

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED NINTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, July 9, 2009

The Senate met at 9 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, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—37.

Quorum present.

*(NOTE: Senators Corbett and Harman will be excused this day on legislative business and Senator Oropeza will be excused this day due to a family emergency.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Rev. Stephen Gilbert, Center for Spiritual Awareness.

Good morning.

I would like to start this day with a question: What is possible?

So often we dwell on the things that make what we want impossible. And from that mental atmosphere of impossibility, trying to move or shift obstacles embodies the futility of Sisyphus. Focusing on obstacles only reinforces them.

So . . . what IS possible? This is a question that often gets scoffed at precisely because it *doesn't* take into account the obstacles. It forces us to look for space between obstacles, to look for new resources, to test different directions, to be open to anything other than what we think we know.

Voltaire said, "No problem can stand the assault of sustained thinking." The thinking he is speaking of is not a stolid certainty of having the only answer. It is the thinking of collaboration, humility, and creativity. It is the thinking that comes out of continuing to ask *what is possible*.

God is a God of possibility. Let's allow this energy and spirit of possibility to work in us, and move us forward together.

God is the spirit of unity, of oneness, and is everywhere present. This means He is present in this room this morning, and in each person in this room. It lives in us, through us, and as us. All we need do is open to this great source of creativity within, which can and will inspire *you* to find *our* way.

God, our prayer this morning is simple: *work in us*. For we know that with God all things are possible.

God bless you. God bless California.

And so it is.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

**Senate Bill 474**—An act to add Section 14105.1 to the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 653**—An act to add Section 3303.1 to the Government Code, relating to peace officers.

Bill read second time and ordered to third reading.



**Assembly Bill 1511**—An act to add Article 6 (commencing with Section 32254.5) to Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code, relating to pupil safety.

Bill read second time and ordered to third reading.

**Assembly Bill 943**—An act to add Chapter 3.6 (commencing with Section 1024.5) to Part 2 of Division 2 of the Labor Code, relating to employment.

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.

**Assembly Bill 585**—An act to amend Section 3344.1 of the Civil Code, relating to deceased personalities.

Bill read second time and ordered to third reading.

**Assembly Bill 632**—An act to add Section 1708.9 to the Civil Code, relating to privacy.

Bill read second time and ordered to third reading.

**Assembly Bill 680**—An act to amend Sections 685.050, 701.810, and 701.820 of the Code of Civil Procedure, to amend Sections 905, 26680, and 26746 of, and to amend, add, and repeal Sections 26720.9, 26726, 26731, 26736, 26738, 26744.5, and 26746.1 of, the Government Code, relating to process fees.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 1233**—An act to amend Sections 5047, 5047.5, 5062, 5063.5, 5132, 5150, 5151, 5211, 5212, 5213, 5220, 5222, 5231, 6610, 7132, 7150, 7151, 7211, 7212, 7213, 7220, 7222, 7231, 8610, 9132, 9151, 9211, 9212, 9213, 9220, 9222, 9241, 9680, 9916, 12233, 12241, 12242.5, 12330, 12331, 12351, 12352, 12353, 12360, 12362, 12371, 12630, 12694, 18360, and 24001.5 of, to add Sections 5039.5 and 12228.5 to, and to add Article 6 (commencing with Section 9260) to Chapter 2 of Part 4 of Division 2 of Title 1 of, the Corporations Code, relating to corporations.

Bill read second time and ordered to Consent Calendar.

**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.

Bill read second time and ordered to third reading.



**Assembly Bill 490**—An act to amend Sections 122350 and 122354 of the Health and Safety Code, relating to pet stores.

Bill read second time.

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

**Assembly Bill 521**—An act to add Section 857 to the Public Utilities Code, relating to utility property.

Bill read second time and ordered to third reading.

**Assembly Bill 1555**—An act to amend Section 281 of the Public Utilities Code, relating to telecommunications, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 1015**—An act to add Section 381c to the Penal Code, relating to nitrous oxide.

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 274**—An act to add Section 43501.2 to, and to add Article 2.1 (commencing with Section 48010) to Chapter 2 of Part 7 of Division 30 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 686**—An act to amend Section 14224 of, and to repeal Section 19363 of, the Elections Code, relating to voting.

