

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED TENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, July 13, 2009

The Senate met at 12 p.m.  
Hon. S. Joseph Simitian, of the 11th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary David Valverde 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, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

*(NOTE: Senator Harman will be excused this day on legislative business and Senator Steinberg will be excused this day on personal business.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Rev. Dexter McNamara.

American novelist Henry James was once saying goodbye to his nephew Billy . . . with words that Billy never forgot:

“There are three things that are important in life. The first is to be kind. The second is to be kind. The third is to be kind.”

Writer Frederick Buechner comments about that:

“BE KIND . . . because although kindness is not by a long shot the same thing as holiness, kindness is one of the doors that holiness enters the world through, enters us through”.

And then Buechner writes: “and not just gently kind, but sometimes FIERCELY KIND.”

My prayer for all of us is this:

Loving God of all creation, remind us now to be kind . . . and sometimes fiercely kind. May we have a fierce passion . . . for justice and equality and fairness and equal opportunity and peace . . .

. . . a passion to work on behalf of all your children who live in this state . . .

. . . a passion to make responsible decisions . . .

. . . a passion to do what is right, and not just what is politically expedient. May we be FIERCELY KIND . . .

AND . . . and . . . may we also be gently kind.

Keep us sensitive to the hurt that is all around us, even among those with whom we may have strong disagreements. May we treat all with dignity and respect, even as we do the difficult work of seeking compromise on tough issues.

With a fierce gentleness, help us to serve you as we serve the people of this state.

In your loving . . . and kind . . . and fierce Spirit we pray.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, July 9, 2009

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

ACR 80

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read the first time and referred to the Committee on Rules:

**Assembly Concurrent Resolution 80**—Relative to a Bill of Rights for the Children and Youth of California.



**REPORTS OF STANDING COMMITTEES**  
**Committee on Banking, Finance and Insurance**

Date of Hearing, July 9, 2009

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

AB 34

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Business, Professions and Economic Development.

CALDERON, Chair

Above measure re-referred to the Committee on Business, Professions and Economic Development.

Date of Hearing, July 9, 2009

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

AB 260

AB 350

AB 764

AB 1160

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

CALDERON, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, July 9, 2009

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

AB 601

AB 866

AB 1051

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.

CALDERON, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, July 9, 2009

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

AB 745

Reports the same back with the recommendation: Do pass.

CALDERON, Chair

Above bill ordered to second reading.

Date of Hearing, July 9, 2009

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

AB 725



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

CALDERON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, July 9, 2009

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

AB 591

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

CALDERON, Chair

Above measure re-referred to the Committee on Health.

Date of Hearing, July 9, 2009

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

AB 328

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.

CALDERON, Chair

Above measure re-referred to the Committee on Judiciary.

**Committee on Natural Resources and Water**

Date of Hearing, July 6, 2009

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

AB 979

AB 1115

AB 1253

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 measures ordered to second reading.

Date of Hearing, July 6, 2009

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

AB 571

AB 1052

AB 1423

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 measures ordered to second reading.



**Committee on Judiciary**

Date of Hearing, July 7, 2009

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

AB 132

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

CORBETT, Chair

Above measure ordered to second reading.

**Committee on Appropriations**

Senate Chamber, July 13, 2009

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

AB 413

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 413**—An act to amend Sections 327, 382, 739.1, and 747 of, and to add Sections 365.1, 739.9, and 745 to, the Public Utilities Code, and to amend Section 80110 of the Water 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.

Date of Hearing, July 6, 2009

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

AB 1394

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

KEHOE, Chair

Above measure ordered to second reading.

**Committee on Banking, Finance and Insurance**

Date of Hearing, July 9, 2009

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

AB 33

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

CALDERON, Chair

Above measure ordered to second reading.



**Committee on Public Safety**

Date of Hearing, July 7, 2009

Mr. President: The Committee on Public Safety, to which was referred:  
SJR 12

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

LENO, Chair

Above measure ordered to second reading.

Date of Hearing, July 7, 2009

Mr. President: The Committee on Public Safety, to which was referred:  
AB 1369

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

LENO, Chair

Above measure ordered to second reading.

**Committee on Food and Agriculture**

Date of Hearing, July 7, 2009

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

AB 1255

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.

**Committee on Governmental Organization**

Date of Hearing, July 8, 2009

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

AB 472

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.

