

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Sunday, June 28, 2009

The Senate met at 6:10 p.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.



PRAYER

Upon invitation of the President, the following prayer was offered by Reverend Jim Richardson:

Holy and Gracious God, We give thanks for the people of this state who have put their trust in this government and in the leaders in this chamber. Give to our lawmakers the strength to bear the burdens before them; instill within them the courage to make difficult choices; fill them with patience to work together especially when it seems impossible; and grant them the heart to make decisions that are just and right for all those who dwell in this blessed land.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Judiciary**

Senate Chamber, June 28, 2009

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

AB 612

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 612—An act to add Section 3027.3 to the Family Code, relating to custody and visitation.

Bill read second time.

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

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

Assembly Bill 1442—An act to amend Sections 1345, 1348, 2003, 3004, 4011, 5654, 7149.45, 8035, 8036, 8280.6, 8405.4, 12002.1, 12159, 12160, and 12161 of, and to add Sections 392, 393, 859, 860, 1050.8, 2011.5, 2020, and 12014 to, the Fish and Game Code, and to amend Sections 8670.3, 8670.61.5, and 8670.67 of the Government Code, relating to natural resources.

Bill read second time.

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



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.

Bill read second time.

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

Assembly Bill 1117—An act to amend Section 11770 of the Insurance Code, relating to the State Compensation Insurance Fund, and declaring the urgency thereof, to take effect immediately.

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 to third reading.

Assembly Bill 1142—An act to amend Sections 14018.2 and 14019.4 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Assembly Bill 1217—An act to amend Sections 35550 and 35650 of, and to add Section 35617 to, the Public Resources Code, relating to ocean resources.

Bill read second time.

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

Assembly Bill 361—An act to add Section 4610.3 to the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 1227—An act to amend Section 4850 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 1288—An act to add Article 2.5 (commencing with Section 2811) to Chapter 2 of Division 3 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.



Assembly Bill 271—An act to amend Sections 9801, 9802.5, and 9808 of the Unemployment Insurance Code, relating to employment development.

Bill read second time, and ordered placed on the Consent Calendar.

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.

Bill read second time.

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

Assembly Bill 362—An act to add Section 490.2 to the Penal Code, relating to theft.

Bill read second time.

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

Assembly Bill 530—An act to amend and repeal Section 3485 of, and to add, repeal, and add Section 3486 of, the Civil Code, to amend Section 1161 of the Code of Civil Procedure, and to repeal Section 11571.1 of the Health and Safety Code, relating to unlawful detainer.

Bill read second time.

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

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1543—An act to amend Sections 1358.4, 1358.6, 1358.8, 1358.9, 1358.11, 1358.12, 1358.13, 1358.17, 1358.18, and 1358.20 of, and to add Sections 1358.81, 1358.91, and 1358.24 to, the Health and Safety Code, and to amend Sections 785, 10192.4, 10192.6, 10192.8, 10192.9, 10192.11, 10192.12, 10192.13, 10192.17, 10192.18, 10192.20 of, and to add Sections 10192.81, 10192.91, and 10192.24 to, the Insurance Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Alquist.

Urgency Clause

Urgency clause read.

The roll was called.



CALL OF THE SENATE

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

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1543)**

On motion of Senator Alquist, 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 AB 1543 was adopted by the following vote:

AYES (40)—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, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Roll Call

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

AYES (40)—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, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

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

Assembly Bill 1191—An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to AB 1191 proposed by Senator Harman were read and adopted and the measure ordered printed and to second reading.



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

At 9:33 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 Monday, June 29, 2009.

Motion carried.

ADJOURNMENT

At 9:33 p.m., on motion of Senator Steinberg, the Senate adjourned until 9:30 a.m., Monday, June 29, 2009.

PAULA K. ROSSETTO, Minute Clerk

O

