

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, August 17, 2009

The Senate met at 12 p.m.
Hon. Dean Florez, of the 16th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zach Twilla reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senator Romero will be excused this day on legislative business and Senator Maldonado will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

This September 9th will mark the 160th anniversary of California becoming a State. But long before we joined the Union, this land attracted dreamers and explorers, people who strove to make real their visions of a better future.

In the Book of Proverbs we are taught that “Where there is no vision, the people perish” (Prov. 29:18). Throughout the last 160 years our state has been a beacon of hope and opportunity because we have been blessed by men and women whose energy, passion, and imagination have kept us on the frontier and the cutting edge, of not only what is possible, but also what was thought to be inconceivable to many, until we made it so.

The full verse from Proverbs teaches “Where there is no vision, the people perish, but happy is he who keeps the law.” Vision and law making should go hand in hand. A people depends on the lawgivers to be inspired by the well-being of us all and we depend on your ability to see a future that encourages possibility and opportunity.

May the Creator of us all grant us the ability to act with vision and insight. May we find inspiration from within as we work to create a just society for us all. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR**Signing Message**

Governor’s Office, State Capitol
July 28, 2009

To the Members of the California State Senate:

I am signing Senate Bill 63.

This bill eliminates the Integrated Waste Management Board (Board) and transfers its regulatory and programmatic functions to the new Department of Resources, Recycling and Recovery at the Natural Resources Agency.

I proposed legislation earlier this year that would have distributed the Board’s responsibilities between the California Environmental Protection Agency and the Natural Resources Agency. The proposal approved by the Legislature instead shifts all of the Board’s functions to the Natural Resources Agency. While the crucial goal of eliminating the Board has been achieved, it is also of the utmost importance to ensure that the new Department most effectively serves its constituencies. To that end, I am directing my staff to work with the Legislature to make any changes to SB 63 necessary to ensure the measure best addresses my Administration’s



environmental protection goals and that programmatic functions are housed in the most appropriate agency.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Veto Messages

Governor's Office, State Capitol
August 5, 2009

To the Members of the California State Senate:

I am returning **Senate Bill 387** without my signature.

The provisions of this bill allowing elections officials to process ballots that contain extraneous non-identifying marks are acceptable; however, I am concerned that remaking a ballot that contains personal identifying information compromises ballot secrecy and increases the opportunity for fraud.

For this reason I am unable to sign this bill.

Cordially,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
August 5, 2009

To the Members of the California State Senate:

I am returning **Senate Bill 645** without my signature.

While this bill is intended to increase awareness of the opportunities for the military and public colleges and universities to establish partnerships, nothing in current law precludes such agreements. Therefore this bill is unnecessary.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
August 5, 2009

To the Members of the California State Senate:

I am returning **Senate Bill 791** without my signature.

This bill is unnecessary. The Department of Social Services has already provided guidance to counties on the federal American Recovery and Reinvestment Act of 2009 and the extended COBRA subsidy provisions through its existing administrative authority.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Receipt of Bills

I acknowledge receipt this 6th day of August 2009 at 10:06 a.m., of Senate Bills without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Jacque Roberts: SB 387, SB 645, SB 791

ZACH TWILLA

Assistant Secretary of the Senate

Governor's Appointments

Governor's Office, State Capitol

August 17, 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

DONALD C. BENNINGHOVEN, is retired after serving as executive director and member of the board for the City-County-School Partnership from 1998 to 2000. Previously served with the League of California Cities from 1958 to 1998 in several positions, including executive director. Benninghoven served on the Marine Life Protection Act Blue Ribbon Task Force from 2007 to 2009. He served as secretary for the City-County-School Partnership, chairman of the California Center for Civic Renewal and a member of the Institute for Local Self Government Executive Committee. Appointed 08/01/09. Effective 08/04/09.

Member, Fish and Game Commission, vice, Cindy M. Gustafson, resigned, term ending 01/15/10.

JANET K. SALOMONSON, M.D., is a plastic surgeon in private practice since 1982 and has served on the Medical Board of California since 2006. She is also medical director of the Cleft Palate Center at Saint John's Health Center since 1998. Salomonson has been a member of the American Society of Plastic Surgeons and the American Cleft Palate and Craniofacial Association since 1984 and the California Society of Plastic Surgeons since 1985. Reappointed 07/29/09. Effective 08/13/09.

Member, Medical Board of California, term ending 06/01/13.



RANDELL H. IWASAKI, has held several engineering and managerial positions at Caltrans over the past 26 years, including chief deputy director since 2005, acting chief deputy director from November 2004 to January 2005, interim director from July 2004 to November 2004, deputy director for maintenance and operations from 1999 to 2004 and interim district director of transportation for District 4 from 2001 to 2002. Iwasaki is the recipient of the Charles H. Purcell Award, the Thomas H. McDonald Award and was most recently recognized as one of twenty-five people nationwide as a 2009 Doer, Dreamer & Driver by Government Technology Magazine. Appointed 06/22/09. Effective 07/22/09.

Director of Transportation, vice, Will Kempton, retired, term ending at the pleasure of the Governor.

