

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 8, 2010

The Senate met at 9:30 a.m.
Hon. S. Joseph Simitian, of the 11th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zachary L. Twilla reading.

QUORUM CALL OF THE SENATE

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

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE
ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee—34.
Quorum present.

(NOTE: Senators Alquist, Cogdill, and Wiggins will be excused this day on legislative business, and Senators Harman and Maldonado will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

This coming Sunday the Jewish community around the world will observe a day of mourning known as Yom HaShoah—Holocaust Memorial Day. There are many horrific stories from the Holocaust, atrocities and unthinkable acts of inhumanity.

But there are also other stories, of courage and kindness, moral strength and noble acts in the face of evil.

One of these stories belongs to a woman who died this past January. Her name was Miep Gies, a woman best known for being one of the guardian angels who hid Anne Frank and the others who hid in the secret annex.

An extraordinary thing about Miep Gies was how ordinary she was. She was not a politician or a soldier, she did not hold a position of prominence or power, she was just an ordinary person whose sense of morality, of justice, of compassion, and humanity gave her the courage to act in a way that makes the rest of us marvel, and ask, could I do what she did? If I saw my fellow human beings suffering and in peril would I risk my life for theirs? These are questions that can only be answered when the moment arises.

One of the lessons of the Holocaust is that even in dark times there are those amongst us whose moral character shines as brightly as the stars in the heavens, whose bravery inspires us to act in a way that elevates us all, in a way that reminds us that within each human being dwells a spark of the Divine.

May the Holy One give us the courage to recognize and honor the spark of holiness that dwells inside each human being, so that we might be better at doing God's work of bringing goodness, peace and compassion into the world.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, April 7, 2010

Mr. President: The Senate Rules Committee has made the following appointments to boards and commissions:

Appointed Jonathan Shapiro of Beverly Hills as a member to the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy for a term ending January 1, 2014.

Appointed Wendy S. Still of Roseville as a County Chief Probation Officer to the California Rehabilitation Oversight Board for a term ending at the pleasure of the committee.

STEINBERG, Chair



State Capitol, April 7, 2010

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

Ana J. Matosantos, Director of Finance (5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, April 8, 2010

Mr. 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:

Stacey A. Aldrich, State Librarian (5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, April 7, 2010

Mr. 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:

James W. Charlton, Member, Water Quality Control Board, Lahontan Region (5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

Committee on Banking, Finance and Insurance

Date of Hearing, April 7, 2010

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

SB 931

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

CALDERON, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, April 7, 2010

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

SB 1137

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

CALDERON, Chair

Above measure ordered to second reading.



Date of Hearing, April 7, 2010

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

SB 1242

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

CALDERON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 7, 2010

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

SB 1146 SB 1188 SB 1223 SB 1275

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

CALDERON, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, April 7, 2010

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

SB 1155

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

CALDERON, Chair

Above measure ordered to second reading.

Committee on Budget and Fiscal Review

Senate Chamber, April 8, 2010

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

SB 844

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

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 844—An act to add Sections 9143.5, 9145, 10247.5, 13335.3, and 13335.5 to, and to add Chapter 1.5 (commencing with Section 16330) to Part 2 of Division 4 of Title 2 of, the Government Code, relating to state finance.

Bill read second time.



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

Committee on Human Services

Senate Chamber, April 8, 2010

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

SB 1359

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

LIU, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1359—An act to amend Sections 10830, 11265.1 and 11265.3 of, and to repeal and add Section 18910 of, the Welfare and Institutions Code, relating to public social services.

Bill 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 SENATE BILLS

Senate Bill 1203—An act to add Section 101.5 to the Elections Code, relating to voting.

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

Senate Bill 1254—An act to add Section 7127 to the Business and Professions Code, and to amend Section 830.3 of the Penal Code, relating to contractors.

Bill read second time.

The amendments proposed by the Committee on Business, Professions and Economic Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 902—An act to amend Section 14831 of the Health and Safety Code, relating to fire protection.

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

Senate Bill 1458—An act to amend Section 32130.6 of the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

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

Senate Bill 1107—An act to amend Sections 19216 and 19315 of the Food and Agriculture Code, to amend Section 16050 of the Public



Resources Code, and to add Chapter 7.8 (commencing with Section 13590) to Division 7 of the Water Code, relating to grease.

Bill read second time.

