

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

EIGHTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 2, 2009

The Senate met at 9:30 a.m.

Hon. S. Joseph Simitian, of the 11th 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:

Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—39.

Quorum present.



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

President Theodore Roosevelt spent much of his life in service to our country. He was a man who understood big ideas and real problems. He once advised graduating high school students with these sage words: "Be practical as well as generous in your ideals. Keep your eyes on the stars, but remember to keep your feet on the ground."

Whether we are students heading out in the world, or are already well seasoned, this is good advice. Success in our personal life, in work, and in government all require a balance between idealism and practicality, generosity and skepticism. If we err too far on one side or the other we risk our ability to be effective and to serve.

May the Holy One bless us as we seek ways to serve our State. May we be granted wisdom and compassion, and the ability to find practical solutions for difficult problems.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 1, 2009

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

AB 15	AB 154	AB 417	AB 719
AB 21	AB 166	AB 435	AB 727
AB 27	AB 179	AB 443	AB 762
AB 31	AB 218	AB 444	AB 765
AB 33	AB 222	AB 456	AB 767
AB 40	AB 226	AB 461	AB 836
AB 46	AB 244	AB 478	AB 856
AB 61	AB 260	AB 494	AB 892
AB 74	AB 266	AB 510	AB 896
AB 75	AB 274	AB 511	AB 907
AB 76	AB 281	AB 531	AB 920
AB 79	AB 316	AB 542	AB 942
AB 92	AB 338	AB 590	AB 1008
AB 94	AB 344	AB 595	AB 1009
AB 104	AB 358	AB 604	AB 1022
AB 110	AB 383	AB 606	AB 1052
AB 130	AB 385	AB 648	AB 1053
AB 131	AB 394	AB 660	AB 1068
AB 138	AB 395	AB 663	AB 1071
AB 148	AB 410	AB 665	AB 1086

AB 1106	AB 1200	AB 1348	AB 1507
AB 1121	AB 1217	AB 1386	AB 1530
AB 1136	AB 1235	AB 1397	AB 1540
AB 1186	AB 1271	AB 1435	AB 1544
AB 1188	AB 1319	AB 1438	AB 1561
AB 1196	AB 1339	AB 1470	

Assembly Chamber, June 1, 2009

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

ACR 55

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 for assignment:

Assembly Bill 15—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.149, 195.150, and 195.151 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 21—An act to add Section 14083 to the Food and Agricultural Code, relating to pesticides.

Assembly Bill 27—An act to amend Section 451.5 of the Penal Code, relating to arson.

Assembly Bill 31—An act to amend Section 14838.5 of, and to add Section 14841 to, the Government Code, and to amend Section 10105 of the Public Contract Code, relating to public contracts.

Assembly Bill 33—An act to amend Sections 30, 31, 7500.3, 7502.1, 7502.2, 7522, 7582.2, 7742, 10003, 10004, 10005, 10071, 10082, 10131.3, 10146, 10147, 10149, 10150.6, 10151.5, 10153, 10159.2, 10175.2, 10176.1, 10177, 10225, 10231.2, 10232.1, 10232.2, 10232.4, 10232.25, 10236.2, 10239, 10249.3, 10249.8, 10249.9, 10451.5, 10470.1, 10471, 10471.5, 10472, 10501, 11000.1, 11000.2, 11001, 11003.4, 11010, 11011, 11012, 11018, 11018.1, 11018.2, 11018.7, 11212, 11225, 11232, 11243, 11302, 11314, 11315, 11315.5, 11316, 11317, 11318, 11325, 11326, 11327, 11328, 11340, 11341, 11344, 11350, 11352, 11360, 11361, 11400, 11401, 11406, 11407, 11408, 11409, 11412, 11422, 11502.5, 17511.1, 17537.2, and 20009 of, and to repeal Sections 10050, 10051, 10052, 10053, 10073, 10075, 10076, 10077, 10078, 10079, 10080, 11301, 11310, 11313 of, the Business and Professions Code, to amend Sections 163, 500, 1001, 1101.1, 1300, 2207, 7813.5, 8011.5, 12504, 12532, 13205, 13406,