ANYORK LEE, is an acupuncturist in private practice. Lee has served as an instructor and clinic supervisor at Alhambra Medical University. He serves as the president of the Council of Acupuncture and Oriental Medicine Associations and is a member of the California Alliance of Acupuncture Medicine Board of Directors. Appointed 07/29/09. Effective 08/07/09.

Member, Acupuncture Board, vice, Kenny G. Cherng, Ph.D., term ending 06/01/13.

PAUL H. WEISMAN, is a tax and sports attorney for his own practice, the Law Office of Paul H. Weisman. Previous to that, Weisman was a senior associate at Goldfarb, Sturman and Averbach from 1988 to 1990, senior attorney with District Counsel, Internal Revenue Service from 1983 to 1987 and attorney for the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service from 1982 to 1983. He has served as an alternate board member for the Los Angeles County Assessment Appeals Board since 2002. Appointed 07/29/09. Effective 08/05/09.

Member, Acupuncture Board, vice, Cary A. Nosler, term expired, term ending 06/01/13.

CHARLES J. KIM, is the chairman of the Korean Institute of Southern California since 2007 and has served on the Acupuncture Board since 2007. Previous managing partner for the American Access Group from 1988 to 1995. Kim founded Inter-Community Action Network (ICAN) in the Diamond Bar-La Habra-Fullerton-Buena Park-Cerritos areas in 2007 and is a member of the Rotary Club of Koreatown where he previously served as president. Reappointed 07/29/09. Effective 08/14/09.

Member, Acupuncture Board, term ending 06/01/13.

Above appointments referred to the Committee on Rules.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, July 27, 2009

Mr. President: The Committee on Rules has examined:

SB 18	SB 198	SB 418	SB 649
SB 33	SB 200	SB 432	SB 668
SB 39	SB 221	SB 447	SB 669
SB 53	SB 226	SB 475	SB 670
SB 91	SB 230	SB 490	SB 693
SB 119	SB 254	SB 512	SB 760
SB 121	SB 306	SB 544	SB 786
SB 123	SB 319	SB 583	SB 791
SB 159	SB 327	SB 607	SB 804
SB 171	SB 352	SB 633	SB 824
SB 174	SB 369	SB 640	SB 825
SB 176	SB 387	SB 645	

And reports that the same have been correctly enrolled, and presented to the Governor on the 27th day of July, 2009, at 11:30 a.m.

STEINBERG, Chair

Committee on Appropriations

Date of Hearing, July 23, 2009

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

AB 281	AB 311	AB 1383
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Reports the same back with the recommendation: Do pass as amended.

KEHOE, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Senate Chamber, August 17, 2009

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

AB 289

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 289—An act to amend Section 21080.13 of the Public Resources Code, relating to environmental quality.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 289 pursuant to Joint Rule 58.

ASSEMBLY MEMBER GALGIANI

Permission of Rules Committee

Senate Chamber, August 17, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 289.

STEINBERG, Chair

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

Committee on Appropriations

Senate Chamber, August 17, 2009

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

AB 854	AB 1009	AB 80	AB 907
AB 3	AB 1020	AB 82	AB 1012
AB 291	AB 1110	AB 91	AB 1364
AB 443	AB 1165	AB 147	AB 1546
AB 482	AB 1181	AB 166	AB 563
AB 483	AB 1319	AB 287	AB 1176
AB 579	AB 1322	AB 413	AB 900
AB 606	AB 1340	AB 1052	AB 402
AB 626	AB 1366	AB 1058	AB 921
AB 657	AB 1397	AB 1108	AB 221
AB 659	AB 1440	AB 1142	AB 469
AB 756	AB 1540	AB 1253	SCA 10
AB 758	AB 1544	AB 1547	SCA 14
AB 807	AB 1559	AB 1324	
AB 903	AB 2	AB 479	
AB 912	AB 7	AB 571	

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 854—An act to add Section 273 to the Labor Code, relating to employment.

Bill read second time.

Assembly Bill 3—An act to add Section 14013.5 to the Unemployment Insurance Code, relating to workforce development.

Bill read second time.

Assembly Bill 291—An act to add Section 30825 to the Public Resources Code, relating to coastal resources.

Bill read second time.

Assembly Bill 443—An act to amend Sections 75507 and 75595.5 of, and to add Chapter 14 (commencing with Section 6300) to Part 1 of Division 4 of, the Food and Agricultural Code, relating to apple pests.

Bill read second time.

Assembly Bill 482—An act to add Sections 60200.7 and 60200.8 to the Education Code, relating to instructional materials.

Bill read second time.

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

Bill read second time.

Assembly Bill 579—An act to add Section 8546.10 to the Government Code, relating to state boards and commissions.

Bill read second time.

Assembly Bill 606—An act to add Chapter 26 (commencing with Section 79201) to Part 2 of Division 22 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

Bill read second time.

Assembly Bill 626—An act to amend Section 83002 of the Water Code, relating to water.

Bill read second time.

Assembly Bill 657—An act to add Section 127162 to the Health and Safety Code, relating to public health.

Bill read second time.

Assembly Bill 659—An act to amend, repeal, and add Section 6018.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Assembly Bill 756—An act to add Section 10111.5 to the Public Contract Code, relating to public contracts.

