

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

NINETY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 25, 2009

The Senate met at 9 a.m.

Hon. Dean Florez, of the 16th 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, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—40.

Quorum present.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 24, 2009

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

ACR 72

E. DOTSON WILSON, Chief Clerk of the Assembly

Assembly Chamber, June 25, 2009

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

AB 761

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 Concurrent Resolution 72—Relative to Pain Awareness Month.

Assembly Bill 761—An act to add Section 798.47 to the Civil Code, relating to mobilehomes.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 25, 2009

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

SB 64

SB 74

SB 80

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

Above measures ordered to unfinished business file.

Assembly Chamber, June 25, 2009

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

SB 263

SB 430

SB 762

Above measures ordered enrolled.

Assembly Chamber, June 25, 2009

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

SJR 6

Above resolution ordered enrolled.



Assembly Chamber, June 25, 2009

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

SB 324

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

Above measure ordered to unfinished business file.

Assembly Chamber, June 25, 2009

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 83

AB 285

AB 459

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which were referred:

AB 1440

AB 1525

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

HANCOCK, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1440—An act to add Section 14313 to the Elections Code, relating to elections.

Bill read second time.

Assembly Bill 1525—An act to amend Sections 15620 and 15632 of the Elections Code, relating to elections.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1012

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

PADILLA, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1012—An act relating to broadband services, 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 Business, Professions and Economic Development

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

AB 1009

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

NEGRETE McLEOD, Chair

Second Reading of Bills—Author's Amendments

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.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 236

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

DE SAULNIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 236—An act to repeal Chapter 4 (commencing with Section 2067) of Part 8.5 of Division 2 of the Labor Code, relating to car washes.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Date of Hearing, June 22, 2009

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 85



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

NEGRETE McLEOD, Chair

Above measure ordered to second reading.

Committee on Transportation and Housing

Senate Chamber, June 25, 2009

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

AB 881

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 881—An act to add and repeal Division 19.1 (commencing with Section 181000) of the Public Utilities Code, relating to greenhouse gas emissions.

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 25, 2009

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

AB 386

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 386—An act to amend Section 67302 of the Education Code, relating to postsecondary education.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 975

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

PADILLA, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 975—An act to add Section 781.5 to, and to repeal and add Section 781 of, the Public Utilities Code, relating to water corporations.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1280

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

PADILLA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1280—An act to amend Section 42463 of the Public Resources Code, relating to recycling.

Bill read second time.

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

Committee on Rules

Senate Chamber, June 25, 2009

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

SCR 48

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 Concurrent Resolution 48—Relative to Filipino American History Month.

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

Senate Chamber, June 25, 2009

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

AB 1200



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

CALDERON, Chair

Second Reading of Bills—Author's Amendments

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

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

Date of Hearing, June 23, 2009

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

AB 889

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

WRIGHT, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2009

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

AB 660

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Public Safety.

WRIGHT, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2009

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

AB 246

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

WRIGHT, Chair

Above measure ordered to second reading.

Senate Chamber, June 25, 2009

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

AB 846



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 846—An act to add Sections 25196.5 and 42402.6 to the Health and Safety Code, to add Section 6437 to the Labor Code, and to add Section 13363 to the Water Code, relating to civil and administrative penalties.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, June 25, 2009

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

AB 845

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

LENO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 845—An act to amend Section 5056.5 of the Penal Code, relating to corrections.

Bill read second time.

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

Date of Hearing, June 16, 2009

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

AB 532

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

LENO, Chair

Above measure ordered to second reading.

Committee on Local Government

Senate Chamber, June 25, 2009

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

AB 338

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

WIGGINS, Chair



Second Reading of Bills—Author's Amendments

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.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, June 25, 2009

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

AB 1507

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

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.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 677

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

DE SAULNIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 677—An act to add Section 1720.5 to the Labor Code, relating to public works.

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, June 25, 2009

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

AB 82

AB 567



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 82—An act to add and repeal Sections 369.6 and 739.6 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time.

Assembly Bill 567—An act to amend Sections 8545.1, 8545.2, 8545.4, 8546.2, 8547.2, 8547.4, 8547.5, 8547.6, 8547.7, and 8548.9 of, and to add Section 8546.10 to, the Government Code, relating to government practices.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, June 25, 2009

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1106

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

PADILLA, Chair

Second Reading of Bills—Author's Amendments

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

Bill 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, June 17, 2009

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

AB 1214

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

CALDERON, Chair

Above measure ordered to second reading.

