

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-FIFTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, September 2, 2009

The Senate met at 10 a.m.  
Hon. Gloria Romero, of the 24th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary David Valverde reading.

### QUORUM CALL OF THE SENATE

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

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:  
Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—39.

Quorum present.

(NOTE: Senator Oropeza will be excused this day due to illness.)



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

We pray to the Holy One, the Creator of us all. May the One who causes the rain to fall and the wind to blow, bring relief and a cessation to the fires that are ravaging our State. May the Holy One assist and protect those who stand in harms way to defend the earth and those who dwell upon it. May our actions be worthy of their courage and selflessness.

May this be God's will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol  
September 2, 2009

*To the Members of the California Senate:*

I am returning **Senate Bill 789** without my signature.

This measure is identical to measures I have previously vetoed. SB 789 sets in place a "majority signup election" process for agricultural employees to select union representation. This process fundamentally alters an employee's right to a secret ballot election that allows the employee to choose, in the privacy of the voting booth without coercion or manipulation, whether or not to be represented. While I support the right of agricultural employees to voluntarily seek and choose representation if they wish, and ensuring that existing labor laws are enforced is a top priority for my administration, I cannot support this alteration of the secret ballot process.

For these reasons, I am returning SB 789 without my signature.

Cordially,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

**Receipt of Bills**

I acknowledge receipt this 2nd day of September 2009 at 1:48 p.m., of Senate Bill 789 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

BERNADETTE McNULTY  
Assistant Secretary of the Senate

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, September 1, 2009

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

SB 826

Above measure ordered enrolled.



Assembly Chamber, September 1, 2009

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

SB 17	SB 136	SB 196	SB 557
SB 20	SB 149	SB 279	SB 575
SB 23	SB 172	SB 300	SB 581
SB 45	SB 173	SB 448	SB 695
SB 120	SB 193	SB 505	SB 734

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

Above measures ordered to unfinished business file.

Assembly Chamber, September 1, 2009

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

ACR 91

Assembly Chamber, September 1, 2009

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

AB 59	AB 172	AB 299	AB 381
AB 490	AB 1240	AB 1489	

Assembly Chamber, September 1, 2009

Madam President: I am directed to inform your honorable body that the Assembly appointed the following Members of the Assembly as a Committee on Conference concerning AB 39, and AB 49, SB 12, SB 229, and SB 458: Assemblymembers Bass (Chair), Caballero, Fuller, Huffman, Jeffries, Nielsen, and Solorio.

E. DOTSON WILSON, Chief Clerk of the Assembly

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

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

**Assembly Concurrent Resolution 91**—Relative to pet adoption.

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

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

Senate Chamber, September 2, 2009

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1536

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

PADILLA, Chair



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

**Assembly Bill 1536**—An act to amend Section 379.6 of the Public Utilities Code, relating to energy.

Bill read second time.

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

**Committee on Appropriations**

Senate Chamber, September 2, 2009

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

AB 482

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

Bill read second time.

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

**Committee on Rules**

State Capitol, August 31, 2009

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

Ken Yeager, Ph.D., Member, Air Resource Board (3–2)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

**Committee on Natural Resources and Water**

Senate Chamber, September 2, 2009

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

AB 13

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

PAVLEY, Chair

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

**Assembly Bill 13**—An act to add Division 29 (commencing with Section 80500) to the Water Code, relating to the Sacramento-San Joaquin Delta.

Bill read second time.



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

**Committee on Environmental Quality**

Senate Chamber, September 2, 2009

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

AB 1188

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 1188**—An act to amend Sections 25173.6, 25187, 25390, 25390.1, 25390.3, and 25390.4 of, and to add Section 25244.25 to, the Health and Safety Code, relating to hazardous materials.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 1188 pursuant to Joint Rule 58.

ASSEMBLY MEMBER RUSKIN

**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1188.

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

**Committee on Rules**

Senate Chamber, September 2, 2009

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

ACR 65

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 Concurrent Resolution 65**—Relative to higher education. Resolution read second time.

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

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 15**—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.149, 195.150, and 195.151 to, the

Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Assembly Bill 30**—An act to amend Sections 100, 2102, 2106, 2150, and 2205 of the Elections Code, relating to elections.

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 567**—An act to amend Sections 8545.1, 8545.2, 8545.4, 8546.2, 8547.2, 8547.4, 8547.5, 8547.6, 8547.7, and 8548.9 of, and to add Section 8546.10 to, the Government Code, relating to government practices.

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 1535**—An act to amend Sections 101, 149, 205, 2530.2, 2531.2, 2534, 3300, 3306, 3307, 3320.1, 3326, 3327, 3327.5, 3328, 3329, 3350, 3351.3, 3352, 3353, 3354, 3356, 3357, 3358, 3360, 3362, 3364, 3400, 3401, 3402, 3403, 3404, 3421, 3422, 3423, 3424, 3426, 3430, 3451, 3452, 3454, 3455, and 3456 of, to add Sections 2531.06 and 3322 to, to add Article 9 (commencing with Section 2539.1) to Chapter 5.3 of Division 2 of, to repeal Sections 2531.05, 3321, 3325, and 3330 of, and to repeal and add Section 3320 of, the Business and Professions Code, relating to hearing aids.

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 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.

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

**Assembly Bill 3**—An act to amend Sections 14202, 14203, 14204, 14205, 14221, and 14230 of, and to add Section 14013.5 to, the Unemployment Insurance Code, relating to workforce development.

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 623**—An act to amend Section 5600 of, and to add Section 5600.05 to, the Business and Professions Code, relating to architects.

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 754**—An act to amend Sections 5777 and 5778 of the Welfare and Institutions Code, relating to Medi-Cal mental health services.

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 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.

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

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

Bill read second time and ordered to third reading.

**Assembly Bill 473**—An act to add Section 42913 to the Public Resources Code, relating to recycling.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 828**—An act to amend Section 18930.5 of the Health and Safety Code, and to add Section 25402.11 to the Public Resources Code, relating to building standards.