**Committee on Energy, Utilities and Communications**

Senate Chamber, July 13, 2009

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

AB 40

AB 1030

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 40**—An act to add Section 13552.7 to the Water Code, relating to water.

Bill read second time.

**Assembly Bill 1030**—An act to add Section 14017 to the Government Code, relating to renewable energy projects.

Bill read second time.

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

Date of Hearing, July 7, 2009

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

AB 423

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

PADILLA, Chair

Above measure ordered to second reading.

**Committee on Environmental Quality**

Date of Hearing, July 6, 2009

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

AB 907

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 Labor and Industrial Relations**

Date of Hearing, July 8, 2009

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

AB 854

AB 1319

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 measures ordered to second reading.

**Committee on Natural Resources and Water**

Date of Hearing, July 6, 2009

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

AB 489



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.

**Committee on Public Safety**

Senate Chamber, July 13, 2009

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

AB 599

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 599**—An act to amend Section 100700 of the Health and Safety Code, relating to laboratories.

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**

Date of Hearing, July 8, 2009

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

AB 11

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

WOLK, Chair

Above measure ordered to second reading.

**Committee on Banking, Finance and Insurance**

Date of Hearing, July 9, 2009

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

AB 1200

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

CALDERON, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF SENATE BILLS**

**Senate Joint Resolution 13**—Relative to new dialysis clinic licensure and certification.

Resolution read second time, ordered engrossed, and to Consent Calendar.





**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 402**—An act to add Section 1308.10 to the Labor Code, relating to employment, and making an appropriation therefor.

Bill read second time.

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

**Assembly Bill 900**—An act to amend Sections 5100, 5101, 5103, and 5107 of, to add Chapter 2.7 (commencing with Section 348) to Division 1 of, and to repeal Section 5108 of, of the Water Code, relating to water diversion.

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 135**—An act to amend Sections 4464, 4475, 4475.5, 4799.04, and 4799.12 of the Public Resources Code, relating to public resources, and declaring the urgency thereof, to take effect immediately.

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 1397**—An act to amend Section 1644.5 of the Health and Safety Code, relating to tissue donation, and declaring the urgency thereof, to take effect immediately.

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 1545**—An act to amend Sections 16361 and 16374 of, and to add Section 16361.1 to, the Probate Code, relating to the Uniform Principal and Income Act.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 267**—An act to amend Section 50079 of, to amend and renumber Section 50079.1 of, and to add Section 50079.3 to, the Government Code, relating to taxation.

Bill read second time and ordered to third reading.

**Assembly Bill 931**—An act to amend Section 1261.5 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to Consent Calendar.



**Assembly Bill 1457**—An act to amend Section 1599.64 of, and to add Section 1599.645 to, the Health and Safety Code, relating to long-term health care facilities.

Bill read second time and ordered to third reading.

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

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 1366**—An act to add Section 13148 to the Water Code, relating to water softeners.

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

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

Bill read second time.

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

**Assembly Bill 1343**—An act to add Chapter 5 (commencing with Section 48700) to 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 1330**—An act to add Section 710 to the Military and Veterans Code, relating to veterans.

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 1379**—An act to amend Section 23114 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 to third reading.

**Assembly Bill 282**—An act to amend Section 8879.23 of the Government Code, to amend Section 20209.11 of the Public Contract Code, to amend Section 99243 of the Public Utilities Code, and to amend Sections 13005, 21100.4, and 27602 of the Vehicle 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 1216**—An act to amend Section 29413 of the Food and Agricultural Code, relating to honey.

Bill read second time.

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

**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 third reading.

**Assembly Bill 59**—An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

**Assembly Bill 763**—An act to amend Section 19601.2 of, and 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 second time and ordered to third 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 second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

#### **MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Negrete McLeod moved that **AB 293** be placed on the inactive file.

Motion carried.

#### **CONSENT CALENDAR**

##### **Objections Raised**

Senator Wolk objected to **AB 762** being on the Special Consent Calendar.

Senator Liu objected to **AB 154** being on the Special Consent Calendar.

Senator Simitian objected to **AB 665** and **AB 501** being on the Special Consent Calendar.

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

Senator Benoit objected to **AB 1233** being on the Consent Calendar.

Senator Leno objected to **AB 219** being on the Consent Calendar.

Senator Kehoe objected to **AB 129** being on the Special Consent Calendar.

The President ordered the above measures placed on the Inactive File.

#### **JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Banking, Finance and Insurance to hear AB 1044 without two days notice in the Daily File.

