

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, August 27, 2009

The Senate met at 9 a.m.
Hon. Gloria Romero, of the 24th 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, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—38.
Quorum present.

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



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

In the Book of Deuteronomy, as Moses concludes his lengthy list of instructions to the Israelites on how to establish a just society, he says: "I have set before you life and death, blessing and curse, therefore, choose life!" (Deut. 30:19)

We are taught that we, as individuals and as a society, hold life's blessings and curses in our own hands. We know right from wrong, good from evil, compassion from indifference. Laws, whether religious or secular, are given to create a good and just world. To choose life means living according to a moral code in our personal and our public affairs, to choose life means to live a life filled with meaning and purpose.

May the Holy One guide us as we engage in our daily tasks, opening our hearts to the goodness in this world, helping us to see what is right and just, and guiding us to live lives filled with blessings. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 27, 2009

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

SB 789

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered enrolled.

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

Senate Concurrent Resolution 44—Relative to child care.

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

SECOND 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 second time and ordered to third 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 second time and ordered to third reading.



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

Bill read second time and ordered to third reading.

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 and ordered to third reading.

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

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third 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 second time and ordered to third 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 second time and ordered to third 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 second time and ordered to third reading.

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

Bill read second time and ordered to third reading.



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

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

Bill read second time and ordered to third 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, and to amend Section 1341.6 of the Health and Safety Code, relating to legal services.

Bill read second time and ordered to third reading.

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 second time and ordered to third reading.

Assembly Bill 1470—An act to amend Sections 23390 and 23396.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third 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 second time and ordered to third reading.

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 and ordered to third reading.

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 second time and ordered to third reading.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Judiciary to meet and hear AB 224 upon adjournment of session today without notice in the Daily File.



CONSENT CALENDAR
Objections Raised

Senator Ducheny objected to **AB 1012** being on the Special Consent Calendar.

Senator Huff objected to **AB 851** being on the Special Consent Calendar.

Senator Wiggins objected to **AB 1364** being on the Special Consent Calendar.

Senator Runner objected to **AB 1132** being on the Special Consent Calendar.

Senator Lowenthal objected to **AB 282** being on the Special Consent Calendar.

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

Senator Denham objected to **AB 1265** being on the Special Consent Calendar.

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

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Wright moved that **AB 114** be placed on the inactive file.

Senator Ducheny moved that **AB 677** be placed on the inactive file.

Motions carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Lowenthal moved that **AB 712** be taken from the inactive file and placed on the second reading file.

Motion carried.

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

Assembly Bill 466—An act to amend Sections 13.2 and 20 of, to add Sections 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, and 8 to, and to repeal and add Sections 7, 7.1, and 7.3 of, the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

Bill read third time and presented by Senator Maldonado.

Roll Call

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

AYES (32)—Senators Aanestad, Alquist, Ashburn, Benoit, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Romero, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Simitian.

Bill ordered transmitted to the Assembly.



Assembly Concurrent Resolution 29—Relative to health disparities.
Resolution read third time and presented by Senator Calderon.

Roll Call

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

AYES (34)—Senators Alquist, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Aanestad.

Resolution ordered transmitted to the Assembly.

Assembly Bill 235—An act to amend Section 1317.1 of, and to add Section 1317.4a to, the Health and Safety Code, relating to emergency services.

Bill read third time and presented by Senator Correa.

Roll Call

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

AYES (34)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (3)—Senators Aanestad, Cox, and Hollingsworth.

Bill ordered transmitted to the Assembly.

Assembly Bill 254—An act to amend Section 23301 of, and to add Section 23301.5 to, the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Huff.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 468—An act to add Section 22898 to the Government Code, relating to the Public Employees' Medical and Hospital Care Act.

Bill read third time and presented by Senator Corbett.



Roll Call

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

AYES (22)—Senators Alquist, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Assembly Bill 625—An act to amend Section 14941 of, and to add Section 14944 to, the Health and Safety Code, relating to cigarette lighters.

Bill read third time and presented by Senator Wright.

Roll Call

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

AYES (23)—Senators Alquist, Benoit, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Pavley, Price, Simitian, Steinberg, Strickland, Wiggins, Wolk, and Wright.

NOES (12)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Hollingsworth, Huff, Maldonado, Runner, Walters, Wyland, and Yee.

Bill ordered transmitted to the Assembly.

Assembly Bill 574—An act to add Section 1286.5 to the Health and Safety Code, relating to health facilities.