Bill read second time.

Assembly Bill 758—An act to add Section 25943 to the Public Resources Code, and to add Sections 381.2 and 385.2 to the Public Utilities Code, relating to energy.

Bill read second time.

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.



Assembly Bill 903—An act to amend Section 42926 of the Public Resources Code, relating to solid waste.

Bill read second time.

Assembly Bill 912—An act to amend Section 41136 of the Revenue and Taxation Code, relating to emergency telephone systems.

Bill read second time.

Assembly Bill 1009—An act to amend Section 14030 of, and to add and repeal Section 14077 of, the Corporations Code, relating to small business, and making an appropriation therefor.

Bill read second time.

Assembly Bill 1020—An act to amend Section 18942 of, and to add Sections 116064.1 and 116064.2 to, the Health and Safety Code, relating to swimming pools.

Bill read second time.

Assembly Bill 1110—An act to add and repeal Section 379.8 of the Public Utilities Code, relating to energy.

Bill read second time.

Assembly Bill 1165—An act to amend Section 65007 of the Government Code, and to amend Sections 8502, 8559, 8560, 8610.5, and 8709.4 of, to add Sections 8709.5, 8709.6, 8709.7, 12645, 12646, and 12647 to, to add the heading of Article 2 (commencing with Section 12645) to Chapter 2 of Part 6 of Division 6 of, to repeal Sections 8562 and 8577 of, to repeal the heading of Article 2 (commencing with Section 12648) of Chapter 2 of Part 6 of Division 6 of, and to repeal and amend Sections 8522.3, 8522.5, 8523, and 8578 of, the Water Code, relating to flood protection.

Bill read second time.

Assembly Bill 1181—An act to amend Sections 84203, 84204, 84215, 84218, 84225, 84605, 85200, 86100, 86107, and 86118 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

Assembly Bill 1319—An act to repeal and add Chapter 4.5 (commencing with Section 1701) of Part 6 of Division 2 of the Labor Code, relating to talent services.

Bill read second time.

Assembly Bill 1322—An act to amend Section 9084 of the Elections Code, and to amend Section 84506.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.



Assembly Bill 1340—An act to amend Sections 3102, 3103, and 3103.5 of, and to add Sections 3103.6 and 3103.7 to, the Elections Code, relating to elections.

Bill read second time.

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

Bill read second time.

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.

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

Bill read second time.

Assembly Bill 1540—An act to amend Section 6276.24 of the Government Code, to amend Sections 1344, 1366.4, 1374.64, 1375.4, 1376.1, 1377, 1399, 116283, 116286, 116380, 116450, 116540, 116650, 116725, 121360.5, 127662, 127664, 127665, 128730, and 128745 of, and to add Section 116552 to, the Health and Safety Code, and to amend Sections 14043.26, 14043.28, 14043.29, and 14115.8 of the Welfare and Institutions Code, relating to health.

Bill read second time.

Assembly Bill 1544—An act to add Section 1253.6 to the Health and Safety Code, relating to health facilities.

Bill read second time.

Assembly Bill 1559—An act to amend Section 14206 of, and to add Section 14021 to, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Assembly Bill 2—An act to add Sections 1389.9, 1389.10, 1389.11, 1389.13, 1389.14, 1389.15, 1389.16, 1389.17, 1389.18, 1389.19, 1389.20, 1389.22, and 1389.24 to, and to repeal and add Section 1389.1 of, the Health and Safety Code, and to amend Sections 10270.95, 10291.5, and 12957 of, and to add Sections 10384.1, 10384.12, 10384.14, 10384.16, 10384.18, 10384.2, 10384.22, 10384.24, 10384.26, 10384.28, 10384.29, 10384.3, 10384.32, and 10396 to, the Insurance Code, relating to health care coverage.

Bill read second time.

Assembly Bill 7—An act to amend Sections 84506 and 84508 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.



Assembly Bill 80—An act to amend Section 115841 of the Health and Safety Code, relating to reservoirs.

Bill read second time.

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

Bill read second time.

Assembly Bill 91—An act to amend Sections 13386 and 23576 of, and to add and repeal Chapter 5 (commencing with Section 23700) of Division 11.5 of, the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 147—An act to amend Section 25214.10.1 of, and to add Section 25214.10.3 to, the Health and Safety Code, relating to hazardous waste.

Bill read second time.

Assembly Bill 166—An act to amend, repeal, and add Sections 525 and 526 of, and to add and repeal Section 526.1 of, the Harbors and Navigation Code, relating to vessels.

Bill read second time.

Assembly Bill 287—An act to amend Section 4646.5 of, and to add Chapter 14 (commencing with Section 4868) to Division 4.5 of, the Welfare and Institutions Code, relating to developmental services.

Bill read second time.

Assembly Bill 413—An act to amend Sections 327, 382, 739.1, and 747 of, and to add Sections 365.1, 739.9, 745, and 748 to, the Public Utilities Code, and to amend Section 80110 of the Water Code, relating to energy.

Bill read second time.