Bill read second time and ordered to third reading.

**Assembly Bill 407**—An act to amend Sections 1771 and 1788 of, and to add Article 9 (commencing with Section 1793.80) to Chapter 10 of Division 2 of, the Health and Safety Code, relating to continuing care retirement communities.

Bill read second time and ordered to third reading.

**Assembly Bill 1084**—An act to amend Sections 65961, 66023, and 66452.22 of, and to add Section 66019 to, the Government Code, relating to local planning.

Bill read second time and ordered to third reading.



**Assembly Bill 322**—An act to amend Sections 171b, 171.5, 245.5, 626.10, 11160, and 12650 of the Penal Code, relating to less lethal weapons.

Bill read second time and ordered to third reading.

**Assembly Bill 146**—An act to amend Section 60061.5 of the Education Code, relating to instructional materials.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 914**—An act to amend Section 13385 of the Water Code, relating to water quality.

Bill read second time and ordered to third reading.

**Assembly Bill 244**—An act to add Section 22856 to the Government Code, to add Section 1374.74 to the Health and Safety Code, and to add Section 10144.8 to the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

**Assembly Bill 131**—An act to amend Sections 903.1 and 903.45 of, and to add Section 903.47 to, the Welfare and Institutions Code, relating to juvenile court costs.

Bill read second time and ordered to third reading.

**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.

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

**Assembly Bill 1570**—An act to add Article 8 (commencing with Section 999.75) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 1570 pursuant to Joint Rule 58.

ASSEMBLY MEMBER SALAS





**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1570.

STEINBERG, Chair

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

**Assembly Bill 138**—An act to amend Section 5076 of, and to add Sections 5076.1 and 5076.2 to, the Business and Professions Code, relating to accountants.

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

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

**RE-REFERENCE TO COMMITTEE**

Pursuant to Senate Rule 29.10, **SB 752** and **AB 399** were re-referred to the Committee on Rules.

Without objection, **AB 1570** was re-referred to the Committee on Rules.

**REQUEST FOR UNANIMOUS CONSENT  
TO RESCIND ACTION (AB 129)**

Senator Padilla asked for, and was granted, unanimous consent that the action be rescinded whereby AB 129 was passed to the Assembly, and that the bill be placed on the third reading file.

Above bill placed on third reading.

**JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Rules to consider the appointment of Joseph Tavaglione to the California Transportation Commission on Friday September 4, without notice in the Daily File.

**MEASURE RETURNED TO ASSEMBLY**

Senator Alquist objected to **SB 337** being on the Special Consent Calendar and requested that the measure be returned to the Assembly.

The President ordered the above measure returned to the Assembly for further action.

**MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Maldonado moved that **AB 909** be placed on the inactive file.  
Motion carried.



**MOTION TO TAKE MEASURE FROM THE INACTIVE FILE**

Senator Cedillo moved that **AB 752** be taken from the inactive file and placed on the second reading file.

Senator Lowenthal moved that **AB 1215** be taken from the inactive file and placed on the second reading file.

Motions carried.

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

**Assembly Bill 1357**—An act to amend Section 21200 of the Financial Code, relating to pawnbrokers.

Bill read third time and presented by Senator Calderon.

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 110**—An act to amend Section 33204.4 of the Public Resources Code, relating to parks and open space.

Bill read third time and presented by Senator Runner.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

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

**Assembly Bill 1085**—An act to add Section 39601.5 to the Health and Safety Code, relating to air pollution.

Bill read third time and presented by Senator Dutton.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

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

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

Bill read third time and presented by Senator Liu.

The roll was called.



**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Liu moved a call of the Senate

Motion carried.

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

**Assembly Bill 1527**—An act to amend Section 44283 of, and to add Sections 39626.1 and 44287.2 to, the Health and Safety Code, relating to air pollution.

Bill read third time and presented by Senator Liu.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Liu moved a call of the Senate

Motion carried.

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

**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 third time and presented by Senator Liu.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Liu moved a call of the Senate

Motion carried.

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

**Assembly Bill 1546**—An act to amend Section 15902.09 of the Corporations Code, and to amend Sections 17054, 19591, and 25128 of, and to amend and repeal Sections 19136.8 and 25128.5 of, the Revenue and Taxation Code, relating to taxation.

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 1547**—An act to amend Sections 6069, 6248, 7339, 60003, 60501, and 60508 of, to add Sections 7339.1, 55041.1, and 60003.1



to, and to repeal Sections 60508.1, 60508.2, 60508.4, and 60509 of, the Revenue and Taxation Code, relating to taxation.

Bill read 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 503**—An act to amend Section 124250 of the Health and Safety Code, relating to domestic violence.

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 56**—An act to amend Section 1367.65 of, and to add Section 1367.651 to, the Health and Safety Code, and to amend Section 10123.81 of, and to add Section 10123.815 to, the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Wolk.

The roll was called.

#### CALL OF THE SENATE

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

Motion carried.

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

**Assembly Bill 444**—An act to amend, repeal, and add Section 65965 of the Government Code, relating to land use.

Bill read third time and presented by Senator Wolk.

#### Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill 1562**—An act to amend Section 2929 of the Labor Code, relating to employment.

Bill read third time and presented by Senator Padilla.

The roll was called.

#### CALL OF THE SENATE

Pending the announcement of the vote, Senator Padilla moved a call of the Senate

Motion carried.

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

**Assembly Bill 1553**—An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications.

Bill read third time and presented by Senator Padilla.

#### Roll Call

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

AYES (33)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 1541**—An act to amend Sections 1357 and 1357.50 of the Health and Safety Code, and to amend Sections 10198.6 and 10700 of the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Alquist.

#### Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 1317**—An act to add Chapter 1.5 (commencing with Section 125325) to Part 5.5 of Division 106 of the Health and Safety Code, relating to public health.