Bill read third time and presented by Senator Leno.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 888—An act to add Section 25608.2 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time and presented by Senator Price.

Roll Call

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

AYES (26)—Senators Alquist, Calderon, Corbett, Correa, Denham, DeSaulnier, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal,



Maldonado, Negrete McLeod, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (10)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Dutton, Hollingsworth, Huff, Runner, and Walters.

Bill ordered transmitted to the Assembly.

Assembly Bill 1393—An act to add Section 90001.5 to, to add Article 1.5 (commencing with Section 76010) to Chapter 1 of Part 47 of Division 7 of Title 3 of, and to add Article 6.5 (commencing with Section 92660) to Chapter 6 of Part 57 of Division 9 of Title 3 of, the Education Code, relating to foster youth.

Bill read third time and presented by Senator Leno.

Roll Call

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

AYES (32)—Senators Alquist, Benoit, Calderon, Cogdill, Corbett, Correa, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Maldonado, Negrete McLeod, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Aanestad and Cox.

Bill ordered transmitted to the Assembly.

Senator Price Presiding

Assembly Bill 381—An act to add Section 710.9 to the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

Bill read third time and presented by Senator DeSaulnier.

Roll Call

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

AYES (37)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1093—An act to amend Section 3600 of the Labor Code, relating to workers' compensation.

Bill read third time and presented by Senator Corbett.

Roll Call

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

AYES (30)—Senators Alquist, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman,



Kehoe, Leno, Liu, Maldonado, Negrete McLeod, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (4)—Senators Aanestad, Ashburn, Dutton, and Hollingsworth.

Bill ordered transmitted to the Assembly.

Assembly Bill 248—An act to amend Section 71205 of, and to amend the heading of Division 36 (commencing with Section 71200) of, the Public Resources Code, relating to ballast water management.

Bill read third time and presented by Senator Kehoe.

Roll Call

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

AYES (36)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Aanestad and Hollingsworth.

Bill ordered transmitted to the Assembly.

Assembly Bill 1136—An act to add Section 31760.8 to the Government Code, relating to county employees' retirement.

Bill read third time and presented by Senator Correa.

Roll Call

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

AYES (25)—Senators Alquist, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Leno.

Roll Call

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

AYES (25)—Senators Alquist, Calderon, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal,

Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Bill ordered transmitted to the Assembly.

Assembly Bill 686—An act to amend Section 14224 of, and to repeal Section 19363 of, the Elections Code, relating to voting.

Bill read third time and presented by Senator Walters.

Roll Call

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

AYES (35)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Maldonado, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator DeSaulnier.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

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

Bill read third time and presented by Senator Price.

Roll Call

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

AYES (22)—Senators Aanestad, Alquist, Calderon, Corbett, DeSaulnier, Florez, Hancock, Huff, Leno, Liu, Lowenthal, Negrete



McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (14)—Senators Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senator Price Presiding

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

Bill read third time and presented by Senator Wolk.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Leno.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1379—An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Simitian.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Denham.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Lowenthal.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 11—An act to add Section 24458 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator DeSaulnier.

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Roll Call

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

AYES (38)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price,



Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Assembly Bill 246—An act to add Sections 19597.5 and 19601.3 to the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Price.

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 370—An act to amend Sections 7028 and 7028.16 of the Business and Professions Code, relating to contractors.

Bill read third time and presented by Senator Negrete McLeod.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senator Price Presiding

Assembly Bill 992—An act to amend Section 17537.9 of the Business and Professions Code, relating to unfair business practices.

Bill read third time and presented by Senator Pavley.

Roll Call

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

AYES (33)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (4)—Senators Aanestad, Hollingsworth, Huff, and Walters.

Bill ordered transmitted to the Assembly.

Assembly Bill 1245—An act to add Chapter 3.01 (commencing with Section 6204) to Division 7 of Title 1 of the Government Code, relating to public records.

Bill read third time and presented by Senator Harman.

Roll Call

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

AYES (34)—Senators Alquist, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (3)—Senators Aanestad, Ashburn, and Hollingsworth.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution 52—Relative to the Iranian persecution of the Baha'i.

Resolution read third time and presented by Senator Lowenthal.

Roll Call

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

AYES (37)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



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

Bill read third time and presented by Senator Ducheny.

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution 8—Relative to marine mammal protection.

Resolution read third time and presented by Senator Maldonado.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

Senator Romero Presiding

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 109—An act to amend Sections 1812.601 and 1812.607 of the Civil Code, relating to auctioneers.

Bill presented by Senator Calderon.