Assembly Bill 1052—An act to amend Section 7360 of, to amend, renumber, and add Section 7362 of, to add Section 7364 to, and to repeal Section 7363 of, the Fish and Game Code, relating to sport fishing.

Bill read second time.

Assembly Bill 1058—An act to repeal Sections 11155, 11155.1, and 11155.2 of, and to add Section 11258 to, the Welfare and Institutions Code, relating to CalWORKs.

Bill read second time.

Assembly Bill 1108—An act to amend Sections 739.5, 2791, 2796, and 2797 of, to repeal Sections 2793, 2794, 2795, and 2799 of, and to repeal and add Sections 2792 and 2798 of, the Public Utilities Code, relating to utility service.

Bill read second time.



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

Bill read second time.

Assembly Bill 1253—An act relating to the Sacramento-San Joaquin Delta.

Bill read second time.

Assembly Bill 1547—An act to amend Sections 6069, 6248, 7339, 60003, 60022, 60023, 60501, and 60508 of, to add Sections 7339.1, 55041.1, 60003.1, 60022.1, 60022.2, 60022.3, 60022.4, and 60023.1 to, and to repeal Sections 60508.1, 60508.2, 60508.4, and 60509 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 1324—An act to amend Section 10618.6 of the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Assembly Bill 479—An act to amend Sections 41730, 41731, 47134, 41735, 41736, 41800, 44004, and 50001 of, and to add Sections 40004, 41734.5, 41780.01, and 42649 to, the Public Resources Code, relating to solid waste.

Bill read second time.

Assembly Bill 571—An act to amend Section 8254 of, to add and repeal Section 8254.5 of, and to add and repeal Article 5.5 (commencing with Section 8260) of Chapter 2 of Part 3 of Division 6 of, the Fish and Game Code, relating to commercial fishing.

Bill read second time.

Assembly Bill 907—An act to amend Sections 48100, 48623, 48631, 48632, 48645, 48650, 48651, 48652, 48653, 48656, 48660, 48660.5, 48662, 48670, 48673, 48674, 48690, and 48691 of, to add Sections 48620.2 and 48651.5 to, and to repeal Sections 48633 and 48634 of, the Public Resources Code, relating to oil, and making an appropriation therefor.

Bill read second time.

Assembly Bill 1012—An act relating to broadband services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1364—An act to add Section 16482 to the Government Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1546—An act to amend Section 15902.09 of the Corporations Code, and to amend Sections 17054, 19136, 19136.1,



19136.8, 19591, 25128, and 25128.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 563—An act to amend Section 18707 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 563 pursuant to Joint Rule 58.

ASSEMBLY MEMBER COOK

Permission of Rules Committee

Senate Chamber, August 17, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 563.

STEINBERG, Chair

Assembly Bill 1176—An act to repeal and add Section 53395.8 of the Government Code, and to amend Section 96.1 of the Revenue and Taxation Code, relating to infrastructure financing districts.

Bill read second time.

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.

Assembly Bill 402—An act to add Section 1308.10 to the Labor Code, relating to employment.

Bill read second time.

Assembly Bill 921—An act to add Section 607.5 to the Welfare and Institutions Code, relating to children.

Bill read second time.

Assembly Bill 221—An act to amend Sections 120871 and 120917 of the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 469—An act to amend Sections 6452.1, 6453, 6487.3, and 18510 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Senate Constitutional Amendment 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the



State, by amending Section 8 of, and by adding Section 8.5 to, Article II thereof, relating to initiatives.

Resolution read second time.

Senate Constitutional Amendment 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article II thereof, relating to initiatives.

Resolution read second time.

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

Committee on Rules

Senate Chamber, July 24, 2009

Mr. President: The Committee on Rules has examined:

SB 63 SB 90 SB 116

And reports that the same have been correctly enrolled, and presented to the Governor on the 24th day of July, 2009, at 12:30 p.m.

STEINBERG, Chair

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, August 17, 2009

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

SCR 3

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

Senate Concurrent Resolution 3—Relative to a constitutional convention.

Resolution read second time.

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

Committee on Rules

Senate Chamber, August 17, 2009

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

AB 224

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

STEINBERG, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 224—An act to add and repeal Section 18005 of the Government Code, relating to state employment, 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 Appropriations

Date of Hearing, July 23, 2009

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

AB 1401

AB 1439

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

KEHOE, Chair

Above measures ordered to second reading.

Date of Hearing, July 23, 2009

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

SCR 44

Reports the same back with the recommendation: Be adopted as amended.

KEHOE, Chair

Above measure ordered to second reading.

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

Senate Joint Resolution 15—Relative to public health laboratories.

Resolution read second time.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 6—An act to add Section 9023 to the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 9—An act to amend Sections 82015 and 82031 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

Assembly Bill 42—An act to add Section 565 to the Public Utilities Code, relating to electricity.

Bill read second time and ordered to third reading.



Assembly Bill 144—An act to amend Section 1465.6 of the Penal Code, and to amend Sections 4461, 4463, 22511.57, 40203.5, and 42001.3 of, and to add Sections 40200.1 and 40203.6 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 162—An act to amend Sections 398.2, 398.4, and 398.5 of the Public Utilities Code, relating to electrical suppliers.