#### **Senator Romero Presiding**

#### **THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 49**—An act relating to water.

Bill read third time and presented by Senator Pavley.

The roll was called.

#### **CALL OF THE SENATE**

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

Motion carried.



**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill 39**—An act relating to the Sacramento-San Joaquin Delta.

Bill read third time and presented by Senator Simitian.

**Roll Call**

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

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

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

Bill ordered transmitted to the Assembly.

**Senator Simitian Presiding****UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill 670**—An act to add Section 5653.1 to the Fish and Game Code, relating to dredging, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Wiggins.

The question being: Shall the Senate concur in the Assembly amendments to SB 670?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (28)—Senators Alquist, Benoit, Calderon, Cedillo, Corbett, Correa, Denham, DeSaulnier, Ducheny, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (7)—Senators Aanestad, Ashburn, Cogdill, Cox, Hollingsworth, Huff, and Runner.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 49)**

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



**Roll Call**

The names of the absentees were called and AB 49 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

**LEAVES OF ABSENCE FOR THE DAY**

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

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

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

At 12:46 p.m., on motion of Senator Aanestad, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Aanestad 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 Tuesday, July 14, 2009.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

July 13, 2009

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointment or reappointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor



RICHARD R. LUEHRS, is president and chief executive officer for the Newport Beach Chamber of Commerce. Previous president of the Western Association of Chamber of Commerce Executives from 1990 to 1991, president of the Southern California Association of Chamber of Commerce Executives from 1995 to 1996, president of the Federated Chambers of Commerce of Orange County from 1987 to 1989 and executive vice president of the North Hollywood Chamber of Commerce from 1977 to 1982. Luehrs is a member of the Western Association of Chamber of Commerce Executives Board of Directors, Speak Up Newport Board of Directors and the Newport Beach Conference and Visitors Bureau Board of Directors. Appointed 05/26/09. Effective 07/10/09.

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

Above appointment referred to the Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 13, 2009

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

SB 18	SB 198	SB 254
SB 327	SB 387	SB 447
SB 475	SB 669	SB 786

Above measures ordered enrolled.

Assembly Chamber, July 13, 2009

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

SCR 14	SCR 30
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Above resolutions ordered enrolled.

Assembly Chamber, July 13, 2009

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

SB 12	SB 200	SB 325	SB 515
SB 48	SB 219	SB 340	SB 635
SB 91	SB 229	SB 458	SJR 7

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

Above measures ordered to unfinished business file.



Assembly Chamber, July 13, 2009

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

AB 1318

Assembly Chamber, July 13, 2009

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

AJR 12

ACR 79

Assembly Chamber, July 13, 2009

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

ACR 20

AB 143

AB 561

AB 1191

AB 85

AB 389

AB 966

AB 1494

AB 107

AB 457

AB 1094

Assembly Chamber, July 13, 2009

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

Dear Greg: The Assembly on this day withdrew AB 1566 from Enrollment and pursuant to the instructions of the Assembly, I am herewith returning the bill to the Senate for further action.

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 for assignment:

**Assembly Bill 1318**—An act to add and repeal Sections 40453 and 40453.1 of the Health and Safety Code, and to amend Section 21080 of the Public Resources Code, relating to the South Coast Air Quality Management District, and declaring the urgency thereof, to take effect immediately.

**Assembly Joint Resolution 12**—Relative to taxation of corporate income sheltered in offshore tax haven jurisdictions.

**Assembly Concurrent Resolution 79**—Relative to the Sergeant Daniel Sakai Memorial Highway.

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**REPORTS OF STANDING COMMITTEES****Committee on Revenue and Taxation**

Date of Hearing: July 8, 2009

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

AB 852

AB 1468

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 measures ordered to second reading.

**Committee on Public Safety**

Date of Hearing: July 7, 2009

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

AB 708

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

LENO, Chair

Above measure ordered to second reading.

**Committee on Transportation and Housing**

Date of Hearing: June 30, 2009

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

AB 1243

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.

Date of Hearing: July 7, 2009

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

AB 720

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

LOWENTHAL, Chair

Above measure ordered to second reading.



Date of Hearing: July 7, 2009

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

AB 823

AB 1500

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.

**Committee on Environmental Quality**

Date of Hearing: July 6, 2009

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

AB 1489

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 Local Government**

Date of Hearing: July 8, 2009

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

AB 494

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

WIGGINS, Chair

Above measure ordered to second reading.