Bill read second time and ordered to third reading.

**Assembly Bill 742**—An act to amend Section 2212 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 1228**—An act to add and repeal Section 4001 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.



**Assembly Bill 1186**—An act to amend Section 43845 of the Health and Safety Code, relating to air pollution.

Bill read second time and ordered to third reading.

**Assembly Bill 1219**—An act to amend Section 99313.6 of, and to add Section 99233.12 to, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

**Assembly Bill 474**—An act to amend Section 1102.6b of the Civil Code, and to amend Sections 5898.12, 5898.14, 5898.20, 5898.21, 5898.22, 5898.24, 5898.28, 5898.30, and 5898.32 of, and to add Section 5898.31 to, the Streets and Highways Code, relating to contractual assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 1172**—An act to amend Section 75470 of, to amend the heading of Chapter 5 (commencing with Section 75470) of Part 8 of Division 21 of, and to add Section 74200.5 to, the Water Code, and to add Sections 4.5 and 5.5 to Chapter 819 of the Statutes of 1971, relating to water conservation districts.

Bill read second time and ordered to third reading.

**Assembly Bill 1232**—An act to add Section 56375.2 to the Government Code, relating to local government.

Bill read second time and ordered to third reading.

**Assembly Bill 904**—An act to amend Section 51298 of the Government Code, relating to local government finance.

Bill read second time.

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

**Assembly Bill 1361**—An act to add Section 35655.6 to the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

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 930**—An act to amend Section 14615.1 of the Government Code, relating to state government.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 1578**—An act to amend Section 19617.2 of the Business and Professions Code, relating to horse racing.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 1439**—An act to add Section 13827.3 to the Penal Code, relating to gangs.

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 264**—An act to amend Section 37222 of the Education Code, and to add Section 6715 to the Government Code, relating to state observances.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 1177**—An act to add Chapter 7 (commencing with Section 8260) to Division 8 of the Welfare and Institutions Code, relating to homelessness.

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 1471**—An act to amend Sections 20321 and 20341 of the Public Contract Code, and to amend Sections 130051.11 and 130232 of the Public Utilities Code, relating to procurement.

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 647**—An act to amend Section 4465 of 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 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.

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 Environmental Quality.

**Assembly Bill 1527**—An act to amend Section 44283 of, and to add Section 43024 to, the Health and Safety Code, relating to air pollution.

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 Environmental Quality.

**Assembly Bill 807**—An act to amend Sections 6220, 6221, 6227, and 6228 of the Penal Code, relating to restitution centers.

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 1166**—An act to amend Sections 3041 and 3041.5 of the Penal Code, relating to parole.

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 73**—An act to amend, repeal, and add Section 26840.10 of the Government Code, to amend Sections 103627 and 103627.5 of the Health and Safety Code, and to amend Section 18309 of the Welfare and Institutions Code, relating to domestic violence.

Bill read second time and ordered to third reading.

#### **REQUEST TO DISPENSE WITH JOINT RULES**

The following request was presented by Senator Steinberg:

Senate Chamber, July 9, 2009

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(a)(10) in order to extend the committee hearing deadline to July 17, 2009.

SENATOR AANESTAD

#### **Recommendation of Rules Committee**

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

STEINBERG, Chair



**RESOLUTION TO DISPENSE WITH JOINT RULES**

*Resolved*, That Joint Rule 61(a)(10) be dispensed with as requested.

Resolution read and presented by Senator Aanestad.

**Roll Call**

The roll was called and the resolution was adopted by the following vote.

AYES (31)—Senators Aanestad, Alquist, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, DeSaulnier, Dutton, Florez, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**RECESS**

At 9:19 a.m., on motion of Senator Ducheny the Senate recessed in order to convene fourth extraordinary session.

**REASSEMBLED**

At 9:23 a.m., the Senate reconvened.

Hon. Gloria Romero, of the 24th District, presiding.

**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **SJR 16**, **ACR 42**, **ACR 72**, and **ACR 81** were withdrawn from Committee and placed on today's Special Consent Calendar.

**MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Benoit moved that **AB 1268** be placed on the inactive file.

Motion carried.

**CONSENT CALENDAR****Objections Raised**

Senator Lowenthal objected to **AB 1215** being on the Consent Calendar.

The President ordered the above measure placed on the inactive file.

Without objection, **AB 737** was removed from the Consent Calendar and placed on the inactive file.

The President ordered the above measure placed on the inactive file.

Without objection **AB 1214** and **AB 407** were removed from the Special Consent Calendar.

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

Senator Runner objected to **AB 1363** being on the Special Consent Calendar.

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





**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 96**—An act to amend Sections 25299.81, 25299.105, 25299.109, and 25299.117 of, and to amend and repeal Section 41964 of, the Health and Safety Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Simitian.

**Urgency Clause**

Urgency clause read.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**CONSENT CALENDAR**

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

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

*(NOTE: See Consent Calendar Roll Call)*

**SPECIAL CONSENT CALENDAR**

**Senate Joint Resolution 16**—Relative to veterans' educational benefits.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 42**—Relative to Chinese Americans in California.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 72**—Relative to Pain Awareness Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 81**—Relative to Yellow Ribbon Week.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 512**—An act to amend Sections 44221, 44225.6, 44251, 44259, 44263, 44332.5, 44421, 44422, 44426, 44830.7, 44853, 44856,



44917, 44980, 44987.3, 52127, 52163, and 52165 of the Education Code, relating to teacher credentialing.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 592**—An act to amend Sections 17078.57 and 17078.62 of, and to add Section 17078.63 to, the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Concurrent Resolution 48**—Relative to Filipino American History Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 457**—An act to amend Sections 3084 and 3146 of the Civil Code, relating to liens.

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

*(NOTE: See Consent Calendar Roll Call)*

**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 third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 85**—An act to amend Section 21606.5 of, to repeal Section 21608.3 of, and to repeal and amend Section 21608.5 of, the Business and Professions Code, relating to junk dealers and recyclers.

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

*(NOTE: See Consent Calendar Roll Call)*

**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 third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*



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

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

*(NOTE: See Consent Calendar Roll Call)*

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

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 112**—An act to amend Sections 100001.5, 100161, 100163, and 100164 of the Public Utilities Code, relating to transportation.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 117**—An act to amend Section 5028 of, and to add Section 5058.2 to, the Business and Professions Code, relating to accountants.

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

*(NOTE: See Consent Calendar Roll Call)*

**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 third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 143**—An act to add Section 2781.5 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 239**—An act to amend Sections 44253.3, 44325, 44326, 44328, 44398, 44399, and 44830.3 of, and to repeal Sections 44329 and 44329.5 of, the Education Code, relating to teacher credentialing.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 333**—An act to amend Section 65961 of, and to add Section 66452.22 to, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Bill 339**—An act to amend Sections 12000 and 12001 of the Education Code, relating to education finance.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 389**—An act to amend Sections 10236.1 and 10236.13 of, and to repeal and add Section 10236.12 of, the Insurance Code, relating to insurance.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 463**—An act to amend Section 32000.5 of the Vehicle Code, relating to vehicles.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 538**—An act to amend Section 653y of the Penal Code, relating to crimes.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 539**—An act to amend Sections 8545.2, 8546, 8546.1, 8546.4, and 8547.7 of the Government Code, relating to the State Auditor.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 540**—An act to add Section 8543.4 to the Government Code, relating to the State Auditor.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 561**—An act to amend Sections 241.5 and 243.65 of the Penal Code, relating to crimes against highway workers.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 637**—An act to amend Sections 20537, 21677, and 22899 of, and to add Sections 20027.5 and 20538 to, the Government Code, relating to retirement.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 645**—An act to amend Sections 6735, 6735.3, 6735.4, 6764, 8750, 8761, and 8764.5 of the Business and Professions Code, relating to professional engineers and land surveyors.

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

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Bill 667**—An act to amend Section 1750.1 of the Business and Professions Code, and to amend Section 104830 of, and to add Section 104762 to, the Health and Safety Code, relating to oral health.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 794**—An act to add Section 44235.5 to the Education Code, relating to teacher credentialing.