Bill read second time and ordered to third reading.

Assembly Bill 245—An act to amend Section 2027 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time and ordered to third reading.

Assembly Bill 305—An act to amend Section 338.1 of the Code of Civil Procedure, and to amend Section 25515 of the Health and Safety Code, relating to hazardous materials.

Bill read second time and ordered to third reading.

Assembly Bill 330—An act to add Section 15005 to the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 404—An act to amend Sections 19565 and 23701d of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 428—An act to amend Section 11105 of the Penal Code, relating to criminal history records.

Bill read second time and ordered to third reading.

Assembly Bill 436—An act to amend Section 9004 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 531—An act to amend Section 25402.10 of the Public Resources Code, relating to energy.

Bill read second time and ordered to third reading.

Assembly Bill 544—An act to add Section 44262.5 to the Education Code, relating to teacher credentialing.

Bill read second time and ordered to third reading.

Assembly Bill 557—An act to amend Section 46003 of the Food and Agricultural Code, relating to organic products.

Bill read second time and ordered to third reading.

Assembly Bill 600—An act relating to state property, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.



Assembly Bill 673—An act to amend, repeal, and add Section 52335.4 of the Education Code, relating to regional occupational centers or programs.

Bill read second time and ordered to third reading.

Assembly Bill 698—An act to amend Sections 851 and 853 of the Public Utilities Code, relating to utility property.

Bill read second time and ordered to third reading.

Assembly Bill 733—An act to amend Section 185036 of the Public Utilities Code, relating to high-speed rail.

Bill read second time and ordered to third reading.

Assembly Bill 735—An act to amend Sections 72027, 72051, and 72060 of the Food and Agricultural Code, relating to wheat.

Bill read second time and ordered to third reading.

Assembly Bill 839—An act to amend Sections 14043.28 and 14104.5 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 882—An act to amend Section 101.10 of the Streets and Highways Code, relating to highways.

Bill read second time and ordered to third reading.

Assembly Bill 890—An act to add Section 116335 to the Health and Safety Code, relating to public water systems.

Bill read second time and ordered to third reading.

Assembly Bill 894—An act to amend Sections 9005, 9087, and 13247 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 905—An act to amend Sections 861, 882, and 45031 of the Food and Agricultural Code, relating to agricultural commodities.

Bill read second time and ordered to third reading.

Assembly Bill 909—An act to amend Section 13102 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 951—An act to amend Sections 5378, 5378.5, 5411, 5411.3, 5412, 5412.2, 5413, 5413.5, and 5414 of the Public Utilities Code, relating to charter-party carriers.

Bill read second time and ordered to third reading.



Assembly Bill 958—An act to add and repeal Section 21568 of the Public Contract Code, relating to public contracts.

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 and ordered to third reading.

Assembly Bill 1122—An act to add Section 597.4 to the Penal Code, relating to animals.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 1203—An act to amend Section 8879.59 of the Government Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 1282—An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1447—An act to add Section 8543.8 to the Government Code, and to amend Section 11771.5 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time and ordered to third reading.

Assembly Bill 1462—An act to amend Section 14083 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 1531—An act to amend Section 13314 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Concurrent Resolution 33—Relative to the Deputy Kent Hintergardt Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 49—Relative to the California Law Revision Commission.

Resolution read second time and ordered to third reading.



Assembly Concurrent Resolution 61—Relative to the Deputy David G. Graves Memorial Freeway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 62—Relative to chronic obstructive pulmonary disease.

Resolution read second time and ordered to third reading.

Assembly Bill 356—An act to amend Section 114850 of the Health and Safety Code, relating to radiologic technology.

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

Bill read second time.

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

Assembly Bill 804—An act to amend Section 2301 of the Fish and Game Code, relating to invasive aquatic species.

Bill read second time.

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

Assembly Bill 789—An act to amend Section 1524 of the Penal Code, relating to search warrants.

Bill read second time.

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

Assembly Bill 830—An act to amend Sections 1367.21 and 1370.4 of the Health and Safety Code, to amend Sections 10123.195 and 10145.3 of the Insurance Code, and to amend Sections 14105.43 and 14133.2 of the Welfare and Institutions Code, relating to drugs and devices.

Bill read second time.

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

Assembly Bill 515—An act to amend Sections 7502.1, 7504, 7505.1, and 7507.10 of the Business and Professions Code, and to amend Sections 14602.6, 14602.7, 14602.8, 21100.4, 22651.1, 22658, 24605, and 29004 of, and to add Section 23118 to, the Vehicle Code, relating to collateral recovery.

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 690—An act to amend Section 66602 of, and to add Section 92022 to, the Education Code, relating to public postsecondary education.

Bill read second time.

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

Assembly Bill 1465—An act to amend Sections 10631 and 10633 of the Water Code, relating to water.

Bill read second time and ordered to third reading.

Assembly Bill 386—An act to amend Section 67302 of, and to add Section 67302.5 to, the Education Code, relating to postsecondary education.

Bill read second time and ordered to third reading.

Assembly Bill 337—An act to amend Section 781 of the Welfare and Institutions Code, relating to juvenile court records.

Bill read second time and ordered to third reading.