13408.5, 14025, 15679.2, 15911.21, 17656, 23000, 25004, 25005, 25014.6, 25100, 25102, 25243.5, 25247, 25254, 25600, 25602, 25604, 25606, 25607, 25612.5, 25614, 25702, 28033, 28505, 28715, 29200, 29503, 31004, 31210, 31408, 31503, 31513 of, and to repeal Sections 25601, 25603, and 25620 of, the Corporations Code, to amend Sections 112, 200, 201, 210, 210.5, 215, 262, 1856, 4057, 4805.055, 4970, 4990, 5104, 12003, 12100, 12104, 12307.4, 14003, 14200.1, 14200.2, 14381, 17002, 17006, 17210.2, 17214, 17303, 17311, 17312, 17320, 17331, 17423.1, 18002, 18002.5, 18339, 18427.9, 18596, 22005, 22159.5, 22160, 22304, 23001, 23070, 23071, 23072, 23073, 23074, 23102, 28000, 30002, 30005, 30217, 31055, 33045.5, 33785, 50003, 50303, 50307.1, 50602, 50702 of, and to add Sections 203 and 210.9 to, the Financial Code, and to amend Section 13975 of the Government Code, relating to financial services.

Assembly Bill 40—An act to amend Section 728.1 of the Public Utilities Code, relating to electricity.

Assembly Bill 46—An act to amend Sections 25421 and 25449.4 of the Public Resources Code, relating to energy, and making an appropriation therefor.

Assembly Bill 61—An act to amend Section 790 of the Welfare and Institutions Code, relating to juveniles.

Assembly Bill 74—An act to add Sections 12670.22 and 12670.23 to the Water Code, relating to flood control.

Assembly Bill 75—An act to amend Section 14166.245 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 76—An act to amend Section 10127.17 of the Insurance Code, relating to life insurance and annuity products.

Assembly Bill 79—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.152, 195.153, and 195.154 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 92—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 94—An act to amend Section 7260 of the Government Code, to amend Sections 37002, 37022, 37034, and 37035 of the Public Resources Code, and to amend Sections 17053.30 and 23630 of the Revenue and Taxation Code, relating to conservation.



Assembly Bill 104—An act to amend Section 17085 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 110—An act to amend Section 33204.4 of the Public Resources Code, relating to parks and open space.

Assembly Bill 130—An act to amend Sections 102230, 102231, 103525, 103525.5, 103526, 103526.5, and 103527 of the Health and Safety Code, relating to vital records.

Assembly Bill 131—An act to amend Section 68085.1 of the Government Code, and to amend Sections 317, 903.1, and 903.45 of the Welfare and Institutions Code, relating to juvenile court costs.

Assembly Bill 138—An act to amend Section 5076 of, and to add Sections 5076.1 and 5076.2 to, the Business and Professions Code, relating to accountants.

Assembly Bill 148—An act to add Section 44270.6 to the Education Code, relating to education.

Assembly Bill 154—An act to amend Sections 16118 and 16119 of, and to add Section 16132 to, the Welfare and Institutions Code, relating to adoption assistance.

Assembly Bill 166—An act to amend Sections 525 and 526 of, and to add and repeal Section 526.1 of, the Harbors and Navigation Code, relating to vessels.

Assembly Bill 179—An act to add Section 290.024 to the Penal Code, relating to sex offender registration.

Assembly Bill 218—An act to amend Section 66903 of, to add Chapter 12.5 (commencing with Section 67050) and Chapter 12.7 (commencing with Section 67070) to Part 40 of Division 5 of Title 3 of, to repeal Sections 66742 and 66743 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

Assembly Bill 222—An act to amend Sections 25741, 25806, 40194, and 40201 of, to add Section 41786.5 to, and to repeal Section 40117 of, the Public Resources Code, relating to energy.

Assembly Bill 226—An act to amend Section 30823 of, and to add Section 30821 to, the Public Resources Code, relating to coastal resources.

Assembly Bill 244—An act to add Section 22856 to the Government Code, to add Section 1374.74 to the Health and Safety Code, and to add Section 10144.8 to the Insurance Code, relating to health care coverage.



Assembly Bill 260—An act to amend Section 10177 of the Business and Professions Code, to add Section 2923.1 to the Civil Code, and to amend Section 50505 of, to add Sections 1242, 14961, and 22346 to, and to add Division 1.9 (commencing with Section 4995) to, the Financial Code, relating to lending.

Assembly Bill 266—An act to add Section 14537 to the Government Code, relating to transportation.

Assembly Bill 274—An act to add Section 43501.2 to the Public Resources Code, relating to solid waste.

Assembly Bill 281—An act to add Article 2 (commencing with Section 5911) to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to agriculture.

Assembly Bill 316—An act to amend Section 340.6 of the Code of Civil Procedure, and to amend Sections 851.8, 4901, 4903, and 4904 of, and to add Section 851.86 to, the Penal Code, relating to wrongful convictions.