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

*(NOTE: See Consent Calendar Roll Call)*

**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, 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 third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1123**—An act to amend Sections 22351.5 and 22358 of the Business and Professions Code, relating to professions and vocations.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1494**—An act to amend Section 11122.5 of the Government Code, relating to public meetings.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 2**—Relative to Martin Luther King, Jr. Hospital.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 12**—Relative to the National Purple Heart Trail.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 20**—Relative to the Sergeant Howard K. Stevenson Memorial Interchange.

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

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Bill 1094**—An act to amend Sections 1798.80, 1798.81, 1798.84, 1980, 1983, 1993, and 1993.03 of the Civil Code, relating to personal information.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1061**—An act to repeal and add Section 1353.8 of the Civil Code, relating to common interest developments.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 107**—An act to amend Sections 4802, 4808, 4810, 4848, 4848.3, 4849, 4875, 4875.2, 4875.6, 4876, 4883, 4885, 4886, 4887, 4900, 4901, 4901.1, and 4901.2 of, to amend, repeal, and add Section 4839 of, and to add Section 4841.4 to, the Business and Professions Code, relating to veterinary medicine, and making an appropriation therefor.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 306**—An act to add Section 9094.5 to the Elections Code, relating to elections.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 425**—An act to amend Section 4000.38 of the Vehicle Code, relating to vehicles.

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

*(NOTE: See Consent Calendar Roll Call)*

**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.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 820**—An act to amend Sections 19889.7 and 22959.6 of the Government Code, relating to public employees, and making an appropriation therefor.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1499**—An act to add and repeal Section 19605.78 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.



Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1550**—An act to amend Section 80130 of the Water Code, relating to electricity.

Bill read third time, passed, 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 (34)—Senators Aanestad, Alquist, Benoit, Cedillo, Cogdill, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wright, Wyland, and Yee.

NOES (0)—None.

#### **CONSIDERATION OF DAILY FILE (RESUMED) FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (AB 96)**

On motion of Senator Simitian, 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 96 was adopted by the following vote:

AYES (27)—Senators Alquist, Cedillo, Cogdill, Correa, Denham, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, Wyland, and Yee.

NOES (7)—Senators Aanestad, Cox, Dutton, Hollingsworth, Huff, Strickland, and Wright.

#### **Roll Call**

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

AYES (27)—Senators Alquist, Cedillo, Cogdill, Correa, Denham, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, Wyland, and Yee.

NOES (7)—Senators Aanestad, Cox, Dutton, Hollingsworth, Huff, Strickland, and Wright.

Above bill ordered transmitted to the Assembly.



**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Corbett and Harman.

The following Senator was granted leave of absence for the day due to a family emergency: Senator Oropeza.

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

At 9:55 a.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 Monday, July 13, 2009.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol  
July 9, 2009

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

MARK E. MARTINEZ, is the chief executive officer for the San Joaquin County Hispanic Chamber of Commerce since 2004 and owner of Premier Security and Fire, a firm that engineers and sells commercial fire and security systems since 2007. Previous senior security consultant for Protection Service Industries from 2001 to 2004 and Sonitrol Security from 1998 to 2001. Martinez is a member of the San Joaquin County Workforce Investment Board, California Chambers of Commerce Executive Board of Directors and served as the former chairman of the Stockton Planning Commission. Appointed 05/26/09. Effective 06/18/09.

Member, California Commission on Disability Access, term ending 01/01/10.





CATHERINE T. CAMPISI, PH.D., is a part time program specialist for the California Health Incentives Improvement Program since 2009 and a part time faculty member for California State University, Sacramento since 1991. Campisi also works for the California Community Colleges Chancellor's Office, previously serving as dean of student services and coordinator of disabled student programs and services. Appointed 05/26/09. Effective 06/16/09.

Member, California Commission on Disability Access, term ending 01/01/11.

ROCKY A. BURKS, is a physical access manager for the city of Sacramento since 2006. Previous coordinator for the Americans with Disabilities Act for Marin County from 2003 to 2006. Burks was the chief executive officer for Independent Living Services of Northern California from 1988 to 2003. From 1987 to 1988, Burks was a senior claims examiner for the Disability Insurance Program with the Employment Development Department. Appointed 05/26/09. Effective 06/03/09.