Assembly Bill 488—An act to amend Sections 18987.61 and 18987.62 of the Welfare and Institutions Code, relating to public social services.

Bill read second time and ordered to third reading.

Assembly Bill 547—An act to amend Sections 15053 and 15061 of the Food and Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 1369—An act to amend Section 1203.017 of the Penal Code, relating to home detention.

Bill read second time and ordered to third reading.

Assembly Bill 753—An act to amend Sections 303, 336, 342, 9003, 9004, 9005, 9007, 9008, 9034, 9035, 9050, 9053, 9054, 9063, 13247, and 13282 of, to add Sections 303.5, 9016, 9017, and 9018 to, to repeal Sections 9052, 13280, and 13281 of, and to repeal and add Sections 9001, 9002, 9006, 9009, 9012, 9013, 9014, 9015, and 9051 of, the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 368—An act to amend Section 6804.1 of the Public Resources Code, relating to state lands.

Bill read second time and ordered to third reading.



Assembly Bill 769—An act to amend Section 8236 of, and to add Section 8235.5 to, the Education Code, relating to state preschool.

Bill read second time and ordered to third reading.

Assembly Bill 665—An act to amend Section 16131.5 of the Welfare and Institutions Code, relating to children.

Bill read second time and ordered to third reading.

Assembly Bill 1222—An act to amend Sections 89090, 89090.5, 92630, and 92630.9 of, and to add Sections 89090.3 and 92630.3 to, the Education Code, relating to public postsecondary education.

Bill read second time and ordered to third reading.

Assembly Bill 1455—An act to amend, repeal, and add Section 11100 of, and to add and repeal Section 11100.02 of, the Health and Safety Code, relating to controlled substances.

Bill read second time and ordered to third reading.

Assembly Bill 1312—An act to amend and repeal Section 104113 of the Health and Safety Code, relating to defibrillators.

Bill read second time.

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

Assembly Bill 1336—An act to add Article 3.6 (commencing with Section 40245) to Chapter 1 of Division 17 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **AB 1455** was referred to the Committee on Rules.

CONSENT CALENDAR

Objections Raised

Senator Florez objected to **AB 1085** being on the Special Consent Calendar.

Senator DeSaulnier objected to **AB 669** being on the Special Consent Calendar.

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



MOTION TO REFER MEASURE TO INACTIVE FILE

Senator DeSaulnier moved that **AB 1422** be placed on the inactive file.

Senator Simitian moved that **AB 572** be placed on the inactive file.

Senator Negrete McLeod moved that **AB 583** be placed on the inactive file.

Motions carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Simitian moved that **AB 737** be taken from the inactive file and placed on the second reading file.

Senator Harman moved that **AB 1059** and **AB 1233** be taken from the inactive file and placed on the second reading file.

Motions carried.

REQUEST TO RETURN BILL TO ASSEMBLY

On the request of Senator Lowenthal, **SB 251** was returned to the Assembly for further action.

On the request of Senator Pavley, **SB 520** was returned to the Assembly for further action.

CONSIDERATION OF DAILY FILE (RESUMED)**CONSENT CALENDAR**

Assembly Bill 1463—An act to add Section 35183.3 to the Education Code, relating to high school graduation.

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

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 24—An act to amend Section 487h of the Penal Code, relating to theft.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 52—An act to repeal Sections 3404 and 3405 of, and to repeal and add Sections 3401, 3402, and 3403 of, the Government Code, relating to the Public Safety Officer Medal of Valor.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 166—An act to add Section 18871.12 to the Health and Safety Code, relating to special occupancy parks.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 209—An act to amend Section 55.54 of the Civil Code, relating to disability access.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 224—An act to amend Sections 50650.3, 50650.4, and 51504 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 431—An act to amend Section 1203.9 of the Penal Code, relating to probation.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 469—An act to add Chapter 10.5 (commencing with Section 1480) to Division 6 of the Military and Veterans Code, relating to veterans.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 818—An act to amend Sections 179 and 179.5 of the Military and Veterans Code, relating to military and veterans.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 325—An act to amend Sections 290.04, 290.05, 290.06, 290.07, and 1203 of the Penal Code, and to amend Section 706 of the Welfare and Institutions Code, relating to sex offenders.

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

(NOTE: See Consent Calendar Roll Call)

Senate Joint Resolution 7—Relative to pancreatic cancer.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 743—An act to amend Section 1799.111 of the Health and Safety Code, relating to mental health.

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

(NOTE: See Consent Calendar Roll Call)

Senate Joint Resolution 12—Relative to undocumented criminals.

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

(NOTE: See Consent Calendar Roll Call)

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

(NOTE: See Consent Calendar Roll Call)

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.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 120—An act to amend Sections 809, 809.2, and 809.3 of, and to add Sections 809.04, 809.07, and 809.08 to, the Business and Professions Code, relating to healing arts.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 328—An act to amend Section 1633.3 of the Civil Code, and to amend Sections 560, 570, 658, 662, 666, 771.02, 779.19, and 1759.7 of, to add Sections 38.5 and 38.8 to, and to add Article 6 (commencing with Section 580) to Chapter 6 of Part 1 of Division 1 of, the Insurance Code, relating to electronic transactions.