Assembly Bill 338—An act to amend Sections 53395.1, 65460.1, 65460.2, and 65460.4 of, and to add Sections 53395.7.5 and 65460.2.5 to, the Government Code, relating to transit facilities.

Assembly Bill 344—An act to amend Sections 355 and 446 of, and to add Section 301.2 to, the Streets and Highways Code, relating to state highways.

Assembly Bill 358—An act to amend Sections 1000 and 1000.1 of the Penal Code, relating to criminal procedure.

Assembly Bill 383—An act to amend Section 803 of the Penal Code, relating to criminal procedure.

Assembly Bill 385—An act to amend Section 84750.5 of the Education Code, relating to community colleges.

Assembly Bill 394—An act to add Section 12019.5 to the Government Code, relating to the census.

Assembly Bill 395—An act to amend Section 3072 of the Labor Code, relating to employment.

Assembly Bill 410—An act to amend Section 75027 of the Public Resources Code, and to amend Section 13577 of the Water Code, relating to water resources.

Assembly Bill 417—An act to amend Sections 11758.42, 11758.46, and 11839.2 of the Health and Safety Code, relating to Medi-Cal.

Assembly Bill 435—An act to add Section 327.1 to the Public Utilities Code, relating to public utilities.



Assembly Bill 443—An act to amend Sections 75507 and 75595.5 of, and to add Chapter 14 (commencing with Section 6300) to Part 1 of Division 4 of, the Food and Agricultural Code, relating to apple pests.

Assembly Bill 444—An act to amend Section 65965 of the Government Code, relating to land use.

Assembly Bill 456—An act to amend Sections 1695, 1695.1, 1695.5, 1695.6, 1696, 1697, 1698, and 1699 of the Business and Professions Code, relating to dentistry.

Assembly Bill 461—An act to add and repeal Section 1203.044 of the Penal Code, relating to economic crimes, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 478—An act to amend Section 38562 of the Health and Safety Code, relating to greenhouse gas emissions.

Assembly Bill 494—An act to amend Sections 51230.2 and 66474.4 of, and to add Section 65852.12 to, the Government Code relating to local planning.

Assembly Bill 510—An act to amend Section 11454.5 of the Welfare and Institutions Code, relating to CalWORKs.

Assembly Bill 511—An act to add and repeal Chapter 13 (commencing with Section 1799.300) of Division 2.5 of the Health and Safety Code, relating to Medi-Cal.

Assembly Bill 531—An act to amend Section 6254.16 of the Government Code, to amend Section 25402.10 of the Public Resources Code, and to amend Section 394.4 of the Public Utilities Code, relating to energy.

Assembly Bill 542—An act to amend Sections 1279.1 and 1279.2 of, to add Sections 1279.4 and 1371.6 to, and to add Part 5.5 (commencing with Section 128870) to Division 107 of, the Health and Safety Code, to add Sections 10191.5, 12693.56, 12699.06, and 12739.5 to the Insurance Code, and to add Article 5.4 (commencing with Section 14182) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public health.

Assembly Bill 590—An act to add Article 9.6 (commencing with Section 6159.5) to Chapter 4 of Division 3 of the Business and Professions Code, and to amend Sections 68085.1 and 70626 of, and to add Chapter 2.1 (commencing with Section 68650) to Title 8 of, the Government Code, relating to the practice of law.

Assembly Bill 595—An act to amend Section 1522 of the Health and Safety Code, and to amend Section 361.4 of the Welfare and Institutions Code, relating to children, and declaring the urgency thereof, to take effect immediately.



Assembly Bill 604—An act to amend Section 52851 of, and to add Section 52857 to, the Food and Agricultural Code, relating to cotton, and making an appropriation therefor.

Assembly Bill 606—An act to add Chapter 26 (commencing with Section 79201) to Part 2 of Division 22 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

Assembly Bill 648—An act to add and repeal Chapter 6.5 (commencing with Section 124871) of Part 4 of Division 106 of the Health and Safety Code, relating to rural hospitals.

Assembly Bill 660—An act to amend Section 7145.5 of the Business and Professions Code, and to add Chapter 1.9 (commencing with Section 13200) to Part 2 of Division 12 of, and to repeal Sections 13200.02 and 13200.05 of, the Health and Safety Code, relating to fire suppression.

Assembly Bill 663—An act to add Article 9.6 (commencing with Section 6159.5) to Chapter 4 of Division 3 of the Business and Professions Code, to add Section 367.6 to the Code of Civil Procedure, to add Sections 756 and 756.5 to the Evidence Code, and to amend, repeal, and add Section 68563 of the Government Code, relating to legal services.

