

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, August 26, 2009

The Senate met at 9 a.m.

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

Secretary Greg Schmidt at the Desk.

Assistant Secretary David Valverde reading.

ROLL CALL

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

Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland—38.

Quorum present.

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

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Date of Hearing, August 26, 2009

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

AB 1422

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

WOLK, Chair

Above measure re-referred to the Committee on Health.



Date of Hearing, August 26, 2009

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

SB 600

AB 765

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

WOLK, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Business, Professions and Economic Development

Senate Chamber, August 26, 2009

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

AB 1416

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

NEGRETE McLEOD, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1416—An act to repeal and add Sections 2883 and 4532 of the Business and Professions Code, relating to the healing arts.

Bill read second time.

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

Committee on Health

Date of Hearing, August 26, 2009

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

AJR 17

Reports the same back with the recommendation: Be adopted.

ALQUIST, Chair

Above bill ordered to third reading.

Date of Hearing, August 26, 2009

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

AB 1422

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

ALQUIST, Chair

Above measure re-referred to the Committee on Appropriations.



Committee on Appropriations

Date of Hearing, August 17, 2009

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

AB 756

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

KEHOE, Chair

Above measure ordered to second reading.

Committee on Transportation and Housing

Senate Chamber, August 26, 2009

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

ACR 71

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

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

Resolution read second time.

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

Committee on Rules

State Capitol, August 26, 2009

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

Appropriations—AB 711.

Judiciary—AB 224.

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

Assembly Bill 119—An act to amend Section 1365.5 of the Health and Safety Code, and to add Section 10140.2 to the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

Assembly Bill 504—An act to add Section 13515.45 to the Penal Code, relating to peace officers.

Bill read second time and ordered to third reading.



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

Bill read second time and ordered to third reading.

Assembly Bill 245—An act to add Section 2027.1 to the Business and Professions Code, relating to physicians and surgeons.

Bill read second time and ordered to third reading.

Assembly Bill 356—An act to amend Sections 107110, 114850, and 114980 of, and to add Section 114872 to, the Health and Safety Code, relating to radiologic technology.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday, August 31:

SB 40	SB 340	AB 240	AB 652
SB 285	SB 359	AB 830	ACR 49
SB 627	SB 419	AB 17	
SB 748	SB 532	AB 681	

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 692—An act to amend Sections 17024.5 and 23051.5 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Amendments Adopted

Amendments to AB 692 proposed by Senator Calderon were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 737—An act to amend Sections 25251, 25257, 116450, 116455, and 116470 of the Health and Safety Code, relating to environmental safety.

Bill read third time.

Amendments Adopted

Amendments to AB 737 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 805—An act to amend Section 11504 of the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 805 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.



REQUEST FOR UNANIMOUS CONSENT (AB 1574)

Senator Hancock asked for, and was granted, unanimous consent that AB 1574 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1574

Assembly Bill 1574—An act to amend Sections 9162, 9286, and 10229 of the Elections Code, and to amend Section 4716 of the Health and Safety Code, relating to elections.

Bill read second time.

Motion to Amend

Amendments to AB 1574 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 236—An act to amend Sections 2051 and 2067 of the Labor Code, relating to car washes.

Bill read third time.

Amendments Adopted

Amendments to AB 236 proposed by Senator Price were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1514—An act to amend Section 84218 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time.

Amendments Adopted

Amendments to AB 1514 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 1439 proposed by Senator Benoit were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 530 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.



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 third time.

Amendments Adopted

Amendments to AB 1181 proposed by Senator Strickland were read and adopted and the measure ordered printed and to second reading.

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 third time.

Amendments Adopted

Amendments to AB 515 proposed by Senator Calderon were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 789 proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 532—An act to amend Section 1524 of the Penal Code, relating to search warrants.

Bill read third time.

Amendments Adopted

Amendments to AB 532 proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 471—An act to amend Sections 11040 and 11042 of, and to add Sections 11042.1, 11042.2, 11042.3, and 11046 to, the Government Code, relating to legal services.

Bill read third time.

Amendments Adopted

Amendments to AB 471 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.



THIRD READING OF SENATE BILLS

Senate Concurrent Resolution 44—Relative to child care.

Resolution read third time.

Amendments Adopted

Amendments to SCR 44 proposed by Senator Corbett were read and adopted and the measure ordered printed, engrossed, and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 671—An act to add Chapter 9.9 (commencing with Section 3410) to Division 4 of Title 1 of the Government Code, relating to the Golden Shield Award.

Bill read third time.

Amendments Adopted

Amendments to AB 671 proposed by Senator Benoit were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1470—An act to amend Section 23396.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to AB 1470 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 628—An act to amend Sections 23302, 40255, and 40273 of, and to add Section 23301.8 to, the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 628 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 606—An act to amend Sections 2436.5 and 2455 of, and to add Section 2455.1 to, the Business and Professions Code, and to amend Sections 128330 and 128553 of the Health and Safety Code, relating to physicians and surgeons, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 606 proposed by Senator Maldonado were read and adopted and the measure ordered printed, engrossed, and to second reading.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 281—An act to add Article 2 (commencing with Section 5911) to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to agriculture.

Bill read third time.

Amendments Adopted

Amendments to AB 281 proposed by Senator Strickland were read and adopted and the measure ordered printed and to second reading.

MEMORANDUM OF UNDERSTANDING

An addendum to the Memorandum of Understanding (MOU) reached with the California Highway Patrol, dated August 26, 2009, was received from the Department of Personnel Administration and filed pursuant to Senate Rule 29.4.

SENATE COMMITTEE ROLL CALLS**Committee on Health**

AB 1422—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alquist, Cedillo, Cox, Leno, Maldonado, Negrete McLeod, and Pavley.

NOES (0)—None.

AJR 17—Be adopted

AYES (9)—Senators Aanestad, Alquist, Cedillo, Cox, Leno, Maldonado, Negrete McLeod, Pavley, and Strickland.

NOES (0)—None.

Date of Hearing: 8/26/2009

Alquist (Chair)

Committee on Revenue and Taxation

SB 600—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alquist, Florez, Padilla, Wiggins, and Wolk.

NOES (3)—Senators Ashburn, Runner, and Walters.

AB 765—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alquist, Ashburn, Florez, Padilla, Runner, Walters, Wiggins, and Wolk.

NOES (0)—None.

AB 1422—Do pass and re-refer to Committee on Health

AYES (6)—Senators Alquist, Ashburn, Florez, Padilla, Wiggins, and Wolk.

NOES (1)—Senator Walters.

Date of Hearing: 8/26/2009

Wolk (Chair)



LEAVES OF ABSENCE FOR THE DAY

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

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, August 27, 2009.

PAULA K. ROSSETTO, Minute Clerk

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