Bill read third time and presented by Senator Alquist.



**Roll Call**

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

AYES (30)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Romero, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (3)—Senators Denham, Hollingsworth, and Strickland.

Bill ordered transmitted to the Assembly.

**Assembly Joint Resolution 17**—Relative to HIV/AIDS health disparities.

Resolution read third time and presented by Senator Alquist.

**Roll Call**

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

AYES (26)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Dutton, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Romero, Runner, Steinberg, Strickland, Wiggins, Wolk, Wright, and Wyland.

NOES (1)—Senator Ashburn.

Resolution ordered transmitted to the Assembly.

**Assembly Bill 1017**—An act to add and repeal Section 680.1 of the Penal Code, relating to sexual assault crimes.

Bill read third time and presented by Senator Alquist.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 303**—An act to add Section 14085.57 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Alquist.

**Roll Call**

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

AYES (34)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado,

Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Alquist.

#### Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Cox, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, and Wright.

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

Bill ordered transmitted to the Assembly.

**Assembly Bill 343**—An act to add Chapter 11 (commencing with Section 49700) to Part 27 of Division 4 of Title 2 of the Education Code, relating to pupils.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

### UNFINISHED BUSINESS

#### Consideration of Assembly Amendments

**Senate Joint Resolution 5**—Relative to the federal Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act.

Resolution presented by Senator Wiggins.

The question being: Shall the Senate concur in the Assembly amendments to SJR 5?

The roll was called.

#### CALL OF THE SENATE

Pending the announcement of the vote, Senator Wiggins moved a call of the Senate

Motion carried.



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

**Assembly Bill 1120**—An act to add Section 17269 to the Education Code, relating to school facilities.

Bill read third time and presented by Senator Cox.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 362**—An act to add Section 490.2 to the Penal Code, relating to theft.

Bill read third time and presented by Senator Cedillo.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 745**—An act to add Section 1759.11 to the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Cedillo.

**Roll Call**

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, and Wyland.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 806**—An act to amend Section 1016.5 of the Penal Code, relating to criminal procedure.

Bill read third time and presented by Senator Cedillo.

The roll was called.





**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Cedillo moved a call of the Senate

Motion carried.

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

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

Bill read third time and presented by Senator Cedillo.

**Roll Call**

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

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Florez, Hancock, Harman, Kehoe, Leno, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (9)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, Hollingsworth, Huff, and Runner.

Bill ordered transmitted to the Assembly.

**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 third time and presented by Senator Hancock.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Hancock moved a call of the Senate

Motion carried.

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

**Assembly Bill 1031**—An act to amend Section 2830 of the Public Utilities Code, relating to energy.

Bill read third time and presented by Senator Strickland.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill 988**—An act to amend Section 13519.14 of the Penal Code, relating to human trafficking.

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 (31)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Yee.

NOES (4)—Senators Ashburn, Hollingsworth, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

**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 and presented by Senator Leno.

**Roll Call**

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

AYES (24)—Senators Alquist, Cedillo, Corbett, Correa, Denham, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Wyland.

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

Bill ordered transmitted to the Assembly.

**Assembly Bill 577**—An act to amend Sections 1580.1 and 100315 of the Health and Safety Code, and to amend Sections 14590, 14591, and 14598 of the Welfare and Institutions Code, relating to the elderly.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill 65**—An act to add Part 6.7 (commencing with Section 22959.90) to Division 5 of Title 2 of the Government Code, relating to public employee health benefits, and making an appropriation therefor.

Bill read third time and presented by Senator Correa.

The roll was called.

#### CALL OF THE SENATE

Pending the announcement of the vote, Senator Correa moved a call of the Senate

Motion carried.

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

**Assembly Bill 1217**—An act to amend Sections 35550 and 35650 of, and to add Section 35617 to, the Public Resources Code, relating to ocean resources.

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 14**—An act to repeal and add Section 22659.5 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Padilla.

#### Roll Call

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

AYES (31)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Aanestad and Negrete McLeod.

Bill ordered transmitted to the Assembly.

**Assembly Bill 369**—An act to amend Section 14043.46 of the Welfare and Institutions Code, relating to adult day health care centers.

Bill read third time and presented by Senator Denham.

#### Roll Call

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

AYES (35)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado,



Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 344**—An act to amend Sections 355 and 446 of, and to add Section 301.3 to, the Streets and Highways Code, relating to state highways.

Bill read third time and presented by Senator Denham.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 861**—An act to add Section 100571 to the Health and Safety Code, relating to public health.

Bill read third time and presented by Senator Yee.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 823**—An act to amend Section 44062.1 of the Health and Safety Code, relating to air pollution.

Bill read third time and presented by Senator Yee.

**Roll Call**

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

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

NOES (10)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, Huff, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.



**Assembly Bill 241**—An act to add Section 597.8 to the Penal Code, relating to animals.

Bill read third time and presented by Senator Florez.

**Roll Call**

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

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

NOES (9)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, Hollingsworth, Huff, and Walters.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 1217)**

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 1217 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 44**—Relative to child care.

Resolution read third time and presented by Senator Corbett.

**Roll Call**

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

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Florez, Hancock, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Resolution ordered transmitted to the Assembly.



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

**Assembly Bill 627**—An act to add and repeal Section 49546.5 of the Education Code, relating to child nutrition.

Bill read third time and presented by Senator Pavley.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

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

**Assembly Bill 719**—An act to add Section 18901.4 to the Welfare and Institutions Code, relating to public social services.

Bill read third time and presented by Senator Liu.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Liu moved a call of the Senate

Motion carried.

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

**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 third time and presented by Senator DeSaulnier.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator DeSaulnier moved a call of the Senate

Motion carried.

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

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

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 (24)—Senators Alquist, Cedillo, Corbett, Correa, DeSaulnier, Dutton, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Pavley, Price, Romero, Runner, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Ashburn and Hollingsworth.

Bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 690)**

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

**Roll Call**

The names of the absentees were called and AB 690 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

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

**Assembly Bill 374**—An act to add Section 48209 to the Education Code, relating to high school pupils.

Bill read third time and presented by Senator Hancock.

**Roll Call**

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

AYES (29)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Ashburn and Hollingsworth.

Bill ordered transmitted to the Assembly.

**Assembly Bill 108**—An act to add Section 1389.21 to the Health and Safety Code, and to add Section 10384.17 to the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Cedillo.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Cedillo moved a call of the Senate

Motion carried.

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

**Assembly Bill 217**—An act to add Article 5.4 (commencing with Section 14180) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Cedillo.



**Roll Call**

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

AYES (28)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Denham, DeSaulnier, Dutton, Hancock, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Bill ordered transmitted to the Assembly.

**Assembly Bill 1049**—An act to add and repeal Article 18 (commencing with Section 18887) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Cedillo.

**Roll Call**

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

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

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

Bill ordered transmitted to the Assembly.

**Assembly Bill 654**—An act to amend Sections 22714, 22715, 23003, 23006, 23008, 26301, and 26303 of, to amend, repeal, and add Section 22162 of, and to add Sections 23010 and 26303.5 to, the Education Code, relating to state teachers' retirement.

Bill read third time and presented by Senator Ashburn.

**Roll Call**

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

AYES (32)—Senators Aanestad, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill 167**—An act to amend Section 51225.3 of the Education Code, relating to high school graduation.

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 (32)—Senators Aanestad, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod,



Padilla, Pavley, Price, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

The following request was presented by Senator Pavley:

Senate Chamber, September 2, 2009

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(a)(12) and 62(a) in order that AB 1570 and AB 135 may be reported by the Committee on Natural Resources and Water after the deadline.

SENATOR PAVLEY

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

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

STEINBERG, Chair

### **RESOLUTION TO DISPENSE WITH JOINT RULES**

*Resolved*, That Joint Rules 61(a)(12) and 62(a) be dispensed with as requested.

Resolution read and presented by Senator Pavley.

#### **Roll Call**

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

AYES (32)—Senators Aanestad, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

### **CONSIDERATION OF DAILY FILE (RESUMED)**

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

**Assembly Bill 169**—An act to amend Section 121060 of the Health and Safety Code, relating to communicable disease.

Bill read third time and presented by Senator Liu.

#### **Roll Call**

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

AYES (32)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, 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.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 627)**

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

**Roll Call**

The names of the absentees were called and AB 627 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

**UNFINISHED BUSINESS (RESUMED)**

**Consideration of Assembly Amendments**

**Senate Bill 315**—An act to add Article 1.5 (commencing with Section 49310) to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil safety.

Bill presented by Senator Liu.

The question being: Shall the Senate concur in the Assembly amendments to SB 315?

**Roll Call**

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

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

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

Above bill ordered enrolled.

**Senate Bill 95**—An act to amend Sections 9262 and 9262.5 of, and to add Section 11709.4 to, the Vehicle Code, relating to vehicles.

Bill presented by Senator Corbett.

The question being: Shall the Senate concur in the Assembly amendments to SB 95?



**Roll Call**

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

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

NOES (10)—Senators Ashburn, Calderon, Cogdill, Denham, Dutton, Huff, Maldonado, Runner, Strickland, and Walters.

Above bill ordered enrolled.

**Senate Bill 242**—An act to add Section 51.15 to the Civil Code, relating to civil rights.

Bill presented by Senator Yee.

The question being: Shall the Senate concur in the Assembly amendments to SB 242?

**Roll Call**

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

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

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

Above bill ordered enrolled.

**Senate Bill 741**—An act to add Section 7574.9 to, and to repeal and add Chapter 11.4 (commencing with Section 7574) of Division 3 of, the Business and Professions Code, relating to security services.

Bill presented by Senator Maldonado.

The question being: Shall the Senate concur in the Assembly amendments to SB 741?

**Roll Call**

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

AYES (29)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Dutton, Hancock, Harman, Kehoe, Leno, Liu, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wyland, and Yee.

NOES (3)—Senators Aanestad, Huff, and Walters.

Above bill ordered enrolled.



**Senate Bill 37**—An act to amend Section 19849.7 of the Government Code, relating to public employees.

Bill presented by Senator Strickland.

The question being: Shall the Senate concur in the Assembly amendments to SB 37?

**Roll Call**

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

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

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 296**—An act to amend Section 1368.015 of, and to add Sections 1367.29 and 1368.016 to, the Health and Safety Code, and to add Sections 10123.198 and 10123.199 to the Insurance Code, relating to health care coverage.

Bill presented by Senator Lowenthal.

The question being: Shall the Senate concur in the Assembly amendments to SB 296?

**Roll Call**

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

AYES (26)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (9)—Senators Cogdill, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, and Walters.

Above bill ordered enrolled.

**Senate Bill 459**—An act to amend Section 6302.1 of, and to add Sections 6302.2, 6302.3, 6302.4, and 6302.5 to, the Public Resources Code, relating to tidelands and submerged lands.

Bill presented by Senator Wolk.

The question being: Shall the Senate concur in the Assembly amendments to SB 459?

**Roll Call**

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

AYES (30)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Corbett, Correa, Denham, Dutton, Hancock, Harman, Huff, Kehoe, Leno,



Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Above bill ordered enrolled.

**Senate Bill 286**—An act to add Section 1002.5 to the Fish and Game Code, relating to the Department of Fish and Game.

Bill presented by Senator Aanestad.

The question being: Shall the Senate concur in the Assembly amendments to SB 286?

#### Roll Call

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

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

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 549**—An act to add Section 7401.5 to the Business and Professions Code, relating to barbering and cosmetology.

Bill presented by Senator Correa.

The question being: Shall the Senate concur in the Assembly amendments to SB 549?

#### Roll Call

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

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

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

Above bill ordered enrolled.