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

Senate Bill 1241—An act to add Part 8 (commencing with Section 38600) to Division 25.5 of the Health and Safety Code, relating to greenhouse gas emissions.

Bill read second time.

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

Senate Bill 1061—An act to amend Section 30915 of, and to add Section 30914.2 to, the Streets and Highways Code, relating to transportation.

Bill read second time.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1518—An act relating to state boards, commissions, and committees.

Bill read second time.

The amendments proposed by the Committee on Business, Professions and Economic Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 1451—An act to add Chapter 17 (commencing with Section 26495) to Part 2 of Division 2 of Title 3 of the Government Code, relating to local government.

Bill read second time.

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

Assembly Bill 7—An act to add and repeal Section 35179.4 of the Education Code, relating to interscholastic athletics.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10(c), **AB 7** was re-referred to the Committee on Rules.



MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 70**, **SCR 79**, and **SCR 87** were withdrawn from Committee and placed on today's consent calendar.

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

Senate Concurrent Resolution 63—Relative to secondhand goods.

Resolution read third time and presented by Senator Yee.

Roll Call

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

AYES (34)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution 91—Relative to Autism Awareness Month.

Resolution read third time and presented by Senator Steinberg.

Roll Call

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

AYES (34)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senator Romero Presiding

Senate Bill 944—An act to amend Section 37222 of the Education Code, and to add Section 6723 to the Government Code, relating to Ronald Reagan Day.

Bill read third time and presented by Senator Runner.

Roll Call

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

AYES (34)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senate Joint Resolution 18—Relative to marine aquaculture.

Resolution read third time and presented by Senator Simitian.

Roll Call

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

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

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

Resolution ordered transmitted to the Assembly.

Senate Bill 928—An act to add Article 6 (commencing with Section 108670) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to consumer product safety.

Bill read third time and presented by Senator Simitian.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

Senate Joint Resolution 26—Relative to the Armenian Genocide.

Resolution read third time.

Request to Add Coauthors

To the Committee on rules: I request permission to offer amendments solely for the purpose of adding coauthors to Senate Joint Resolution 26 pursuant to Joint Rule 9.

SENATOR SIMITIAN

Permission of Rules Committee

The Committee on Rules grants permission to offer amendments when all that would be done to the bill is the addition of coauthors.

STEINBERG, Chair

Amendments Adopted

Amendments to SJR 26 proposed by Senator Simitian were read and adopted and the measure ordered re-printed, engrossed, and to third reading.

Consideration of Senate Joint Resolution 26 (As Amended)

Resolution presented by Senator Simitian.



Roll Call

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

AYES (34)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senator Simitian Presiding**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, April 8, 2010

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

SB 401

SB 77

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT (SB 401)

Senator Wolk asked for, and was granted, unanimous consent to take up SB 401 at this time, without reference to file.

Consideration of Senate Bill 401**Consideration of Assembly Amendments**

Senate Bill 401—An act to amend Sections 17008.5, 17020.6, 17024.5, 17041, 17052.12, 17062, 17063, 17072, 17085, 17132.5, 17144.5, 17152, 17206, 17250, 17250.5, 17255, 17275.5, 17276, 17501, 17551, 17952.5, 18165, 18180, 18631, 19116, 19131, 19134, 19164, 19166, 19172, 19179, 19443, 21015.5, 23045, 23051.5, 23456, 23609, 23712, 23732, 23772, 24305, 24356, 24357, 24357.1, 24357.7, 24358, 24416, 24949.5, 24990.6, and 24993 of, to add Sections 17020.15, 17131.3, 17132.8, 17204, 17225, 17257, 17257.2, 17257.4, 17275.2, 17275.3, 17279.6, 17560.5, 17681.3, 17755, 18031.5, 18037.5, 18151.5, 18155.6, 19172.5, 19185, 19186, 23046.5, 23703.7, 24303, 24329, 24349.2, 24462, 24831.3, 24941.5, 24950.5, 24990.2, and 24990.8 to, and to repeal Sections 24355.3, 24981, and 24988 of, the Revenue and Taxation Code, relating to taxation.

Measure presented by Senator Wolk.

The question being: Shall the Senate concur in the Assembly amendments to SB 401?



Roll Call

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

AYES (24)—Senators Ashburn, Calderon, Cedillo, Corbett, Cox, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wolk, Wright, and Yee.