The question being: Shall the Senate concur in the Assembly amendments to SB 109?

The roll was called.



CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 237—An act to amend Sections 11302, 11314, 11315.5, 11409, and 11422 of, to add Sections 11315.1, 11320.5, 11328.1, 11345, 11345.05, 11345.1, 11345.2, 11345.3, 11345.4, 11345.45, 11345.6, 11346, and 11406.5 to, and to repeal and add Section 11343 of, the Business and Professions Code, and to amend Section 1090.5 of the Civil Code, relating to real estate appraisers, and making an appropriation therefor.

Bill presented by Senator Calderon.

The question being: Shall the Senate concur in the Assembly amendments to SB 237?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1551—An act to amend Sections 26003 and 26011 of the Public Resources Code, and to amend Sections 747, 2827.10, and 2852 of the Public Utilities Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Corbett.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (35)—Senators Aanestad, Alquist, Ashburn, Benoit, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Roll Call

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

AYES (35)—Senators Aanestad, Alquist, Ashburn, Benoit, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Assembly Bill 171—An act to add Section 654.3 to the Business and Professions Code, and to add Section 1395.7 to the Health and Safety Code, relating to dental services.

Bill read third time and presented by Senator Aanestad.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 947—An act to amend Section 76141 of the Education Code, relating to nonresident tuition.

Bill read third time and presented by Senator Pavley.

Roll Call

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

AYES (26)—Senators Alquist, Ashburn, Benoit, Calderon, Corbett, Denham, DeSaulnier, Ducheny, Florez, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (10)—Senators Aanestad, Cogdill, Correa, Cox, Dutton, Harman, Hollingsworth, Huff, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 574)**

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

Roll Call

The names of the absentees were called and AB 574 was passed by the following vote:

AYES (21)—Senators Alquist, Calderon, Corbett, Correa, DeSaulnier, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, Wright, and Wyland.

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1172)**

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

Roll Call

The names of the absentees were called and AB 1172 was passed by the following vote:

AYES (25)—Senators Alquist, Benoit, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Ashburn, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1232)**

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

Roll Call

The names of the absentees were called and AB 1232 was passed by the following vote:

AYES (22)—Senators Alquist, Calderon, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1379)**

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

Roll Call

The names of the absentees were called and AB 1379 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal,



Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 59)**

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

Roll Call

The names of the absentees were called and AB 59 was passed by the following vote:

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

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AJR 8)**

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

Roll Call

The names of the absentees were called and AJR 8 was adopted by the following vote:

AYES (26)—Senators Alquist, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (11)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Hollingsworth, Huff, Runner, and Walters.

Above resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 109)**

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



Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 109 by the following vote:

AYES (25)—Senators Alquist, Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (12)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Hollingsworth, Huff, Runner, Strickland, and Walters.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 237)**

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

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 237 by the following vote:

AYES (34)—Senators Aanestad, Alquist, Ashburn, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (3)—Senators Benoit, Dutton, and Hollingsworth.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time and presented by Senator Wright.

Roll Call

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

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

NOES (0)—None.

(Note: Reconsideration granted later this day)



SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 50—Relative to the CHP Officer Raymond Carpenter Memorial Interchange.

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

(NOTE: See Consent Calendar Roll Call)

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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 299—An act to amend Sections 706.7, 730, 735.5, 736, 900.2, 942, 1170, 1182, 1197, 1215.5, 11136, 11580.011, and 12968 of, and to amend and renumber Section 10123.83 of, the Insurance Code, relating to insurance.

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

(NOTE: See Consent Calendar Roll Call)

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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 523—An act to amend Section 130060 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 563—An act to amend Section 18707 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 647—An act to amend Section 4465 of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)



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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 800—An act to amend Sections 1644, 1652, 1655, 1656, 1658, 1661, 1683, 1718, 1729, 1749, 1749.3, 1749.31, 1751, 1758.3, 1758.692, 1758.7, 1758.81, 1758.92, and 12418.3 of the Insurance Code, relating to insurance.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 824—An act to amend Section 1622.6 of, and to repeal and add Sections 1612.5 and 1612.7 of, the Revenue and Taxation Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 866—An act to amend Section 10089.13 of the Insurance Code, relating to the California Earthquake Authority.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 892—An act to amend Sections 39626.5 and 39627.5 of the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 904—An act to amend Section 51298 of, to add Section 51298.5 to, and to repeal Chapter 8 (commencing with Section 51298) of Part 1 of Division 1 of Title 5 of, the Government Code, relating to local government finance.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 952—An act to amend Sections 56.10 and 56.11 of the Civil Code, relating to health information.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 955—An act to amend Section 3304 of the Government Code, relating to public safety officers.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 995—An act to amend Section 1635.1 of the Health and Safety Code, relating to tissue banks.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1045—An act to amend Section 121023 of the Health and Safety Code, relating to public health.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1051—An act to add Article 3.7 (commencing with Section 989) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1096—An act to amend Sections 12220 and 12260 of the Elections Code, relating to elections.