**Senate Bill 620**—An act to add Section 2455.2 to the Business and Professions Code, relating to healing arts.

Bill presented by Senator Wiggins.

The question being: Shall the Senate concur in the Assembly amendments to SB 620?



**Roll Call**

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

AYES (31)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Denham, DeSaulnier, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

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

Above bill ordered enrolled.

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

**Assembly Concurrent Resolution 85**—Relative to New United Motor Manufacturing, Inc.

Resolution read third time and presented by Senator Corbett.

**Roll Call**

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

AYES (30)—Senators Aanestad, Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Ashburn.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT (SB 696)**

Senator Wright asked for, and was granted, unanimous consent that SB 696 be withdrawn from committee and taken up at this time, without reference to file.

**Consideration of Senate Bill 696**

**Senate Bill 696**—An act to add and repeal Section 40440.13 of the Health and Safety Code, relating to the South Coast Air Quality Management District, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Wright.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Harman, Hollingsworth, Huff, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Price, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (2)—Senators Kehoe and Yee.



**Roll Call**

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Dutton, Florez, Harman, Hollingsworth, Huff, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Price, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (2)—Senators Kehoe and Yee.

Bill ordered transmitted to the Assembly.

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

**Assembly Bill 1422**—An act to amend Section 130105 of the Health and Safety Code, to amend Section 12693.43 of, and to add Section 12693.22 to, the Insurance Code, to amend, repeal, and add Sections 12201, 12204, 12251, 12253, 12254, 12257, 12258, 12260, 12301, 12302, 12303, 12304, 12305, 12307, 12412, 12413, 12421, 12422, 12423, 12427, 12428, 12429, 12431, 12433, 12434, 12491, 12493, 12494, 12601, 12602, 12631, 12632, 12636, 12636.5, 12679, 12681, 12801, 12951, 12977, 12983, 12984, and 13108 of, to add and repeal Sections 12009 and 12207 of, and to add and repeal Article 4 (commencing with Section 12240) of Chapter 3 of Part 7 of Division 2 of, the Revenue and Taxation Code, and to add and repeal Section 14301.11 of the Welfare and Institutions Code, relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Steinberg.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (8)—Senators Aanestad, Cogdill, Denham, Harman, Hollingsworth, Strickland, Walters, and Wyland.

**Roll Call**

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

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (8)—Senators Aanestad, Cogdill, Denham, Harman, Hollingsworth, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.



**REQUEST FOR UNANIMOUS CONSENT (SB 579)**

Senator Lowenthal asked for, and was granted, unanimous consent that SB 579 be withdrawn from committee and taken up at this time, without reference to file.

**Consideration of Senate Bill 579**

**Senate Bill 579**—An act to add and repeal Section 40440.13 of the Health and Safety Code, relating to the South Coast Air Quality Management District, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Lowenthal.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Lowenthal moved a call of the Senate

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 1357)**

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 AB 1357 was passed by the following vote:

**AYES (33)**—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, Dutton, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

**NOES (1)**—Senator Negrete McLeod.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 110)**

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

**Roll Call**

The names of the absentees were called and AB 110 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.





**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 1085)**

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

**Roll Call**

The names of the absentees were called and AB 1085 was passed by the following vote:

AYES (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, 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 (AB 1525)**

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

**Roll Call**

The names of the absentees were called and AB 1525 was passed by the following vote:

AYES (38)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, 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 (AB 1527)**

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

**Roll Call**

The names of the absentees were called and AB 1527 was passed by the following vote:

AYES (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, 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 (AB 951)**

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

**Roll Call**

The names of the absentees were called and AB 951 was passed by the following vote:

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

NOES (2)—Senators Ashburn and Hollingsworth.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 1546)**

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 1546 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 1547)**

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 1547 was passed by the following vote:

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla,



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 503)**

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 503 was passed by the following vote:

AYES (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, 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 (AB 56)**

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 56 was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Wiggins, Wolk, Wright, and Yee.

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

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 1562)**

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



**Roll Call**

The names of the absentees were called and AB 1562 was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, 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.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SJR 5)**

On motion of Senator Wiggins, 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 SJR 5 by the following vote:

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

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

Above resolution ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 806)**

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

**Roll Call**

The names of the absentees were called and AB 806 was passed by the following vote:

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

NOES (14)—Senators Aanestad, Ashburn, Benoit, Cogdill, 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 65)**

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

**Roll Call**

The names of the absentees were called and AB 65 was passed by the following vote:

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

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, 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 719)**

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

**Roll Call**

The names of the absentees were called and AB 719 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 305)**

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

**Roll Call**

The names of the absentees were called and AB 305 was passed by the following vote:

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Yee.

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

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 108)**

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

**Roll Call**

The names of the absentees were called and AB 108 was passed by the following vote:

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

NOES (14)—Senators Aanestad, Ashburn, Benoit, Cogdill, 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 759)**

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

**Urgency Clause**

The names of the absentees were called and the urgency clause to AB 759 was adopted by the following vote:

AYES (31)—Senators Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

**Roll Call**

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

AYES (31)—Senators Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**SPECIAL CONSENT CALENDAR**