Committee on Health

Senate Chamber, June 25, 2009

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

AB 398

AB 1383



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 Bill 398—An act to amend Sections 4354, 4354.5, 4357, 4357.1, 4358.5, and 14132.992 of, to add Section 4354.6 to, to repeal Sections 4357.2 and 4359 of, and to repeal and add Sections 4355 and 4356 of, the Welfare and Institutions Code, relating to acquired brain trauma.

Bill read second time.

Assembly Bill 1383—An act to add and repeal Articles 5.21 (commencing with Section 14167.1) and 5.22 (commencing with Section 14167.31) of, Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Local Government

Senate Chamber, June 25, 2009

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

AB 474

AB 1158

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

WIGGINS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 474—An act to amend Sections 5898.12, 5898.14, 5898.20, 5898.21, 5898.22, 5898.24, 5898.28, and 5898.30 of the Streets and Highways Code, relating to contractual assessments.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 474 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BLUMENFIELD

Permission of Rules Committee

Senate Chamber, June 25, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 474.

STEINBERG, Chair



Assembly Bill 1158—An act to amend Section 65460.2 of the Government Code, relating to transit facilities.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, June 23, 2009

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

AB 957

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

CORBETT, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 25, 2009

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

AB 506

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

Assembly Bill 506—An act to amend Sections 24214, 24216, 24216.5, and 24216.6 of 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.

Committee on Rules

Senate Chamber, June 25, 2009

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

AB 264

AB 435

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

Assembly Bill 264—An act to add Section 6715 to the Government Code, relating to state observances.

Bill read second time.



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

Bill read second time.

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

Committee on Public Safety

Senate Chamber, June 25, 2009

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

AB 382

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

LENO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 382—An act to amend Section 2636 of the Penal Code, relating to the Department of Corrections and Rehabilitation.

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

Date of Hearing, June 23, 2009

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

AB 899

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2009

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

AB 519

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2009

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

AB 254



Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

LOWENTHAL, Chair

Above measure ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 24, 2009

The Committee on Rules has referred the following measure to two committees:

Banking, Finance and Insurance and Judiciary—AB 1160.

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

Appropriations—AB 110, AB 174, AB 669, AB 1176.

Education—ACR 54.

Health—SJR 14, SJR 15; AB 602, AB 830, AB 1235.

Judiciary—AB 620.

Public Safety—AB 552.

Transportation and Housing—SCR 50; AB 647; ACR 33

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday June 29, 2009.

SB 121	AB 247	AB 714	ACR 36
SB 490	AB 269	AB 753	ACR 48
AB 124	AB 297	AB 870	ACR 60
AB 681	AB 388	AB 1270	AB 265
AB 58	AB 403	AB 1337	AB 1406
AB 123	AB 412	AB 1490	
AB 140	AB 430	ACR 15	
AB 232	AB 608	ACR 24	

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 470—An act to amend Section 791.13 of the Insurance Code, relating to insurance information.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1143—An act to amend Section 306.5 of the Family Code, relating to vital records.

Bill read second time and ordered to third reading.



Assembly Bill 483—An act to add Section 11752.75 to the Insurance Code, relating to workers' compensation.

Bill read second time.

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

Assembly Bill 1515—An act to add Section 4450.5 to the Vehicle Code, relating to vehicles.

Bill read second time.

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

Assembly Bill 1403—An act to amend, repeal, and add Section 99233.2 to the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 1422—An act to add and repeal Chapter 7 (commencing with Section 33700) to Part 1 of Division 24 of the Health and Safety Code, relating to redevelopment.

Bill read second time and ordered to third reading.

Assembly Bill 644—An act to add Part 17 (commencing with Section 106000) to Division 10 of the Public Utilities Code, relating to transportation.

Bill read second time.

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

Assembly Bill 903—An act to amend Section 42926 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.

Assembly Bill 43—An act to amend Section 10089.7 of the Insurance Code, relating to the California Earthquake Authority.

Bill read second time.

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



Assembly Bill 706—An act to amend Sections 361.5, 366.21, 388, and 11404.1 of, and to add Section 361.49 to, the Welfare and Institutions Code, relating to dependent children, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Assembly Bill 573—An act to add Section 8924.5 to the Government Code, relating to the Legislature, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 329—An act to amend Sections 1923.2 and 1923.5 of the Civil Code, relating to reverse mortgages.

Bill read second time and ordered to third reading.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Padilla moved that **AB 146** be placed on the inactive file.

Senator Hancock moved that **AB 1573** and **AB 1574** be placed on the inactive file.

Motions carried.

REQUEST TO USE DISPLAY ON FLOOR

Senator Steinberg requested, and without objection, was granted consent to use a display on the floor.

