Oropeza, Romero, Walters, Wyland, and Yee.

NOES (1)—Senator Aanestad.

Date of Hearing: 4/13/2009

Negrete McLeod (Chair)

**Committee on Education****SB 48—Do pass as amended**

AYES (8)—Senators Alquist, Hancock, Huff, Liu, Maldonado, Padilla, Romero, and Simitian.

NOES (0)—None.

**SB 388—Do pass and re-refer to Committee on Judiciary**

AYES (9)—Senators Alquist, Hancock, Huff, Liu, Maldonado, Padilla, Romero, Simitian, and Wyland.

NOES (0)—None.

**SB 520—Do pass as amended**

AYES (8)—Senators Alquist, Hancock, Liu, Maldonado, Padilla, Romero, Simitian, and Wyland.

NOES (1)—Senator Huff.

**SB 572—Do pass**

AYES (7)—Senators Alquist, Hancock, Liu, Maldonado, Padilla, Romero, and Simitian.

NOES (2)—Senators Huff and Wyland.

**SB 640—Do pass**

AYES (9)—Senators Alquist, Hancock, Huff, Liu, Maldonado, Padilla, Romero, Simitian, and Wyland.

NOES (0)—None.

Date of Hearing: 5/6/2009

Romero (Chair)



**Committee on Judiciary****SB 39—Do pass as amended**

AYES (5)—Senators Corbett, Florez, Harman, Leno, and Walters.

NOES (0)—None.

**SB 105—Do pass**

AYES (5)—Senators Corbett, Florez, Harman, Leno, and Walters.

NOES (0)—None.

**SB 119—Do pass as amended, to Consent Calendar**

AYES (5)—Senators Corbett, Florez, Harman, Leno, and Walters.

NOES (0)—None.

**SB 219—Do pass**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (0)—None.

**SB 367—Do pass, to Consent Calendar**

AYES (5)—Senators Corbett, Florez, Harman, Leno, and Walters.

NOES (0)—None.

**SB 543—Do pass as amended**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (0)—None.

**SB 617—Do pass as amended**

AYES (2)—Senators Harman and Walters.

NOES (3)—Senators Corbett, Florez, and Leno.

Failed Passage

**SB 617—Reconsideration granted**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (0)—None.

**SB 635—Do pass as amended**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (1)—Senator Harman.

**SB 722—Do pass**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (0)—None.

**SB 782—Do pass as amended**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (0)—None.

**SB 804—Do pass**

AYES (3)—Senators Corbett, Florez, and Leno.

NOES (0)—None.





**SCR 20**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Corbett, Florez, Harman, and Leno.

NOES (0)—None.

Date of Hearing: 5/5/2009

Corbett (Chair)

**Committee on Local Government**

**SB 198**—Do pass

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 263**—Do pass

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 430**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 530**—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 652**—Do pass

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 673**—Do pass as amended

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 676**—Do pass as amended

AYES (3)—Senators Kehoe, Wiggins, and Wolk.

NOES (1)—Senator Cox.

**SB 715**—Do pass

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 813**—Do pass as amended

AYES (4)—Senators Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

Date of Hearing: 5/6/2009

Wiggins (Chair)



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Florez requested that when the Senate adjourns this day it do so in memory of Angel Moreno of Sanger.

Senator Kehoe requested that when the Senate adjourns this day it do so in memory of Lois Kessler and Roy Palmer of San Diego.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Richard M. Brunelle of Davis.

Senator Wright requested that when the Senate adjourns this day it do so in memory of Zenobia Ross of Compton and Opal Curtis of Los Angeles.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, May 7, 2009.

PAULA K. ROSSETTO, Minute Clerk

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