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

(NOTE: See Consent Calendar Roll Call)

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1240—An act to amend Sections 81361, 81367, 81370, 81372, and 81375 of, to add Section 81523.5 to, and to repeal Sections 81371 and 81373 of, the Education Code, relating to community colleges.

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

(NOTE: See Consent Calendar Roll Call)

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

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

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 1444—An act to add Section 11011.27 to the Government Code, relating to state property.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1448—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages.

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

(NOTE: See Consent Calendar Roll Call)

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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1486—An act to add and repeal Section 6018.9 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1489—An act to amend Sections 25354.5 and 25400.16 of the Health and Safety Code, relating to hazardous materials.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1567—An act to amend Section 10205 of the Unemployment Insurance Code, relating to the employment training panel.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1578—An act to amend Sections 19614.4, 19617, and 19617.2 of the Business and Professions Code, relating to horse racing.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 672—An act to amend Section 8879.72 of, and to add Section 8879.501 to, the Government Code, relating to transportation.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1072—An act to amend Section 8879.55 of, and to repeal Section 8879.56 of, the Government Code, relating to



transportation, 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 1255—An act to amend Sections 52323, 52324, and 52325 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

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

(NOTE: See Consent Calendar Roll Call)

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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 172—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 18—An act to amend Sections 34902, 36512, 57377, and 57379 of the Government Code, relating to local government.

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

NOES (0)—None.

RECESS

At 11:13 a.m., on motion of Senator Steinberg the Senate recessed in order to convene in extraordinary session.

REASSEMBLED

At 11:20 a.m., the Senate reconvened.

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



MOTION TO RECONSIDER (AB 1440)

Senator Wright moved to reconsider the vote whereby AB 1440 passed.

Roll Call

The roll was called and reconsideration was granted by the following vote:

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

NOES (0)—None.

Measure ordered returned to third reading.

LEAVES OF ABSENCE FOR THE DAY

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

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

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

At 11:20 a.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, August 31, 2009.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
August 27, 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



REGINALD I. LOW, M.D., is professor and chief of the Division of Cardiovascular Medicine at the University of California, Davis School of Medicine since 2000 and has served on the Medical Board of California since 2006. Low previously served as managing partner of Regional Cardiology Associates from 1983 to 2000 and taught at the University of Kentucky as an assistant professor in medicine from 1981 to 1982. Reappointed 07/29/09. Effective 08/27/09.

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

Above appointment referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 27, 2009

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

SB 133	SB 470	SB 644
SB 739	SB 831	

Above measures ordered enrolled.

Assembly Chamber, August 27, 2009

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

SCR 20

Above resolution ordered enrolled.

Assembly Chamber, August 27, 2009

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

SB 37	SB 273	SB 361	SB 634
SB 143	SB 291	SB 449	SB 717
SB 148	SB 296	SB 459	SB 751
SB 175	SB 312	SB 478	SB 781
SB 191	SB 321	SB 509	SB 821
SB 241	SB 337	SB 548	SCR 48
SB 256			

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

Above measures ordered to unfinished business file.



Assembly Chamber, August 27, 2009

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

AB 31	AB 487	AB 899	AB 1214
AB 84	AB 488	AB 1059	AB 1222
AB 115	AB 544	AB 1061	AB 1233
AB 162	AB 570	AB 1080	AB 1388
AB 213	AB 688	AB 1166	AB 1465
AB 313	AB 889	AB 1209	

E. DOTSON WILSON, Chief Clerk of the Assembly

Assembly Chamber, August 27, 2009

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1015 and AB 1268 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.

REPORTS OF STANDING COMMITTEES **Committee on Rules**

Senate Chamber, August 27, 2009

Mr. President: The Committee on Rules has examined:

SB 11	SB 169	SB 288	SB 345
SB 48	SB 215	SB 305	SB 481
SB 102	SB 219	SB 308	SB 571
SB 103	SB 247	SB 314	SB 589
SB 113	SB 257	SB 318	SB 636
SB 115	SB 272	SB 320	SB 783

And reports that the same have been correctly enrolled, and presented to the Governor on the 27th day of August, 2009, at 10 a.m.