**Senate Bill 143**—An act to amend Sections 25395.91, 25395.109, and 25395.110 of the Health and Safety Code, relating to hazardous materials.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 175**—An act to amend Sections 12070, 12072, 12078, and 12083 of the Penal Code, relating to firearms.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 191**—An act to amend Section 47660 of the Education Code, relating to charter schools.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 241**—An act to amend Sections 113733, 113735, 113769, 113784, 113789, 113801, 113818, 113821, 113831, 113871, 113876, 113879, 113930, 113932, 113939, 113947, 113949.1, 113949.2, 113950.5, 113953, 113969, 113976, 113982, 113984, 113986, 113996, 114002, 114004, 114021, 114041, 114067, 114089, 114099.2, 114099.6, 114117, 114159, 114163, 114185, 114185.5, 114250, 114252, 114279, 114286, 114295, 114311, 114313, 114314, 114358, 114371, 114380, 114381, and 114387 of, to add Sections 113747.1, 113778.4, 113794.4, 114099.7, 114118, 114130.6, and 114306 to, to add the heading of Chapter 10.5 (commencing with Section 114332) to Part 7 of Division 104 of, to repeal Sections 113915, 114020.1, 114245.8, 114435, and 114436 of, and to repeal the heading of Article 13.5 (commencing with Section 114332) of Chapter 10 of Part 7 of Division 104 of, the Health and Safety Code, relating to food facilities, 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 256**—An act to add Section 14673.3 to the Government Code, relating to state property, and making an appropriation therefor.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 273**—An act to amend Sections 124250 and 124251 of the Health and Safety Code, and to amend Sections 13823.15 and 13823.16 of the Penal Code, relating to domestic violence.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 312**—An act to add Section 33009.7 to the Education Code, and to add Section 15491 to the Government Code, relating to public meetings and hearings.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 321**—An act to amend Section 53753 of the Government Code, relating to local government.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 361**—An act to amend Section 66025.8 of the Education Code, relating to postsecondary education.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 449**—An act to amend Sections 21636, 21637, 21638, and 21643 of, to amend, repeal, and add Sections 21628 and 21628.1 of, and to add Section 21628.2 to, the Business and Professions Code, and to amend Section 12071 of the Penal Code, relating to firearms.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 478**—An act to amend Section 7311.1 of, and to add Section 7311.25 to, the Labor Code, relating to employment safety.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 509**—An act to amend Sections 1270, 14035, 16197, 17584, 17592.5, 24216.5, 37254, 44259, 44961, 47660, 51452, 52052, 52127, and 54026 of, and to repeal Sections 41857 and 47623 of, the Education Code, and to amend Section 53892.1 of the Government Code, relating to education.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 548**—An act to amend Section 999.5 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 634**—An act to amend Sections 22115, 22508, 22515, 22661, 22713, 22801, 22802, 22803, 22805, 22820, 22821, 22822, 22823, 22826, 23200, 23201, 23859, 24001, 24101, 24201.5, 24216, 24216.5, 24216.6, 24301, 24309, 25007, 25010, 25011.1, 25017, and 25020 of, to amend the heading of Part 14 (commencing with Section 26000) of Division 1 of Title 1 of, and to add Section 25008.5 to, the Education Code, relating to teachers' retirement.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 717**—An act to amend Sections 70, 70.2, 70.4, 70.8, 71.2, 71.4, 71.8, 72, 72.2, 76, 76.3, 76.5, 76.6, 86, 131, 133, 264, 300, 301, 302, 304, 305, 306, 307, 308, 505.5, 571, 652, 654.5, 658.3, 668.1, 738, and 780 of, to add Sections 309 and 310 to, to repeal Section 660.2 of, and to repeal Chapter 2.5 (commencing with Section 110) of Division 1.5 of, the Harbors and Navigation Code, relating to boating and waterways.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 751**—An act to amend Section 44275.4 of, and to add Article 14 (commencing with Section 44401) to Chapter 2 of Part 25 of Division 3 of Title 2 of, the Education Code, relating to teachers.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 781**—An act to add Section 1569.683 to the Health and Safety Code, relating to residential care facilities for the elderly.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 821**—An act to amend Sections 139, 805, 1632.5, 1634.2, 2493, 2530.2, 2532.2, 2532.7, 2570.2, 2570.3, 2570.4, 2570.5, 2570.6, 2570.7, 2570.9, 2570.10, 2570.13, 2570.16, 2570.18, 2570.20, 2570.26, 2570.28, 2571, 2872.2, 3357, 3362, 3366, 3456, 3740, 3750.5, 3773, 4101, 4112, 4113, 4160, 4196, 4200.3, 4200.4, 4510.1, 4933, 4938, 4980.45, 4980.48, 4982, 4982.2, 4989.22, 4989.54, 4992.1, 4992.3, 4996.23, 4996.28, 4996.5, 4999.2, 5016, 5021, 5022, 5023, 5651, 7028.7, 7044, 7159, 7159.5, 7159.14, 7303.2, 7500.1, 7505.5, 7507.9, 7507.12, 7606, 7616, 7641, 7643, 7646, 7647, 7662, 7665, 7666, 7671, 7725.5, 7729, 9884.2, 9889.3, and 10146 of, to add Sections 2532.25, 2570.17, 4013, 4146, 4989.49, 4992.2, 4996.24, 7044.01, and 7507.115 to, to repeal Sections 821.5 and 821.6 of, and to repeal and add Section 7108.5 of, the Business and Professions Code, to amend Sections 44014.2, 44017.3, 44072.1, 44072.2, 44095, and 123105 of the Health and Safety Code, to



amend Sections 28, 5201, and 24603 of the Vehicle Code, and to amend Section 3 of Chapter 294 of the Statutes of 2004, relating to consumer affairs.

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

*(NOTE: See Consent Calendar Roll Call)*

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

*(NOTE: See Consent Calendar Roll Call)*

**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 third time.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 805**—An act to amend Section 11504 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 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 third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

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

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

*(NOTE: See Consent Calendar Roll Call)*

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

*(NOTE: See Consent Calendar Roll Call)*

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

*(NOTE: See Consent Calendar Roll Call)*

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

NOES (0)—None.

### **UNFINISHED BUSINESS (RESUMED)**

#### **Consideration of Governor's Appointments**

Senator Steinberg placed the following Governor's appointments before the Senate:

LAURA N. CHICK, Member, State Bar Board of Governors.

WILLIAM H. GAILEY, Member, State Bar Board of Governors.

MARY ANN LUTZ, Member, Water Quality Control Board, Los Angeles Region.

MARIA MEHRANIAN, Member, Water Quality Control Board, Los Angeles Region.