Assembly Bill 665—An act to amend Section 16131.5 of the Welfare and Institutions Code, relating to children, and making an appropriation therefor.

Assembly Bill 719—An act to add Section 18901.4 to the Welfare and Institutions Code, relating to public social services.

Assembly Bill 727—An act to amend Sections 927.2, 927.6, 927.7, and 927.11 of the Government Code, relating to resource conservation districts.

Assembly Bill 762—An act to amend Section 1569.72 of the Health and Safety Code, relating to residential care facilities for the elderly.

Assembly Bill 765—An act to amend Section 17059 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 767—An act to amend Section 53545 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 836—An act to add Article 15.1 (commencing with Section 51875) to Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code, relating to education technology.

Assembly Bill 856—An act to amend Sections 14501, 14528, 14532, 14533, 14557, 14558, 14591, 14601, 14611, 14623, 14641, 14642, 14651, 14652, 14655, 14681, and 14682 of, and to add Sections 14550.5, 14651.5, and 14661 to, the Food and Agricultural Code, relating to fertilizer, and making an appropriation therefor.



Assembly Bill 892—An act to amend Sections 39626.5 and 39627.5 of the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

Assembly Bill 896—An act to amend and repeal Section 14105.18 of the Welfare and Institutions Code, relating to health care.

Assembly Bill 907—An act to amend Sections 48100, 48623, 48631, 48632, 48645, 48650, 48651, 48652, 48653, 48656, 48660, 48660.5, 48662, 48670, 48673, 48674, 48690, and 48691 of, to add Sections 48620.2 and 48651.5 to, and to repeal Sections 48633 and 48634 of, the Public Resources Code, relating to oil, and making an appropriation therefor.

Assembly Bill 920—An act to amend Section 2827 of the Public Utilities Code, relating to energy.

Assembly Bill 942—An act to amend Sections 69614 and 69615 of the Government Code, relating to courts.

Assembly Bill 1008—An act to add Section 78217 to the Education Code, relating to community colleges.

Assembly Bill 1009—An act to amend Section 14030 of, and to add and repeal Section 14077 of, the Corporations Code, relating to small business, and making an appropriation therefor.

Assembly Bill 1022—An act to add and repeal Section 17462.3 of the Education Code, relating to school property.

Assembly Bill 1052—An act to amend Section 7360 of, and to repeal and add Section 7363 of, the Fish and Game Code, relating to sport fishing.

Assembly Bill 1053—An act to add Section 1766.2 to the Welfare and Institutions Code, relating to juveniles.

Assembly Bill 1068—An act to add Section 9024 to the Elections Code, relating to elections.

Assembly Bill 1071—An act to amend Sections 4110, 4127.8, 4160, and 4400 of, and to repeal Section 4127.5 of, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

Assembly Bill 1086—An act to amend Section 3400 of the Public Contract Code, relating to public contracts.

Assembly Bill 1106—An act to add Section 399.21 to the Public Utilities Code, relating to energy.

Assembly Bill 1121—An act to add and repeal Chapter 2 (commencing with Section 10050) to Part 1 of Division 10 of the Elections Code, relating to elections.



Assembly Bill 1136—An act to add Section 31760.8 to the Government Code, relating to county employees' retirement.

Assembly Bill 1186—An act to add Section 43846 to the Health and Safety Code, relating to air pollution.

Assembly Bill 1188—An act to amend Sections 25173.6, 25187, 25390, 25390.1, 25390.3, and 25390.4 of, and to add Section 25244.25 to, the Health and Safety Code, relating to hazardous materials.

Assembly Bill 1196—An act to amend Sections 12650, 12651, 12652, and 12654 of the Government Code, relating to the False Claims Act.

Assembly Bill 1200—An act to amend Section 758.5 of the Insurance Code, relating to motor vehicle insurance.

Assembly Bill 1217—An act to amend Section 35550 of, and to add Section 35617 to, the Public Resources Code, relating to ocean resources.

Assembly Bill 1235—An act to amend Section 512 of the Labor Code, relating to security officers.

Assembly Bill 1271—An act to amend Sections 3001, 3009, 3017 of, and to add Section 3025 to, the Elections Code, relating to elections.

Assembly Bill 1319—An act to repeal and add Chapter 4.5 (commencing with Section 1701) of Part 6 of Division 2 of the Labor Code, relating to talent services.

Assembly Bill 1339—An act to add Section 96.70 to the Revenue and Taxation Code, relating to local government finance.

Assembly Bill 1348—An act to amend Section 454.5 of, and to add Section 454.51 to, the Public Utilities Code, relating to energy.