STEINBERG, Chair

Committee on Environmental Quality

Date of Hearing, August 26, 2009

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

SJR 17

Reports the same back with the recommendation: Be adopted.

SIMITIAN, Chair

Above bill ordered to second reading.

Committee on Rules

Senate Chamber, August 27, 2009

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

AB 602

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 602—An act to add Section 1367.225 to the Health and Safety Code, and to add Section 10123.197 to the Insurance Code, relating to health care coverage.

Bill read second time.

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

Senate Chamber, August 27, 2009

Mr. President: The Committee on Rules has examined:

SCR 36

SJR 4

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 27th day of August, 2009, at 9 a.m.

STEINBERG, Chair

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 142** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.

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

Assembly Joint Resolution 3—Relative to offshore oil drilling.

Resolution read third time.

Amendments Adopted

Amendments to AJR 3 proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 762—An act to amend Section 1569.72 of the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read third time.

Amendments Adopted

Amendments to AB 762 proposed by Senator Wolk were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 527—An act to add Section 1174.1 to the Labor Code, relating to employment.

Bill read third time.



Amendments Adopted

Amendments to AB 527 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 882 proposed by Senator Benoit were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 399—An act to amend Section 20731 of, and to amend, repeal, and add Section 22864 of, the Government Code, relating to public employee benefits, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 399 proposed by Senator Correa were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 870—An act to amend Section 626.10 of the Penal Code, relating to crime.

Bill read third time.

Amendments Adopted

Amendments to AB 870 proposed by Senator Correa were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 428 proposed by Senator Strickland were read and adopted and the measure ordered printed, engrossed, and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 243—An act to amend Section 597.1 of, and to add Section 597.8 to, the Penal Code, relating to animal abuse.

Bill read third time.

Amendments Adopted

Amendments to AB 243 proposed by Senator Strickland were read and adopted and the measure ordered printed and to second reading.



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 third time.

Amendments Adopted

Amendments to AB 1319 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1260—An act to amend Section 4933 of the Business and Professions Code, relating to acupuncture.

Bill read third time.

Amendments Adopted

Amendments to AB 1260 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 129—An act to add Sections 7099.1 and 21028 to the Revenue and Taxation Code, and to add Section 13019 to the Unemployment Insurance Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 129 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Energy, Utilities and Communications

AB 1318—Do pass and re-refer to Committee on Environmental Quality

AYES (6)—Senators Benoit, Calderon, Cox, Padilla, Strickland, and Wright.

NOES (0)—None.

Date of Hearing: 8/24/2009

Padilla (Chair)

Committee on Environmental Quality

SB 579—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ashburn, Corbett, Hancock, Lowenthal, Pavley, Runner, and Simitian.

NOES (0)—None.

SB 696—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ashburn, Corbett, Hancock, Lowenthal, Pavley, Runner, and Simitian.

NOES (0)—None.

SJR 17—Be adopted

AYES (5)—Senators Corbett, Hancock, Lowenthal, Pavley, and Simitian.

NOES (2)—Senators Ashburn and Runner.



AB 1318—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Corbett, Hancock, Lowenthal, Pavley, and Simitian.

NOES (2)—Senators Ashburn and Runner.

Date of Hearing: 8/26/2009

Simitian (Chair)

Committee on Judiciary

AB 224—Do pass as amended

AYES (5)—Senators Corbett, Florez, Harman, Leno, and Walters.

NOES (0)—None.

Date of Hearing: 8/27/2009

Corbett (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senators Benoit, Hollingsworth, Ducheny, and Dutton requested that when the Senate adjourns this day it do so in memory of Roy Wilson of Palm Desert.

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of Judy Morgan of Kingsburg, Melena Boghosian of Fresno, and Doris Pauline Hall Thoburn of Cambridge, Ohio.

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

Senator Oropeza requested that when the Senate adjourns this day it do so in memory of Nelda Tittle of Westchester.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Tonya Lee Burns of Lancaster.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Burl Toler, Jr. of El Sobrante.

Senator Walters requested that when the Senate adjourns this day it do so in memory of Connor Zari McCraith of Orinda.

Senators Wolk and Ducheny requested that when the Senate adjourns this day it do so in memory of Stuart “Stu” Greenfeld of West Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators’ requests until 1 p.m., Monday, August 31, 2009.

PAULA K. ROSSETTO, Minute Clerk