GEORGE I. LOVELAND, Member, Water Quality Control Board, San Diego Region.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

#### **Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (39)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.



### MOTION TO WITHDRAW FROM COMMITTEE

Senator Dutton moved that **SB 295** be withdrawn from the Committee on Environmental Quality and brought to the Senate Floor.

### Motion to Lay on the Table

Senator Steinberg moved that the motion be laid on the table.

### Roll Call

The roll was called and the motion to lay on the table carried by the following vote:

AYES (20)—Senators Alquist, Calderon, Cedillo, DeSaulnier, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, and Wright.

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

### REQUEST TO BE ADDED TO ROLL CALL

September 2, 2009

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 1357—Aye	AB 444—Aye	AB 1553—Aye
AB 1541—Aye	AB 1317—Aye	AB 1017—Aye
AJR 17—Aye	AB 657—Aye	AB 362—Aye
AB 988—Aye	AB 1319—Aye	AB 577—Aye
AB 1031—Aye	AB 823—Aye	AB 241—Aye
SCR 44—Aye	SB 296—Aye	SB 459—Aye
AB 1217—Aye	AB 14—Aye	ACR 85—Aye
SB 37—Aye	AB 741—Aye	AB 65—Aye

DARRELL STEINBERG, President pro Tempore

September 2, 2009

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 241—No	AB 1217—No	AB 854—No
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DENNIS HOLLINGSWORTH, Minority Floor Leader

### LEAVES OF ABSENCE FOR THE DAY

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

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

At 4:20 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 adjourn until Thursday, September 3, 2009.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, September 2, 2009

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

AB 1585

Assembly Chamber, September 2, 2009

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

ACR 77

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Bill 1585**—An act to amend Sections 9795 and 10242.5 of, and to add Section 10231.5 to, the Government Code, relating to state agency reports, and declaring the urgency thereof, to take effect immediately.

**Assembly Concurrent Resolution 77**—Relative to the California Global Warming Solutions Act of 2006.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Senate Chamber, September 2, 2009

Madam President: The Chair of the Committee on Rules, to which were referred:

AB 411

AB 1260

AB 179

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 411**—An act relating to health facilities.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 411 pursuant to Joint Rule 58.

ASSEMBLY MEMBER GARRICK

**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 411.

STEINBERG, Chair

**Assembly Bill 1260**—An act to amend Section 95020 of the Government Code, and to amend Sections 4685, 4686.5, 4688.1, 4688.2, and 4692 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 1260 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HUFFMAN

**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1260.

STEINBERG, Chair

**Assembly Bill 179**—An act 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 179 pursuant to Joint Rule 58.

ASSEMBLY MEMBER PORTANTINO

**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 179.

STEINBERG, Chair

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

State Capitol, September 2, 2009

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 3–0, has referred SB 291 (Calderon) to the Senate Banking, Finance and Insurance Committee.

STEINBERG, Chair

**MOTION TO RE-REFER TO COMMITTEE**

Without objection, **SB 156** was re-referred to the Committee on Rules.

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

Without objection, **AB 1536** was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules.



**SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Friday, September 4:

AB 74	AB 1435	AB 224	AB 567
AB 175	AB 429	AB 101	AB 623
AB 359	AB 46	AB 1025	AB 322
AB 845	AB 579	AB 1572	AB 914
AB 1295	AB 1291	AB 1573	

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)****Request for Unanimous Consent (AB 572)**

Senator Simitian asked for, and was granted, unanimous consent that AB 572 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 572**

**Assembly Bill 572**—An act to add Section 47604.1 to the Education Code, relating to charter schools.

Bill read second time.

**Motion to Amend**

Amendments to AB 572 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 361**—An act to add Section 4610.3 to the Labor Code, relating to workers' compensation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 361 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 45**—An act to add and repeal Article 2.11 (commencing with Section 65893) of, and to repeal the heading of Article 2.11 (commencing with Section 65892.13) of, Chapter 4 of Division 1 of Title 7 of the Government Code, relating to land use.

Bill read third time.

**Amendments Adopted**

Amendments to AB 45 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 260**—An act to amend Section 10177 of the Business and Professions Code, to add Section 2923.1 to the Civil Code, and to amend Section 50505 of, to add Sections 1242, 14961, and 22346 to, and to add Division 1.9 (commencing with Section 4995) to, the Financial Code, relating to lending.

Bill read third time.



**Amendments Adopted**

Amendments to AB 260 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 154**—An act to amend Sections 16118 and 16119 of, and to add Section 16132 to, the Welfare and Institutions Code, relating to adoption assistance.

Bill read third time.

**Amendments Adopted**

Amendments to AB 154 proposed by Senator Liu were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1071**—An act to amend Sections 4110, 4127.8, 4160, and 4400 of, and to repeal Section 4127.5 of, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1071 proposed by Senator Wyland were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 813**—An act to amend Section 19827 of the Business and Professions Code, relating to gambling.

Bill read third time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 813 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HALL

**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 813.

STEINBERG, Chair

**Amendments Adopted**

Amendments to AB 813 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to second 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 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 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.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 281 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DE LEÓN

**Permission of Rules Committee**

Senate Chamber, September 2, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 281.

STEINBERG, Chair

**Amendments Adopted**

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

**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 third time.

**Amendments Adopted**

Amendments to AB 166 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 215**—An act to add Section 1418.21 to the Health and Safety Code, relating to long-term health care facilities.

Bill read third time.

**Amendments Adopted**

Amendments to AB 215 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 851**—An act to amend Section 42238 of, to amend and repeal Sections 42238.21, 42238.22, 42241.2, and 42241.7 of, to amend, repeal, and add Sections 45023.1 and 45023.4 of, and to add Section 42238.485 to, the Education Code, relating to education finance.

Bill read third time.

**Amendments Adopted**

Amendments to AB 851 proposed by Senator Huff were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1196**—An act to amend Sections 12650, 12651, 12652, and 12654 of the Government Code, relating to the False Claims Act.

Bill read third time.