Assembly Bill 1386—An act to amend Sections 14528.5 and 14528.55 of the Government Code, and to amend Sections 392, 485, and 538 of the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

Assembly Bill 1397—An act to amend Section 1644.5 of the Health and Safety Code, relating to tissue donation.

Assembly Bill 1435—An act to add Section 52052.7 to the Education Code, relating to public school accountability.

Assembly Bill 1438—An act to amend Sections 116760.20, 116760.40, and 116761.23 of the Health and Safety Code, relating to drinking water.



Assembly Bill 1470—An act to amend Section 23396.5 of the Business and Professions Code, relating to alcoholic beverages.

Assembly Bill 1507—An act to amend Sections 42101.1, 42101.3, 42102, 42103, and 42106 of, to repeal Sections 42101.2, 42105, and 42107 of, and to repeal and add Section 42101 of, the Public Resources Code, relating to hazardous materials.

Assembly Bill 1530—An act to add Section 38562.5 to the Health and Safety Code, relating to greenhouse gas emissions.

Assembly Bill 1540—An act to amend Section 6276.24 of the Government Code, to amend Sections 1344, 1366.4, 1367.46, 1374.64, 1375.4, 1376.1, 1377, 1399, 116283, 116286, 116380, 116540, 116650, 116725, 121360.5, 127662, 127664, 127665, 128730, and 128745 of the Health and Safety Code, to amend Section 10123.91 of the Insurance Code, and to amend Sections 14043.26, 14043.28, 14043.29, and 14115.8 of the Welfare and Institutions Code, relating to health.

Assembly Bill 1544—An act to add Section 1253.6 to the Health and Safety Code, relating to health facilities.

Assembly Bill 1561—An act to add Section 6333 to the Labor Code, relating to employment.

Assembly Concurrent Resolution 55—Relative to workplace bullying training at the University of California.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, May 28, 2009

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

SB 32

SB 565

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

KEHOE, Chair

Above measures ordered to second reading.

Date of Hearing, May 28, 2009

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

SB 458

SB 815

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

KEHOE, Chair

Above measures ordered to second reading.



Committee on Transportation and Housing

Senate Chamber, June 2, 2009

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

AB 134

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 134—An act to amend Sections 1803 and 12810 of, and to add Section 38304.1 to, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, June 2, 2009

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

AB 763

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

WRIGHT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 763—An act to add Section 19596.21 to the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 763 pursuant to Joint Rule 58.

ASSEMBLY MEMBER CHESBRO

Permission of Rules Committee

Senate Chamber, June 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 763.

STEINBERG, Chair

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



Committee on Appropriations

Date of Hearing, May 28, 2009

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

SB 12

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

KEHOE, Chair

Above measure ordered to second reading.

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

Senate Bill 427—An act to amend Sections 9875 and 9889.20 of, to amend, repeal, and add Sections 9884.8 and 9884.9 of, and to add Sections 9884.75 and 9884.76 to, the Business and Professions Code, relating to automotive repair.

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

Senate Bill 346—An act to add Article 13.5 (commencing with Section 25250.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous materials.

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

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 32—An act to amend Section 399.20 of, and to add Section 387.6 to, the Public Utilities Code, relating to energy.

Bill read second time.

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

Senate Bill 565—An act to add Part 5.5 (commencing with Section 12567) to Division 6 of the Water Code, relating to water recycling.

Bill read second time.

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

Senate Bill 458—An act to add Division 22.3 (commencing with Section 32300) to the Public Resources Code, relating to the Conservancies.

Bill read second time.

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



Senate Bill 815—An act to add and repeal Article 20.7 (commencing with Section 69999.10) of 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 Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 12—An act to amend Section 29735 of, and to add Section 29740.1 to, the Public Resources Code, and to add Division 26.8 (commencing with Section 79850) to the Water Code, relating to the Sacramento-San Joaquin Delta.

Bill read second time.

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

MEASURE RE-REFERRED TO COMMITTEE

Without objection, **SB 691** was re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

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

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 (28)—Senators Alquist, Ashburn, Benoit, Calderon, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (6)—Senators Cogdill, Cox, Hollingsworth, Huff, Runner, and Walters.

Bill ordered transmitted to the Assembly.

RECESS

At 9:44 a.m., on motion of Senator Steinberg the Senate recessed in order to attend the Joint Legislative Session of the Legislature in the Assembly.



IN JOINT LEGISLATIVE SESSION
Governor's Address

Assembly Chamber, Sacramento
Tuesday, June 2, 2009

At 9:56 a.m., the Senate and Assembly met in Joint Legislative Session.
Hon. Karen Bass, Speaker of the Assembly, presiding.

