

CALIFORNIA LEGISLATURE  
2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, May 7, 2009

The Senate met at 9 a.m.  
Hon. Dean Florez, of the 16th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary David Valverde reading.

### ROLL CALL

The roll was called and the following Senators answered to their names:  
Alquist, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, DeSaulnier,  
Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Leno,  
Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Romero, Simitian,  
Strickland, Walters, Wiggins, Wolk, Wright, and Wyland—29.

Quorum present.

*(NOTE: Senators Aanestad, Calderon, Cedillo, Kehoe, Maldonado, Oropeza, and Yee will be excused this day on legislative business and Senators Corbett, Runner, and Steinberg will be excused this day on personal business.)*

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

State Capitol, May 7, 2009

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

**Appropriations**—SB 161, SB 402, SB 712.

**Health**—SB 180.

**Judiciary**—SB 786.

**Revenue and Taxation**—SB 425.

**Transportation and Housing**—SB 728.



**Committee on Appropriations**

Senate Chamber, April 30, 2009

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

SB 671

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

KEHOE, Chair

Above measure ordered to second reading.

**Committee on Health**

Senate Chamber, May 7, 2009

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

ACR 29

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

ALQUIST, Chair

**Second Reading of Bills—Author's Amendments****Assembly Concurrent Resolution 29**—Relative to health disparities.

Resolution read second time.

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

**Committee on Appropriations**

Senate Chamber, May 7, 2009

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

SB 280

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 280**—An act to amend Section 22714 of, and to add Section 24616.5 to, the Education Code, relating to state teachers' retirement.

Bill read second time.

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



**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Concurrent Resolution 45:** By Senator Benoit—Relative to United States Travel Rally Day.

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

**Senate Bill 367**—An act to amend Sections 16061, 16061.5, 16061.7, 16061.8, 16061.9, 16064, and 17200 of, and to add Sections 16060.7, 16068 and, 16069 to, the Probate Code, relating to trusts.

Bill read second time, ordered engrossed, and to Consent Calendar.

**Senate Bill 105**—An act to amend Section 6103.6 of the Business and Professions Code, to amend Sections 366.2 and 366.3 of the Code of Civil Procedure, and to amend Sections 1303, 1304, 2583, 6112, 15642, 16062, and 21310 of, to add Section 13 to, to add Part 3.5 (commencing with Section 21360) to Division 11 of, and to repeal Part 3.5 (commencing with Section 21350) of Division 11 of, the Probate Code, relating to donative transfers.

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

**Senate Bill 219**—An act to amend Section 8547.10 of the Government Code, relating to improper governmental activities.

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

**Senate Bill 722**—An act to add Division 25.7 (commencing with Section 38700) to the Health and Safety Code, relating to greenhouse gases.

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

**Senate Bill 804**—An act to amend Section 798.71 of the Civil Code, relating to mobilehomes.

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

**Senate Bill 198**—An act to amend Section 32130.6 of the Health and Safety Code, relating to health care districts.

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

**Senate Bill 263**—An act to amend Section 61105 of the Government Code, relating to community services districts.

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

**Senate Bill 652**—An act to add Article 5.3 (commencing with Section 14073) to Chapter 1 of Part 5 of Division 3 of Title 2 of the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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



**Senate Bill 715**—An act to amend Section 51201 of, and to add Sections 51247.5 and 66474.5 to, the Government Code, and to amend Section 426 of the Revenue and Taxation Code, relating to agricultural land.

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

**Senate Bill 673**—An act to amend Section 15956 of the Public Utilities Code, relating to public utility districts.

Bill read second time.

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

**Senate Bill 633**—An act to amend Section 2954 of the Civil Code, relating to mortgages.

Bill read second time, ordered engrossed, and to Consent Calendar.

**Senate Bill 572**—An act to amend Section 37222 of the Education Code, and to add Section 6721 to the Government Code, relating to Harvey Milk Day.

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

**Senate Bill 640**—An act to amend Sections 52302.2 and 52302.8 of the Education Code, relating to career technical education.

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

**Senate Bill 228**—An act to add Section 42357.5 to the Public Resources Code, relating to plastic bags.

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 512**—An act to amend Sections 44221, 44225.6, 44251, 44259, 44332.5, 44421, 44422, 44426, 44830.7, 44853, 44856, 44917, 44980, 44987.3, 52127, and 52163 of the Education Code, relating to teacher credentialing.

Bill read second time.

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

**Senate Bill 636**—An act to add Section 10752.5 to the Revenue and Taxation Code, relating to vehicle license fees.

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

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

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



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

Without objection, **SB 586** was withdrawn from the Committee on Environmental Quality and re-referred to the Committee on Appropriations.

**RE-REFERENCE TO COMMITTEE**

Pursuant to Joint Rule 10.5, **SB 730** was re-referred to the Committee on Appropriations.

**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **SB 388** and **SB 530** were withdrawn from Committee and placed on second reading.

**CONSENT CALENDAR****Objection Raised**

Senator Wyland objected to **SB 788** being on the Special Consent Calendar.

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

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad, Calderon, Cedillo, Kehoe, Maldonado, Oropeza, and Yee.

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

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of Alyce Demirjian of Fresno.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Norman Ray Harris of Roseville.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 12 p.m., Monday, May 11, 2009.

PAULA K. ROSSETTO, Minute Clerk

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