Member, California Commission on Disability Access, term ending 01/01/10.

MICHAEL A. DEAN, is a partner with Wendel, Rosenblack and Dean since 1972. He is a member of the California Business Properties Association Board of Directors and is a member of the International Council of Shopping Centers. Appointed 05/26/09. Effective 06/01/09.

Member, California Commission on Disability Access, term ending 01/01/11.

BETTY R. WILSON, is director of community affairs for the Los Angeles Department of Disability since 2001. Previous assistant executive director from 1998 to 2001 and executive director from 1989 to 1998. From 1981 to 1989, she was an administrative coordinator for the Mayor's Office for the Disabled. Wilson is a member of the Disability Rights Legal Center Board of Directors, Olympia Medical Center Board of Directors and Ability First Board of Directors. Appointed 05/26/09. Effective 06/01/09.

Member, California Commission on Disability Access, term ending 01/01/10.

MITCHELL POMERANTZ, is the American's with Disabilities Act compliance officer for the city of Los Angeles since 1995. Previous senior personnel analyst, personnel analyst and management assistant for the personnel department in the City of Los Angeles from 1975 to 1995. Appointed 05/26/09. Effective 06/17/09.

Member, California Commission on Disability Access, term ending 01/01/12.



MICHAEL A. GUNNING, is vice president for the Personal Insurance Federation of California since 2001. Previous managing director of the Nehemiah Community Reinvestment Fund from 1999 to 2001 and director of the California Organized Investment Network for the California Department of Insurance. Appointed 06/25/09. Effective 07/08/09.

Member, Board of Directors, California Housing Finance Agency, vice John G. Morris, resigned, term ending 09/26/09.

Above appointments referred to the Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 9, 2009

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

|        |        |        |        |
|--------|--------|--------|--------|
| SB 130 | SB 221 | SB 583 | SB 760 |
| SB 428 | SB 230 | SB 607 | SB 824 |
| SB 53  | SB 369 | SB 649 |        |
| SB 123 | SB 418 | SB 668 |        |
| SB 174 | SB 432 | SB 693 |        |

Above measures ordered enrolled.

Assembly Chamber, July 9, 2009

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

|       |       |       |        |
|-------|-------|-------|--------|
| SCR 4 | SCR 5 | SCR 9 | SCR 12 |
|-------|-------|-------|--------|

Above resolutions ordered enrolled.

Assembly Chamber, July 9, 2009

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

|       |        |        |        |
|-------|--------|--------|--------|
| SB 24 | SB 166 | SB 431 | SB 670 |
| SB 33 | SB 209 | SB 469 |        |
| SB 52 | SB 224 | SB 818 |        |

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

Above measures ordered to unfinished business file.

Assembly Chamber, July 9, 2009

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

|        |        |
|--------|--------|
| ACR 71 | ACR 78 |
|--------|--------|



Assembly Chamber, July 9, 2009

*The Honorable Greg Schmidt*  
*Secretary of the Senate*

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1061 to the Senate.

Sincerely,

E. DOTSON WILSON  
Chief Clerk

Above measure ordered held at Desk.

#### **FIRST READING OF ASSEMBLY MEASURES**

The following measures were read the first time and referred to the Committee on Rules:

**Assembly Concurrent Resolution 71**—Relative to the Milton La Malfa Memorial Highway.

**Assembly Concurrent Resolution 78**—Relative to the CHP Officer John P. Miller Memorial Highway.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Labor and Industrial Relations**

Date of Hearing, July 8, 2009

Madam President: The Committee on Labor and Industrial Relations, to which were referred:

|        |        |         |         |
|--------|--------|---------|---------|
| AB 3   | AB 677 | AB 1320 | AB 1562 |
| AB 236 | AB 838 | AB 1559 | AB 1563 |
| AB 586 | AB 857 | AB 1561 |         |

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

DE SAULNIER, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, July 8, 2009

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

AB 1567

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations, with the recommendation: To Consent Calendar.

DE SAULNIER, Chair

Above measure re-referred to the Committee on Appropriations.