(NOTE: For text of Joint Legislative Budget Address see Assembly Journal for June 2, 2009.)

ADJOURNMENT OF JOINT LEGISLATIVE SESSION

At 10:21 a.m., there being no further business, Speaker Bass, declared the Joint Legislative Session adjourned *sine die*.

REASSEMBLED

At 10:40 a.m., the Senate reconvened.
Hon. Dean Florez, of the 16th District, presiding.

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

Senate Bill 739—An act to add Section 84307.5 to the Government Code, relating to the Political Reform Act of 1974.

Bill read third time and presented by Senator Strickland.

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Benoit, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Steinberg, Strickland, Walters, Wiggins, and Wolk.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 555—An act to add Section 1240.055 to the Code of Civil Procedure, relating to eminent domain.

Bill read third time and presented by Senator Kehoe.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado,

Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Yee.

NOES (14)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Strickland, Walters, Wright, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 791—An act to add Section 12302.27 to the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Yee.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Roll Call

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

AYES (36)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 127—An act to amend Sections 2924, 2924b, 2924c, and 2924f of, and to add Sections 2924.9 and 2924.10 to, the Civil Code, relating to mortgages.

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

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.



Senate Bill 165—An act to amend Section 44126 of the Health and Safety Code, and to amend Sections 12810.3 and 21800 of the Vehicle Code, relating to vehicles.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 455—An act to amend Sections 11005, 11005.2, 11007.1, 11011.13, 13332.11, 13332.12, 14255, 14662, 14666, 14666.6, 14666.8, and 14667 of the Government Code, to amend Sections 10106 and 10107 of the Public Contract Code, to amend Section 185020 of, and to add Sections 185039, 185040, and 185041 to, the Public Utilities Code, and to add Chapter 20.1 (commencing with Section 2704.30) to Division 3 of the Streets and Highways Code, relating to high-speed rail.

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 (32)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Yee.

NOES (5)—Senators Cox, Dutton, Hollingsworth, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 730—An act to amend Section 48000 of the Public Resources Code, relating to solid waste.

Bill read third time and presented by Senator Wiggins.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wiggins moved a call of the Senate.

Motion carried.



THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 283—An act to amend Section 13557 of the Water Code, relating to recycled water, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator DeSaulnier.

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (1)—Senator Hollingsworth.

Roll Call

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

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

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator Leno.

Roll Call

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

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

NOES (2)—Senators Ashburn and Yee.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Kehoe.



Roll Call

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

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

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, Wright, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 23—An act to amend Sections 18603 and 18871.8 of the Health and Safety Code, relating to manufactured housing.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 147—An act to add Section 66205.8 to the Education Code, relating to the California State University.

Bill read third time and presented by Senator DeSaulnier.

Roll Call

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

AYES (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 303—An act to amend Sections 1418.9 and 1599.1 of, and to add Section 1599.15 to, the Health and Safety Code, relating to nursing facility residents.

Bill read third time and presented by Senator Alquist.



Roll Call

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

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (13)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 797—An act to add Chapter 12 (commencing with Section 108940) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

Bill read third time and presented by Senator Pavley.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Pavley moved a call of the Senate.

Motion carried.

Senator Romero Presiding**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 484—An act to amend Sections 11100 and 11106 of, and to add Section 11375.5 to, the Health and Safety Code, relating to controlled substances.

Bill read third time and presented by Senator Wright.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wright moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal,



Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

Senate Bill 365—An act to amend Section 17070.20 of the Education Code, and to amend Section 15490 of, to add Section 15490.5 to, and to repeal Section 14620 of, the Government Code, relating to the State Allocation Board.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (14)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 410—An act to amend Sections 9600.5, 14000, and 14230 of, and to add Section 14230.7 to, the Unemployment Insurance Code, relating to workforce investment.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 10—An act to add Part 5.6 (commencing with Section 11160) to Division 2 of the Revenue and Taxation Code, relating to local government finance.

Bill read third time and presented by Senator Leno.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Leno moved a call of the Senate.

Motion carried.



THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 95—An act to amend Section 1770 of the Civil Code, and to amend Sections 4456.1, 11710, and 11722 of, to amend and repeal Section 11711 of, and to add Section 4456.5 to, the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Corbett.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Corbett moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 98—An act to amend Section 10110.1 of, to add Sections 10113.3 and 10113.35 to, and to repeal and add Sections 10113.1 and 10113.2 of, the Insurance Code, relating to life insurance.