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

(NOTE: See Consent Calendar Roll Call)

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, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 1270—An act to add Section 13958.5 to the Government Code, relating to victim's compensation.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 37—An act to add Section 66020 to the Education Code, relating to public postsecondary education.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 889—An act to amend Sections 5832, 5833, 5834, 5841, 5841.5, and 5842 of, and to repeal Section 5842.5 of, the Public Resources Code, relating to open-space preservation, 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 1083—An act to amend Section 1257.7 of the Health and Safety Code, relating to health facilities.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1464—An act to add Article 2.5 (commencing with Section 889) to Chapter 8 of Division 1 of the Streets and Highways Code, relating to transportation.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 20—An act to add Chapter 14.27 (commencing with Section 67325) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 174—An act to amend Sections 35511, 35706, 35708, 35710, and 35711 of, to amend and renumber Section 35535 of, and to add Sections 35710.3, 35780.1, and 35787 to, the Education Code, relating to school district reorganization.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1246—An act to amend Section 11003.4 of the Business and Professions Code, to amend Section 1351 of, and to add Chapter 5 (commencing with Section 817) to Title 2 of Part 2 of Division



2 of, the Civil Code, and to amend Sections 33413.7 and 50073 of, and to repeal Section 33007.5 of, the Health and Safety Code, relating to housing.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 506—An act to amend Sections 24214, 24216, 24216.5, and 24216.6 of, and to add Section 24214.5 to, the Education Code, relating to state teachers' retirement.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 595—An act to amend Section 1522 of the Health and Safety Code, and to amend Section 361.4 of the Welfare and Institutions Code, relating to children, 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 1143—An act to amend Section 306.5 of the Family Code, relating to vital records.

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

(NOTE: See Consent Calendar Roll Call)

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

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 (35)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wyland, and Yee.

NOES (0)—None.

LEAVES OF ABSENCE FOR THE DAY

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

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



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

At 12:55 p.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate 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, August 18, 2009.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 17, 2009

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

SB 239	SB 283	SB 605	SB 671
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Above measures ordered enrolled.

Assembly Chamber, August 17, 2009

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

SB 113	SB 272	SB 320	SB 481
SB 215	SB 288	SB 345	SB 783
SB 247	SB 308	SB 348	

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

Above measures ordered to unfinished business file.

Assembly Chamber, August 17, 2009

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

SJR 4

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

Above measure ordered to unfinished business file.

Assembly Chamber, August 17, 2009

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

AB 32	AB 400	AB 720	ACR 12
AB 117	AB 576	AB 825	
AB 134	AB 645	AB 1046	
AB 261	AB 653	AB 1459	

Assembly Chamber, August 17, 2009

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 18 and AB 652 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, August 17, 2009

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

Environmental Quality and Energy, Utilities and Communications—
AB 1318.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 54: By Senator Cogdill (Principal coauthor: Senator Denham) (Coauthors: Assembly Members Bill Berryhill and Tom Berryhill)—Relative to the Kirk Lindsey Memorial Highway.

Senate Concurrent Resolution 55: By Senator Wolk—Relative to Health Care Decisions Week.

Senate Resolution 26: By Senator Runner—Relative to pulmonary hypertension disorder.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 335** and **AB 620** were withdrawn from Committee and placed on second reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 830** was re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 289** was withdrawn from the Committee on Environmental Quality and re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1442—An act to amend Sections 1345, 1348, 1796, 2003, 3004, 4011, 5654, 7149.45, 8035, 8036, 8276.2, 8276.3, 8279.1,



8280.1, 8280.2, 8280.3, 8280.4, 8280.5, 8280.6, 8405.4, 12002.1, 12159, 12160, and 12161 of, and to add Sections 392, 393, 859, 860, 1050.8, 2011.5, 2020, and 12014 to, the Fish and Game Code, and to amend Sections 8670.3, 8670.61.5, and 8670.67 of the Government Code, relating to natural resources.

Bill read third time.

Amendments Adopted

Amendments to AB 1442 proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1061)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1061 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1061

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

Bill read.

Motion to Amend

Amendments to AB 1061 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 213—An act to amend Section 22502 of the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 213 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 957—An act to add Article 1.8 (commencing with Section 1103.20) to Chapter 2 of Title 4 of Part 4 of Division 2 of, and to repeal Section 1103.21 of, the Civil Code, relating to real property, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 957 proposed by Senator Denham were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1268)

Senator Runner asked for, and was granted, unanimous consent that AB 1268 be taken from the inactive file and taken up at this time.