REQUEST FOR UNANIMOUS CONSENT (SB 74)

Senator Oropeza asked for, and was granted, unanimous consent to take up SB 74 at this time, without reference to file.

Consideration of Senate Bill 74

Consideration of Assembly Amendments

Senate Bill 74—An act to amend Sections 14041, 14041.6, and 52055.770 of, and to add Section 14401.1 to, the Education Code, to amend Sections 927.2, 927.4, 927.6, 927.7, 927.11, 8880.61, 13943.1, and 13943.2 of, and to add Sections 13311.1, 16583.1 and 16583.2 to, the Government Code, to amend Section 7104.2 of the Revenue and Taxation Code, to amend Section 35 of Chapter 757 of the Statutes of 2008, and to amend Sections 39, 40, and 41 of, Chapter 12 of the Statutes of 2009, relating to state finances, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 74?

The roll was called.



CALL OF THE SENATE

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

Motion carried.

REQUEST FOR UNANIMOUS CONSENT (SB 80)

Senator Oropeza asked for, and was granted, unanimous consent to take up SB 80 at this time, without reference to file.

Consideration of Senate Bill 80**Consideration of Assembly Amendments**

Senate Bill 80—An act to amend Section 33685 of the Health and Safety Code, relating to community redevelopment, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 80?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

REQUEST FOR UNANIMOUS CONSENT (SB 64)

Senator Oropeza asked for, and was granted, unanimous consent to take up SB 64 at this time, without reference to file.

Consideration of Senate Bill 64**Consideration of Assembly Amendments**

Senate Bill 64—An act to amend Sections 2550, 2558.46, 17070.766, 42238.146, 42605, 44259, 45023.1, 45023.4, 46010.2, and 52124.3 of, to amend, repeal, and add Section 17587 of, and to add and repeal Section 52055.60 of, the Education Code, to amend Sections 7906 and 8880.5 of the Government Code, to amend Items 6110–488, 6440–001–0001, 6610–001–0001, and 6870–101–0001 of Section 2.00 of, and to amend Section 12.42 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to amend Section 42 of Chapter 12 of the Statutes of 2009, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 64?

The roll was called.



CALL OF THE SENATE

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

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 64)**

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

Urgency Clause

The names of the absentees were called and the urgency clause to SB 64 was refused adoption by the following vote:

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

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

Motion to Reconsider

Senator Ducheny moved to reconsider the vote whereby the urgency clause to SB 64 was refused adoption.

Roll Call

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

AYES (34)—Senators Aanestad, Alquist, Ashburn, Benoit, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered to unfinished file.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 74)**

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

Urgency Clause

The names of the absentees were called and the urgency clause to SB 74 was refused adoption by the following vote:

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



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

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

Motion to Reconsider

Senator Ducheny moved to reconsider the vote whereby the urgency clause to SB 74 was refused adoption.

Roll Call

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

AYES (34)—Senators Aanestad, Alquist, Ashburn, Benoit, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered to unfinished business file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 80)

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

Urgency Clause

The names of the absentees were called and the urgency clause to SB 80 was refused adoption by the following vote:

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

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

Motion to Reconsider

Senator Ducheny moved to reconsider the vote whereby the urgency clause to SB 80 was refused adoption.

Roll Call

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

AYES (34)—Senators Aanestad, Alquist, Ashburn, Benoit, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal,



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

NOES (0)—None.

Bill ordered to unfinished business file.

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

At 3:50 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 adjourn until Friday, June 26, 2009.

Motion carried.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SJR 10**, **ACR 7**, **ACR 23**, **ACR 28**, **ACR 43**, and **AJR 1** were withdrawn from Committee and placed on the Special Consent Calendar to be taken up on Friday, June 26, 2009.

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

Senate Joint Resolution 8—Relative to electronic cigarettes.

Resolution read third time.

Amendments Adopted

Amendments to **SJR 8** proposed by Senator Corbett were read and adopted and the measure ordered printed, engrossed, and to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SCA 21** was withdrawn from the Committee on Education and re-referred to the Committee on Rules.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 47**, **SR 23**, and **AJR 6** were withdrawn from Committee and placed on file.

REQUEST TO ADJOURN IN MEMORIAM

Senator Runner requested that when the Senate adjourns this day it do so in memory of Herbert “Herb” Wilson, Jr. of Lancaster.

ADJOURNMENT

At 3:50 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senator’s request until 10 a.m., Friday, June 26, 2009.

PAULA K. ROSSETTO, Minute Clerk