**Committee on Appropriations**

Senate Chamber, July 9, 2009

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

AB 49

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 49**—An act to add Part 2.55 (commencing with Section 10608) to, to amend and repeal Section 10631.5 of, and to repeal and add Part 2.8 (commencing with Section 10800) of, Division 6 of the Water Code, relating to water.

Bill read second time.

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

**Committee on Natural Resources and Water**

Senate Chamber, July 9, 2009

Madam President: The Chair of the Committee on Natural Resources and Water, to which was referred:

AB 39

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

PAVLEY, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 39**—An act to add Division 34 (commencing with Section 84000) to the Water Code, relating to the Sacramento-San Joaquin Delta.

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**

Date of Hearing, July 8, 2009

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

AB 402

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

DE SAULNIER, Chair

Above measure ordered to second reading.



**Committee on Natural Resources and Water**

Date of Hearing, July 6, 2009

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

AB 900

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

PAVLEY, Chair

Above measure ordered to second reading.

Date of Hearing, July 6, 2009

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

AB 135

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 Revenue and Taxation**

Senate Chamber, July 9, 2009

Madam 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.

Date of Hearing, July 8, 2009

Madam President: The Committee on Revenue and Taxation, to which were referred:

AB 15

AB 50

AB 79

AB 404

AB 824

AB 1265



Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

WOLK, Chair

Above measures re-referred to the Committee on Appropriations.

**Committee on Health**

Senate Chamber, July 9, 2009

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

AB 1020

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 1020**—An act to add Sections 116064.1 and 116064.2 to the Health and Safety Code, relating to swimming pools, 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.

Date of Hearing, June 25, 2009

Madam President: The Committee on Health, to which was referred:

AB 1397

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

ALQUIST, Chair

Above measure ordered to second reading.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which were referred:

AB 1100

AB 1540

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Environmental Quality.

ALQUIST, Chair

Above measures re-referred to the Committee on Environmental Quality.

**Committee on Revenue and Taxation**

Date of Hearing, July 8, 2009

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 1545



Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

WOLK, Chair

Above measure ordered to second reading.

Date of Hearing, July 8, 2009

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 267

Reports the same back with the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which were referred:

AB 2

AB 730

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

ALQUIST, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

SJR 13

Reports the same back with the recommendation: Be adopted and be placed on the Consent Calendar.

ALQUIST, Chair

Above measure ordered to second reading.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

AB 931

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ALQUIST, Chair

Above measure ordered to second reading.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

AB 1457

Reports the same back with the recommendation: Do pass.

ALQUIST, Chair

Above bill ordered to second reading.



Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

AB 75

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

ALQUIST, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

AB 599

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety.

ALQUIST, Chair

Above measure re-referred to the Committee on Public Safety.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

AB 952

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary with the recommendation: To Consent Calendar.

ALQUIST, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which were referred:

|        |        |         |         |
|--------|--------|---------|---------|
| AB 98  | AB 303 | AB 657  | AB 1383 |
| AB 217 | AB 369 | AB 773  | AB 1445 |
| AB 221 | AB 543 | AB 1269 |         |

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ALQUIST, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, July 8, 2009

Madam President: The Committee on Health, to which was referred:

ACR 62

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

ALQUIST, Chair

Above measure re-referred to the Committee on Appropriations.





**Committee on Revenue and Taxation**

Date of Hearing, July 8, 2009

Madam President: The Committee on Revenue and Taxation, to which were referred:

|         |         |         |         |
|---------|---------|---------|---------|
| AB 425  | AB 311  | AB 563  | AB 1049 |
| AB 1087 | AB 1546 | AB 1547 |         |

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

WOLK, Chair

Above measures re-referred to the Committee on Appropriations.

**Committee on Rules**

State Capitol, July 8, 2009

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that she be confirmed:

MARY S. FERNANDEZ, Undersecretary, Department of Corrections and Rehabilitation (4–0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, July 8, 2009

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that he be confirmed:

STEPHEN L. EDNGER, Member, Oil Spill Response Administrator (4–0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

**Committee on Appropriations**

Senate Chamber, July 9, 2009

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

AB 985

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 985**—An act to amend Sections 12956.1, 12956.2, and 27361 of, and to add Article 3.6 (commencing with Section 27310) to Chapter 6 of Part 3 of Division 2 of Title 3 of, the Government Code, relating to real property.