**Committee on Judiciary**

Date of Hearing: July 7, 2009

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

AB 166

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.

CORBETT, Chair

Above measure ordered to second reading.

Date of Hearing: July 7, 2009

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

AB 261



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

CORBETT, Chair

Above measure ordered to second reading.

Date of Hearing: July 7, 2009

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

AB 485

AB 942

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

CORBETT, Chair

Above measure ordered to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: July 7, 2009

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

AB 7

AB 1121

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

HANCOCK, Chair

Above measures ordered to second reading.

**Committee on Rules**

Senate Chamber, July 13, 2009

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

SB 746

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

STEINBERG, Chair

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

**Senate Bill 746**—An act relating to gun safety.

Bill read second time.

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

**Committee on Education**

Date of Hearing: July 8, 2009

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

AB 1281



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

ROMERO, Chair

Above measure ordered to second reading.

Date of Hearing: July 8, 2009

Mr. President: The Committee on Education, to which was referred:  
AB 1398

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

ROMERO, Chair

Above measure ordered to second reading.

#### **Committee on Energy, Utilities and Communication**

Date of Hearing: July 7, 2009

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

AB 758

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

PADILLA, Chair

Above measure ordered to second reading.

#### **Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: July 7, 2009

Mr. President: The Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

AB 1340

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

HANCOCK, Chair

Above measure ordered to second reading.

#### **MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **AB 120** and **AB 328** were withdrawn from Committee and placed on second reading.

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

Without objection, **AB 1030** was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Appropriations.



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

**Assembly Bill 501**—An act to amend Sections 2054 and 2435 of, and to add Section 2088 to, the Business and Professions Code, relating to medicine.

Bill read third time.

**Amendments Adopted**

Amendments to AB 501 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1270**—An act to add Section 13958.5 to the Government Code, relating to victims compensation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1270 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

**Amendments Adopted**

Amendments to AB 1578 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: July 7, 2009

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

AB 1340

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

HANCOCK, Chair

Above measure ordered to second reading.

**SENATE COMMITTEE ROLL CALLS**

**Committee on Banking, Finance and Insurance**

**AB 33**—Do pass as amended and re-refer to Business, Professions and Economic Development

AYES (10)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, and Runner.

NOES (0)—None.



**AB 34**—Do pass and re-refer to Business, Professions and Economic Development

AYES (10)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, and Runner.

NOES (0)—None.

**AB 260**—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, and Padilla.

NOES (3)—Senators Cogdill, Cox, and Runner.

**AB 299**—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, Price, and Runner.

NOES (0)—None.

**AB 328**—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, Price, and Runner.

NOES (0)—None.

**AB 350**—Do pass and re-refer to Committee on Judiciary

AYES (10)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, and Runner.

NOES (0)—None.

**AB 591**—Do pass and re-refer to Committee on Health

AYES (8)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, Padilla, and Runner.

NOES (1)—Senator Cox.

**AB 601**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, Price, and Runner.

NOES (0)—None.

**AB 725**—Do pass and re-refer to Committee on Appropriations.

AYES (7)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, and Padilla.

NOES (2)—Senators Cox and Runner.

**AB 745**—Do pass

AYES (8)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, Padilla, and Runner.

NOES (0)—None.



**AB 764**—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, and Padilla.

NOES (3)—Senators Cogdill, Cox, and Runner.

**AB 800**—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, and Runner.

NOES (0)—None.

**AB 866**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, Price, and Runner.

NOES (0)—None.

**AB 1051**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Calderon, Cogdill, Correa, Cox, Florez, Kehoe, Liu, Lowenthal, Padilla, Price, and Runner.

NOES (0)—None.

**AB 1160**—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Calderon, Correa, Florez, Kehoe, Liu, Lowenthal, and Padilla.

NOES (3)—Senators Cogdill, Cox, and Runner.

**AB 1200**—Do pass as amended

AYES (8)—Senators Calderon, Cogdill, Correa, Cox, Kehoe, Lowenthal, Padilla, and Runner.

NOES (1)—Senator Liu.

Date of Hearing: 7/9/2009

Calderon (Chair)

**REQUEST TO ADJOURN IN MEMORIAM**

Senator Romero requested that when the Senate adjourns this day it do so in memory of Earl Chavez of Belen, NM.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Alanna Moorman of Agoura Hills and Teresa Amati of Weslake Village.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Aanestad, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, July 14, 2009.

PAULA K. ROSSETTO, Minute Clerk

