

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, July 2, 2009

The Senate met at 9 a.m.

Hon. Darrell Steinberg, of the 6th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary David Valverde reading.

ROLL CALL

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

Alquist, Ashburn, Benoit, 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—39.

Quorum present.

(NOTE: Senator Aanestad will be excused this day on legislative business.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 1, 2009

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

SB 119

Above measure ordered enrolled.

Assembly Chamber, July 2, 2009

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

SCR 24

Above resolution ordered enrolled.



Assembly Chamber, July 2, 2009

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

SB 39

SB 544

SCR 43

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, July 2, 2009

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

Appropriations—AB 957.

Education—AB 8, AB 24, AB 264.

Energy, Utilities and Communications—AB 435, AB 1555.

Governmental Organization—SB 570.

Health—AB 564, AB 1542, AB 1571.

Judiciary—AB 1311.

Labor and Industrial Relations—AB 1319, AB 1561.

Natural Resources and Water—AB 39.

Revenue and Taxation—AB 759.

Committee on Natural Resources and Water

Date of Hearing, June 23, 2009

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

AB 1165

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.

PAVLEY, Chair

Above measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, July 2, 2009

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

AB 1121

AB 1340



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 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.

Bill read second time.

Assembly Bill 1340—An act to amend Sections 3102, 3103, and 3103.5 of, and to add Section 3103.6 to, 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 Health

Senate Chamber, July 2, 2009

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

AB 517

AB 911

AB 1437

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 517—An act to repeal and add Chapter 7 (commencing with Section 119300) of Part 15 of Division 104 of the Health and Safety Code, relating to body art.

Bill read second time.

Assembly Bill 911—An act to add Section 1257.10 to the Health and Safety Code, relating to health facilities.

Bill read second time.

Assembly Bill 1437—An act to add Chapter 14 (commencing with Section 25995) to Division 20 of the Health and Safety Code, relating to public health.

Bill read second time.

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

Date of Hearing, June 25, 2009

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

AB 1317



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

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Senate Chamber, July 2, 2009

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

AB 1320

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 1320—An act to add Chapter 6 (commencing with Section 14550) to Division 7 of the Unemployment Insurance Code, relating to workforce development.

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

Senate Chamber, July 2, 2009

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

AB 299

AB 328

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 299—An act to amend Sections 706.7, 730, 735.5, 736, 900.2, 942, 1170, 1182, 1197, and 11580.011 of, and to amend and renumber Section 10123.83 of, the Insurance Code, relating to insurance.

Bill read second time.

Assembly Bill 328—An act to amend Section 1633.3 of the Civil Code, and to amend Sections 560, 570, 658, 666, 779.19, and 1759.7 of, to add Section 38.5 to, and to add Article 6 (commencing with Section 580) to Chapter 6 of Part 1 of Division 1 of, the Insurance Code, relating to electronic transactions.

Bill read second time.

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



Committee on Education

Senate Chamber, July 2, 2009

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

AB 440

AB 1569

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 440—An act to add Article 3 (commencing with Section 66745) to Chapter 9.2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to community colleges.

Bill read second time.

Assembly Bill 1569—An act to amend Sections 68074 and 68075 of the Education Code, relating to student tuition.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, July 2, 2009

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

AB 586

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 586—An act to amend Sections 3212, 3212.1, 3212.5, 3212.6, 3212.8, 3212.85, and 3212.9 of the Labor Code, relating to workers' compensation.

Bill read second time.

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

Committee on Health

Senate Chamber, July 2, 2009

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

AB 1540

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 1540—An act to amend Section 6276.24 of the Government Code, to amend Sections 1344, 1366.4, 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, and to amend Sections 14043.26, 14043.28, 14043.29, and 14115.8 of the Welfare and Institutions Code, relating to health.

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, July 2, 2009

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

AB 1311

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 1311—An act to amend Sections 8164, 12935, 14669, 14670.12, and 14982 of, and to repeal Section 8878.97 of, the Government Code, relating to state government.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, July 2, 2009

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

SB 206

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

WOLK, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 206—An act to add and repeal Section 17059.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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



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

Senate Concurrent Resolution 34—Relative to Extended Opportunity Programs and Services Month.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 29—Relative to health disparities.

Resolution read second time.

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

Assembly Bill 576—An act to amend Section 1202.4 of the Penal Code, and to amend Section 730.6 of the Welfare and Institutions Code, relating to vandalism.

Bill read second time.

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

Assembly Bill 1003—An act to amend Section 13823.17 of the Penal Code, relating to domestic violence.

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 1046—An act to amend Sections 703.150 and 704.730 of the Code of Civil Procedure, relating to enforcement of judgments.

Bill read second time and ordered to third reading.

Assembly Bill 1215—An act to amend Sections 87482 and 87882 of the Education Code, relating to community colleges.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1510—An act to amend Section 51101.1 of the Education Code, relating to public schools.

Bill read second time and ordered to Consent Calendar.



SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday, July 6

SB 171	AB 117	AB 561	ACR 12
SB 512	AB 134	AB 637	ACR 20
SB 592	AB 143	AB 645	AB 1094
SCR 48	AB 239	AB 667	AB 1061
AB 457	AB 333	AB 752	AB 107
AB 573	AB 339	AB 794	AB 306
AB 85	AB 389	AB 941	AB 425
AB 1214	AB 407	AB 966	AB 767
AB 1117	AB 463	AB 1123	AB 820
AB 1191	AB 538	AB 1363	AB 1499
AB 27	AB 539	AB 1494	AB 1550
AB 112	AB 540	ACR 2	

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1136** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Aanestad.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Denham requested that when the Senate adjourns this day it do so in memory of Kenneth Riggs of Merced.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Edna Arnold of Lancaster.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 12 p.m., Monday, July 6, 2009.

PAULA K. ROSSETTO, Minute Clerk

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