Bill read second time.



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

### **Committee on Rules**

State Capitol, July 8, 2009

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

RUSSELL M. JEFFRIES, Member, Water Quality Control Board, Central Coast Region (4-0)

KATHERINE J. HART, MEMBER, Water Quality Control Board, Central Valley Region (4-0)

THOMAS J. DAVIS, Member, Water Quality Control Board, Colorado River Basin Region (4-0)

JEFFREY A. HAYS, Member, Water Quality Control Board, Colorado River Basin Region (4-0)

ELLEN M. WAY, Member, Water Quality Control Board, Colorado River Basin Region (4-0)

R. KEITH DYAS, Member, Water Quality Control Board, Lahontan Region (4-0)

HEIDI J. CARPENTER-HARRIS, Member, Water Quality Control Board, North Coastal Region (4-0)

JOHN M. DUNKER, Member, Water Quality Control Board, North Coastal Region (4-0)

GEOFFREY M. HALES, Member, Water Quality Control Board, North Coastal Region (4-0)

JOHN H. MULLER, Member, Water Quality Control Board, San Francisco Bay Region (4-0)

RAMESHWAR SINGH PH.D., Member, Water Quality Control Board, San Francisco Bay Region (4-0)

RICHARD FRESCCHI, Member, Water Quality Control Board, Santa Ana Region (4-0)

BETTY H. OLSON PH.D., Member, Western States Water Council (4-0)

STEINBERG, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, July 8, 2009

Madam President: The Senate Rules Committee made the following changes to select committees:

- Increased the membership of the Senate Select Committee on Constitutional Reform from 7 to 8 members and appointed Senators Alquist and Price as members to fill the vacancies;
- Increased the membership of the Senate Select Committee on Career Technical Education; Workforce Development and the New Economy from 6 to 7 members and appointed Senator Wiggins as



Vice Chair and Senators Huff, Liu, Romero, Steinberg, and Wyland as members to fill the vacancies.

STEINBERG, Chair

State Capitol, July 8, 2009

Appointed Harold A. Loeb of Marina del Rey as a member to the California Actuarial Advisory Panel to serve for a term ending January 1, 2011.

Reappointed Matthew L. Kelly of Sacramento as a member to the Contractors' State License Board to serve for a term ending June 1, 2013.

Appointed James O. Abrams of Orinda as a member of the business community to the California Commission on Disability Access to serve for a term ending January 1, 2011.

Reappointed Sandra Magana of Rancho Cucamonga as a member to the Respiratory Care Board of California to serve for a term ending June 1, 2013.

Appointed Robert M. Cabeza of Long Beach as a public member to the Summer and Intersession Enrichment Task Force to serve for a term ending at the pleasure of the Committee.

Appointed Jennifer Peck of Richmond as a public member to the Summer and Intersession Enrichment Task Force to serve for a term ending at the pleasure of the Committee.

Appointed Yvette Radford of Richmond as a member with health insurance expertise to the Summer and Intersession Enrichment Task Force to serve for a term ending at the pleasure of the Committee.

Appointed Senator Denise Moreno Ducheny as a member to the Curriculum Development and Supplemental Materials Commission to serve for a term ending at the pleasure of the Committee.

Appointed Senator Carol Liu as a member to the Advisory Commission on Special Education to serve for a term ending at the pleasure of the Committee.

STEINBERG, Chair

#### **Committee on Environmental Quality**

Date of Hearing, July 9, 2009

Madam President: The Committee on Environmental Quality, to which were referred:

AB 410

AB 1366

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

SIMITIAN, Chair

Above measures ordered to second reading.

Date of Hearing, July 6, 2009

Madam President: The Committee on Environmental Quality, to which was referred:

AB 1438



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

SIMITIAN, Chair

Above measure ordered to second reading.

**Committee on Revenue and Taxation**

Date of Hearing, July 8, 2009

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 94

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

WOLK, Chair

Above measure ordered to second reading.