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

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 310—An act to add Chapter 27 (commencing with Section 16100) to Division 7 of the Water Code, relating to water quality.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (22)—Senators Alquist, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (14)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.



Senate Bill 250—An act to add Sections 30804.6 and 31751.4 to the Food and Agricultural Code, relating to animals.

Bill read third time and presented by Senator Florez.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Florez moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 362—An act to amend Sections 62708.5 and 62722 of the Food and Agricultural Code, relating to milk.

Bill read third time and presented by Senator Florez.

Roll Call

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

AYES (24)—Senators Aanestad, Alquist, Benoit, Calderon, DeSaulnier, Ducheny, Florez, Hancock, Harman, Huff, Kehoe, Liu, Lowenthal, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, and Wyland.

NOES (12)—Senators Ashburn, Cogdill, Correa, Cox, Denham, Hollingsworth, Leno, Maldonado, Negrete McLeod, Walters, Wiggins, and Yee.

Bill ordered transmitted to the Assembly.

Senate Bill 399—An act to amend Section 1170 of the Penal Code, relating to sentencing.

Bill read third time and presented by Senator Yee.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Yee moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 401—An act to amend Sections 19116, 19504, 19755, and 19777 of, and to add Section 18407.5 to, the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Wolk.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod,



Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 406—An act to amend Section 65040.6 of, and to add Section 65083 to, the Government Code, to amend Section 75125 of the Public Resources Code, and to add Section 9250.6 to the Vehicle Code, relating to land use.

Bill read third time and presented by Senator DeSaulnier.

Roll Call

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

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

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Negrete McLeod, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 441—An act to amend Sections 6024 and 6027 of the Penal Code, relating to corrections.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

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

NOES (4)—Senators Cox, Denham, Hollingsworth, and Walters.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 250)

On motion of Senator Florez, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 250 was passed by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod,



Oropeza, Padilla, Pavley, Romero, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 138—An act to amend Section 7287 of the Revenue and Taxation Code, relating to local taxation.

Bill read third time and presented by Senator Liu.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Wright.

NOES (17)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Negrete McLeod, Runner, Strickland, Walters, Wyland, and Yee.

Bill ordered transmitted to the Assembly.

Senator Florez Presiding

Senate Bill 25—An act to amend Sections 41780, 44009, 45014, 45024, and 48000 of, to add Sections 40142 and 41780.01 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 third time and presented by Senator Padilla.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Padilla moved a call of the Senate.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 730)

On motion of Senator Wiggins, further proceedings under the call of the Senate were dispensed with.



Roll Call

The names of the absentees were called and SB 730 was passed by the following vote:

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

NOES (18)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Negrete McLeod, Runner, Strickland, Walters, Wright, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 484)**

On motion of Senator Wright, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 484 was passed by the following vote:

AYES (22)—Senators Alquist, Benoit, Cedillo, Corbett, Correa, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Kehoe, Leno, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Strickland, Wiggins, and Wright.

NOES (10)—Senators Aanestad, Ashburn, Calderon, Cogdill, Cox, Hollingsworth, Huff, Negrete McLeod, Walters, and Yee.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 10)**

On motion of Senator Leno, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 10 was passed by the following vote:

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

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 399)**

On motion of Senator Yee, further proceedings under the call of the Senate were dispensed with.



Roll Call

The names of the absentees were called and SB 399 was passed by the following vote:

AYES (23)—Senators Aanestad, Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 25)**

On motion of Senator Padilla, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 25 was passed by the following vote:

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

NOES (18)—Senators Aanestad, Ashburn, Benoit, Calderon, Cogdill, Correa, Cox, Denham, Dutton, Florez, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 797)**

On motion of Senator Pavley, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 797 was passed by the following vote:

AYES (21)—Senators Alquist, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Yee.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Calderon, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Negrete McLeod, Runner, Walters, Wright, and Wyland.

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 95)**

On motion of Senator Corbett, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 95 was refused passage by the following vote:

AYES (18)—Senators Alquist, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Oropeza, Pavley, Romero, Simitian, Steinberg, Wiggins, and Yee.

NOES (19)—Senators Aanestad, Ashburn, Benoit, Calderon, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Negrete McLeod, Runner, Strickland, Walters, Wolk, and Wyland.

Motion to Reconsider

Senator Corbett moved to reconsider the vote whereby SB 95 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered returned to third reading.