Consideration of Assembly Bill 1268

Assembly Bill 1268—An act to amend Sections 110, 1210, 1211, 1212, and 1583 of, to add Sections 220, 221, 222, 223, 230.5, 236, 250.5, 291, 292, 293, 352, 353, 354, 355, 356, 511, 770, and 3828 to, to add Article 3.5 (commencing with Section 240), Article 7 (commencing with Section 295), Article 8 (commencing with Section 305), and Article 9 (commencing with Section 335) to Chapter 2 of Division 1 of, to repeal Sections 100, 101, 107.5, 116, 117, 118, 684, 1817, 1818, 1819, 1819.5, 1820, 1821, 1822, 1824, 1825, 1880, 1880.5, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1910, 1911, 1911.5, 1912, 1913, 1913.5, 1951, 1952, 14200, 14200.1, 14200.2, 14201, 14204, 14205, 14208, 14209, 14253, 14255, 14257, 34100, 34100.5, 34101, 34102, 34103, 34104, 34105, 34106, 34107, 34108, 34109, 34110, 34111, 34112, and 34113 of, to repeal Chapter 17 (commencing with Section 3100) of Division 1 of, to repeal Article 3 (commencing with Section 14300) and Article 5 (commencing with Section 14380) of Chapter 3 of Division 5 of, and to repeal Chapter 11 (commencing with Section 31700) of Division 15 of, the Financial Code, relating to financial institutions.

Bill read second time.

Motion to Amend

Amendments to AB 1268 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

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.

Amendments Adopted

Amendments to AB 1233 proposed by Senator Harman were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 796—An act to amend Section 48205 of the Education Code, relating to pupils.

Bill read third time.

Amendments Adopted

Amendments to AB 796 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.



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

Bill read third time.

Amendments Adopted

Amendments to AB 1228 proposed by Senator Wolk were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 688)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 688 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 688

Assembly Bill 688—An act to amend Section 853.6 of the Penal Code, relating to crime.

Bill read.

Motion to Amend

Amendments to AB 688 proposed by Senator Benoit were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1214—An act to add Section 16031 to the Insurance Code, relating to fire insurance.

Bill read third time.

Amendments Adopted

Amendments to AB 1214 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1059—An act to amend Sections 7113.5, 17027, 17028, 17511.4, 17550.52, 17919, 20021, 22903, and 24071 of the Business and Professions Code, to amend Sections 1785.13, 1786.18, 1788.14, and 1812.206 of the Civil Code, to amend Section 703.130 of the Code of Civil Procedure, to amend Sections 1400, 1401, 1402, 1403, 6110, 6610, 8110, 8610, 9650, 9680, 12560, 12630, 15642, 23005, 25103, 25248, and 28710 of the Corporations Code, to amend Sections 867, 1203, 1781, 1889, 6152, 12307.2, 16202, 16902, 17415, 18477, 31709, 34109, and 50319 of the Financial Code, to amend Section 1058 of the Fish and Game Code, to amend Section 58503.1 of the Food and Agricultural Code, to amend Section 65863.7 and 65863.12 of the Government Code, to amend Section 1358.4, 1793.62, 129174.1, 25169.3, 25245, 25359.5, 25359.6, and 25396 of the Health and Safety Code, to amend Section 10192.4 and 11655 of the Insurance Code, to amend Section 15643 of the Probate Code, to amend Section 4107 of the Public Contract Code, to amend Section 11923 of the Revenue and Taxation Code, to amend



Section 9185 of the Streets and Highways Code, and to amend Section 9859 of the Vehicle Code, relating to bankruptcy.

Bill read second time.

Amendments Adopted

Amendments to AB 1059 proposed by Senator Harman were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1209—An act to amend Section 853.6 of the Penal Code, relating to criminal procedure.

Bill read third time.

Amendments Adopted

Amendments to AB 1209 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 136—An act to amend Section 19596.1 of, and to add Section 19561 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 136 proposed by Senator Price 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 Steve May of Modesto, Lyndon Bensen, Jr. of Oakhurst and Gordon E. Bosler of Fresno.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Nancy “Faye” Gillman of Jackson, Patricia Scholl and Eleanor Stern Allen of Roseville, and Sgt. Kelley Lara of Fair Oaks.

Senators Denham and Cogdill requested that when the Senate adjourns this day it do so in memory of Donald Lichliter of Modesto.

Senator Florez requested that when the Senate adjourns this day it do so in memory of Joe Aguirre, Sr.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Harold Hilliker of Lakeside, Nicholas Gideon of Murrieta, George Layh of El Cajon, and Don Gilkey of Corcoran.

Senator Padilla requested that when the Senate adjourns this day it do so in memory of Rudy Ortega Sr, “Chief Little Bear” of Palmdale, Ernestina Durazo of Fresno, and Tina Gallardo of Temecula.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Julius Shulman of Malibu.



Senators Pavley, Steinberg, and Hollingsworth requested that when the Senate adjourns this day it do so in memory of Eunice Kennedy Shriver.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Gil Barron of Hesperia and William R. "Bill" Antón of Alhambra.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Budd Aven and Ron Carter of Lancaster, LCpl. Javier Olvera (USMC) of Palmdale, and Doris Davies of Victorville.

Senator Strickland requested that when the Senate adjourns this day it do so in memory of Mayor Dick DeWees of Lompoc.

Senator Wiggins requested that when the Senate adjourns this day it do so in memory of Robert "Bob" Anderson of Yountville Veterans Home.

Senator Wright requested that when the Senate adjourns this day it do so in memory of Irma Cabrera Lyons of Los Angeles.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, August 18, 2009.

PAULA K. ROSSETTO, Minute Clerk

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