**Amendments Adopted**

Amendments to AB 1196 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**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 third time.

**Amendments Adopted**

Amendments to AB 1176 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1336**—An act to amend Section 40207 of, and to add and repeal Article 3.6 (commencing with Section 40245) of Chapter 1 of Division 17 of, the Vehicle Code, relating to vehicles.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1336 proposed by Senator Florez were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

**Amendments Adopted**

Amendments to AB 1440 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1396**—An act to repeal and add Chapter 3 (commencing with Section 7150) of Part 2 of Division 7 of the Elections Code, relating to elections.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1396 proposed by Senator Negrete McLeod were read and adopted and the measure ordered printed and to second 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 third time.

**Amendments Adopted**

Amendments to AB 753 proposed by Senator Walters were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 1385**—An act to amend Section 25258 of the Vehicle Code, relating to vehicles.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1385 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

**Amendments Adopted**

Amendments to AB 1438 proposed by Senator Aanestad were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 759**—An act to amend Section 10286.1 of the Public Contract Code, and to amend Sections 24411 and 25110 of, and to add Section 25117 to, the Revenue and Taxation Code, relating to corporations.

Bill read third time.

**Amendments Adopted**

Amendments to AB 759 proposed by Senator Wolk were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1325**—An act to add and repeal Section 8600.5 of the Family Code, and to amend, repeal, and add Sections 294, 358.1, 361.5, 366.21, 366.22, 366.25, 366.26, 366.3, 16120, 16508, and 16508.1 of, and to add and repeal Section 366.24 of, the Welfare and Institutions Code, relating to Indian children.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1325 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 324**—An act to amend, repeal, and add Sections 9100 and 9400 of, and to add and repeal Sections 9009 and 9400.5 of, the Welfare and Institutions Code, relating to aging.

Bill read third time.

**Amendments Adopted**

Amendments to AB 324 proposed by Senator Maldonado were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.



**Amendments Adopted**

Amendments to AB 894 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1087**—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1087 proposed by Senator Wolk 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 1265**—An act to add and repeal Section 6018.3 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1265 proposed by Senator Calderon were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 524**—An act to amend Section 1708.8 of the Civil Code, relating to privacy.

Bill read third time.

**Amendments Adopted**

Amendments to AB 524 proposed by Senator Price 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 Padilla were read and adopted and the measure ordered printed and to second reading.

**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 third time.



**Amendments Adopted**

Amendments to AB 82 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

**Amendments Adopted**

Amendments to AB 282 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1386**—An act to amend Sections 14528.5 and 14528.55 of the Government Code, and to amend Sections 392, 485, and 538 of the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1386 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 311**—An act to amend Sections 401.17, 441, and 1153.5 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 311 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Without objection, the following letter was printed in the Journal.

September 1, 2009

*Greg Schmidt*

*Secretary of the Senate*

Dear Mr. Secretary:

I am writing in regard to today's votes on several Assembly bills. As you know, I was excused for travel to my district yesterday, and the earliest flight returning to Sacramento today that I could schedule departed Burbank Airport at 12:15 p.m. By the time I arrived in the Senate Chamber at 2:00 p.m., I had missed several votes. Due to the Rules of the Senate, the votes for the measures in question could not be held open.

I want to make clear my support of the following measures, had I been present in the Senate Chamber when the votes were taken:

Item 165 ACR 68 (Davis)—Public Service Recognition Month



Item 172 AB 66 (Anderson)—Pupil Work Permits  
 Item 193 AB 521 (De La Torre)—Utility Property: leases for park purposes  
 Item 221 AB 1369 (Davis)—Involuntary Home Detention  
 Item 230 AB 136 (Silva)—Horse Racing  
 Item 279 AB 1020 (Emmerson)—Public Swimming Pools  
 Item 285 AB 1249 (Galgiani)—Kitchen Grease Transporters  
 Item 297 AB 1397 (Hill)—Tissue Donation  
 Item 299 AB 839 (Emmerson)—Medi-Cal Providers  
 Item 300 AB 318 (Emmerson)—Vehicle registration amnesty program  
 Item 302 AB 472 (Blumenfield)—Disaster preparedness  
 Item 305 AB 644 (Caballero)—Monterey-Salinas Transit District  
 Item 317 AB 543 (Ma)—Perinatal care: The Nurse-Family Partnership  
 Item 320 AB 99 (De León)—Secondhand and coin dealers  
 Item 321 AB 1442 (Assembly Water, Parks and Wildlife Committee)—Fish and Game: Oil Spills  
 Item 322 AB 708 (Huffman)—Fish and Wildlife: Poaching  
 Item 323 AB 242 (Nava)—Dog Fighting  
 Item 325 AB 1390 (Blumenfield)—School safety: school security and police departments  
 Item 330 AB 1006 (Buchanan)—State buildings: building locations  
 Item 331 AB 1052 (Caballero)—Bay-Delta Sport Fishing Enhancement Stamp  
 Item 337 AJR 10 (Torlakson)—Social Security: retirement benefits—public employees  
 Item 344 AB 1012 (Perez)—Broadband Communications  
 Item 352 AB 789 (De León)—Search warrants: protective orders  
 Item 354 AB 532 (Lieu)—Search warrants: firearms in domestic violence  
 Item 357 AB 628 (Block)—Toll Evasion  
 Item 363 AB 762 (Lowenthal)—Residential facilities: bedridden persons  
 Item 367 AB 870 (Huber)—School safety: prohibited weapons  
 Item 368 AB 428 (Fletcher and Ma)—Criminal history records  
 Item 371 AB 129 (Ma)—Confidentiality: taxpayer communications  
 Finally, I would have abstained from Item 293, AB 1066 (Mendoza).

Sincerely,

GLORIA ROMERO  
 24th Senate District  
 Chair, Senate Education Committee

#### ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned until 9:30 a.m., Thursday, September 3, 2009.

PAULA K. ROSSETTO, Minute Clerk

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