SPECIAL CONSENT CALENDAR

Senate Bill 578—An act to amend Section 17433.5 of the Family Code, relating to child support.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 826—An act to amend Sections 16724.5, 16731, 16731.6, 16735, 16737, 16752, 16752.1, 16753, 16754, 16754.3, 16755, 16757, and 16780 of, and to repeal Section 16736 of, the Government Code, relating to general obligation bonds.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 625—An act to amend Sections 1270, 1270.1, 1272.1, 1275, and 1319 of the Penal Code, relating to crime.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 765—An act to add Section 6363.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 809—An act to add Section 6018.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 30—Relative to the Betty Meltzer Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 352—An act to amend Sections 1536.1, 1538.5, and 1567.3 of the Health and Safety Code, and to amend Section 740 of the Welfare and Institutions Code, relating to juveniles.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 653—An act to amend Sections 17001, 17056, 17060, 17450, and 17451 of the Corporations Code, and to amend Section 17941 of the Revenue and Taxation Code, relating to business.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 524—An act to add Section 42173 to the Public Resources Code, relating to solid waste.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 30—Relative to the Los Angeles County Deputy Sheriff David Powell Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 34—Relative to the Los Angeles County Deputy Sheriff Maria Cecilia Rosa Memorial Highway.

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

(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 (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno,



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

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

June 2, 2009

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 739—Aye	SB 555—Aye	SB 791—Aye
SB 127—Aye	SB 165—Aye	SB 455—Aye
SB 283—Aye	SB 365—Aye	SB 410—Aye
SB 334—Aye		

DARRELL STEINBERG, President pro Tempore

June 2, 2009

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 739—Aye	SB 127—No	SB 791—No
SB 555—No	SB 165—Aye	SB 455—No
SB 283—No	SB 792—Aye	SB 372—No
SB 23—Aye	SB 147—Aye	SB 303—No

DENNIS HOLLINGSWORTH, Minority Floor Leader

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 1:35 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 Wednesday, June 3, 2009.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, May 28, 2009

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

SB 51

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

KEHOE, Chair

Above measure ordered to second reading.

Committee on Public Employment and Retirement

Senate Chamber, June 2, 2009

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

AB 966

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

CORREA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 966—An act to amend Section 2610 of the Family Code, and to amend Sections 20037.6, 20037.7, 20037.8, 20037.9, 20037.10, 20037.11, 20037.12, 20039.5, 20069, 20164, 20195, 20221, 20228, 20281.5, 20283, 20305, 20475, 20479, 20636.1, 20962, 20967, 21117, 21118, 21252, 21264, 21296, 21753, 22839, 22864, 22960.15, 75006, 75028.5, and 75507 of, to add Sections 20831.2, 21310.5, and 75080.5 to, and to repeal Sections 20041 and 20043 of, the Government Code, relating to public employee benefits.

Bill read second time.

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

Committee on Education

Senate Chamber, June 2, 2009

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

AB 224

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

ROMERO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 224—An act to add Section 66020 to the Education Code, relating to postsecondary education.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 224 pursuant to Joint Rule 58.

ASSEMBLY MEMBER PORTANTINO

Permission of Rules Committee

Senate Chamber, June 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 224.

STEINBERG, Chair

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



Committee on Rules

Senate Chamber, June 2, 2009

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

SB 691

ACR 43

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 691—An act to add Section 5094.5 to the Business and Professions Code, relating to accountants.

Bill read second time.

Assembly Concurrent Resolution 43—Relative to Motorcycle Awareness Month.

Resolution read second time.

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

Committee on Appropriations

Date of Hearing, May 28, 2009

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

SB 416

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

KEHOE, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 2, 2009

Mr. President: The Committee on Rules has examined:

SB 27

And reports that the same has been correctly enrolled, and presented to the Governor on the 2nd day of June, 2009, at 3 p.m.

STEINBERG, Chair

Senate Chamber, June 2, 2009

Mr. President: The Committee on Rules has examined:

SCR 10

SCR 17

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 2nd day of June, 2009, at 3 p.m.

STEINBERG, Chair



INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 13: By Senator Oropeza—Relative to new dialysis clinic licensure and certification.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 51—An act to add the heading to Article 1 (commencing with Section 2930) of, and to add Article 2 (commencing with Section 2940) to, Chapter 13 of Division 3 of, the Fish and Game Code, relating to the Salton Sea Restoration Council.

Bill read second time.

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

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 Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Cox requested that when the Senate adjourns this day it do so in memory of Margaret Dalton of Jackson and Paul Raggio of Angels Camp.

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Andy Baltzo of Walnut Creek.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Bill Young of Sacramento.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Benjamin Keller and Eva T. Padilla of Stockton and Fay B. King of Fairfield.

ADJOURNMENT

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

PAULA K. ROSSETTO, Minute Clerk

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