**Committee on Business, Professions and Economic Development**

Senate Chamber, July 9, 2009

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

AB 1535

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 1535**—An act to amend Sections 2530.2 and 3351.3 of, and to add Article 9 (commencing with Section 2539.2) to Chapter 5.3 of Division 2 of, the Business and Professions Code, relating to audiologists.

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**

Date of Hearing, July 6, 2009

Madam President: The Committee on Environmental Quality, to which was referred:

AB 1343

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

SIMITIAN, Chair

Above measure ordered to second reading.



**Committee on Appropriations**

Senate Chamber, July 9, 2009

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

AB 1383

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 1383**—An act to add and repeal Articles 5.21 (commencing with Section 14167.2) and 5.22 (commencing with Section 14167.32) 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 measure ordered printed and re-referred to the committee.

**Committee on Transportation and Housing**

Date of Hearing, July 7, 2009

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

AB 1330

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.

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, July 7, 2009

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

AB 1379

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, July 7, 2009

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

AB 282

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.

LOWENTHAL, Chair

Above measure ordered to second reading.

**Committee on Education**

Senate Chamber, July 9, 2009

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

AB 1080

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 1080**—An act to add Section 17535.5 to the Education Code, relating to school facilities.

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, July 9, 2009

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

AB 819

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 819**—An act to amend Sections 13848 and 13848.6 of, and to add Chapter 5.8 (commencing with Section 13849) to Title 6 of Part 4 of, the Penal Code, relating to intellectual property piracy, 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 Elections, Reapportionment and Constitutional Amendments**

Senate Chamber, July 9, 2009

Madam President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

AB 1326



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 1326**—An act to amend Section 2142 of the Elections Code, relating to elections.

Bill read second time.

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

**Committee on Food and Agriculture**

Date of Hearing, July 7, 2009

Madam President: The Committee on Food and Agriculture, to which was referred:

AB 1216

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

FLOREZ, Chair

Above measure ordered to second reading.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Concurrent Resolution 52:** By Senator Lowenthal—Relative to the Iranian persecution of the Baha'i.

**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **AB 39** and **AB 49** were withdrawn from Committee and placed on third reading.

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

Without objection, **AB 1311** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations.

**SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday, July 13th

|        |         |         |         |
|--------|---------|---------|---------|
| SB 226 | AB 576  | AB 770  | AB 1459 |
| SB 640 | AB 1046 | AB 797  | AB 653  |
| SB 39  | AB 32   | AB 873  | AB 1086 |
| SB 544 | AB 129  | AB 1515 | AB 1361 |
| SCR 43 | AB 154  | AB 400  |         |
| SB 171 | AB 665  | AB 501  |         |
| SB 306 | AB 762  | AB 825  |         |



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

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

Bill read third time.

**Amendments Adopted**

Amendments to AB 1510 proposed by Senator Wiggins were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 59**—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 59 proposed by Senator Denham were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 763**—An act to add Section 19596.21 to the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to AB 763 proposed by Senator Wiggins were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 906**—An act to amend Section 1091 of the Government Code, relating to conflict of interest, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to AB 906 proposed by Senator Strickland were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 774**—An act to amend Section 76361.1 of the Education Code, relating to community colleges.

Bill read third time.

**Amendments Adopted**

Amendments to AB 774 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.





**REQUESTS TO ADJOURN IN MEMORIAM**

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

Senator Correa requested that when the Senate adjourns this day it do so in memory of Gen. Ezell Ware, Jr. (Ret) of Arlington Texas and Nancy Downey-Hurtado of Santa Ana.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Paul Brocker of Auburn.

Senator Denham requested that when the Senate adjourns this day it do so in memory of John P. Nolan of Madera.

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

Senator Leno requested that when the Senate adjourns this day it do so in memory of Marylouise Lovett of San Francisco.

Senator Oropeza requested that when the Senate adjourns this day it do so in memory of Lloyd Baum of Marina del Rey.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Richard Fitzmaurice of Santa Cruz.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Jackie Lynn Page Crockett of Vacaville.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 12 p.m., Monday, July 13, 2009.

PAULA K. ROSSETTO, Minute Clerk

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