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

Above measure ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (SB 77)

Senator Pavley asked for, and was granted, unanimous consent to take up SB 77 at this time, without reference to file.

Consideration of Senate Bill 77**Consideration of Assembly Amendments**

Senate Bill 77—An act to amend Section 26011 of, and to add Division 16.2 (commencing with Section 26100) to, and to repeal Section 26141 the Public Resources Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Pavley.

The question being: Shall the Senate concur in the Assembly amendments to SB 77?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Roll Call

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

AYES (33)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above measure ordered enrolled.



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

Assembly Bill 790—An act to add Section 1232 to the Government Code, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Correa.

Urgency Clause

Urgency clause read and refused adoption by the following vote:

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

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

Motion to Reconsider

Senator Correa moved to reconsider the vote whereby the urgency clause to Assembly Bill 790 was refused adoption.

Roll Call

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

AYES (34)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered returned to third reading.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1190—An act to amend Section 12002 of the Penal Code, relating to animal control officers.

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 (32)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senate Concurrent Resolution 78—Relative to National Library Week.

Resolution read third time and presented by Senator Wolk.

Roll Call

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

AYES (32)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution 93—Relative to Summer Learning and Wellness Month.

Resolution read third time and presented by Senator DeSaulnier.

Roll Call

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

AYES (28)—Senators Aanestad, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Hancock, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Ashburn.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution 82—Relative to public education and discrimination-free zones.

Resolution read third time and presented by Senator Kehoe.

Roll Call

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

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

NOES (7)—Senators Aanestad, Cox, Denham, Hollingsworth, Huff, Runner, and Wyland.

Resolution ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 1090—An act to amend Section 326.3 of the Penal Code, relating to gaming.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 1221—An act to amend Sections 2924 and 2924c of the Civil Code, relating to mortgages.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 70—Relative to the 22nd Annual State Scientist Day.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 79—Relative to Portuguese Heritage Month.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 87—Relative to American Stroke Month.

Resolution read, adopted, 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 (32)—Senators Aanestad, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alquist, Cogdill, and Wiggins.

The following Senators were granted leaves of absence for the day due to personal business: Senators Harman and Maldonado.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 11:25 a.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, April 12, 2010.

Motion carried.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 8, 2010

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

AB 1596	AB 1762	AB 2035
AB 2154	AB 2009	AB 2455

Assembly Chamber, April 8, 2010

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

ACR 128	AJR 31
---------	--------

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 for assignment:

Assembly Bill 1596—An act to add Section 527.11 to the Code of Civil Procedure, and to amend Section 136.2 of, and to add Section 269.1 to, the Penal Code, relating to protective orders.

Assembly Bill 1762—An act to amend Section 10026 of the Business and Professions Code, relating to real estate.

Assembly Bill 2035—An act to add Section 1759.11 to the Insurance Code, relating to health care coverage.

Assembly Bill 2154—An act to amend Section 3001 of, and to add Section 3007.8 to, the Elections Code, relating to vote by mail ballots.

Assembly Bill 2009—An act to amend Section 76104.6 of the Government Code, relating to county penalties.

Assembly Bill 2455—An act to amend Sections 800 and 811 of the Military and Veterans Code, relating to military benefits.

Assembly Concurrent Resolution 128—Relative to school recycling.

Assembly Joint Resolution 31—Relative to special education funding.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, April 7, 2010

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

Health—AJR 13.

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



Business, Professions and Economic Development—SB 882, SB 1031.

Education—SB 1143, SB 1382.

Energy, Utilities and Communications—SB 1153, SB 1154.

Environmental Quality—SB 1291.

Governmental Organization—SB 887, SB 1130.

Health—SB 890, SB 1332, SB 1378.

Local Government—SB 1142.

Natural Resources and Water—SB 1093.

Public Safety—SB 892, SB 1165.

Revenue and Taxation—SB 1113, SB 1272, SB 1391.

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

Education and Revenue and Taxation—SB 974.

Public Safety and Rules—SB 1147.

Transportation and Housing and Judiciary—SB 1470.

Committee on Appropriations

Senate Chamber, April 8, 2010

Mr. 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 60200.8 and 60200.9 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 Banking, Finance and Insurance

Senate Chamber, April 8, 2010

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

SB 1000



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

CALDERON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1000—An act to add Section 2951 to the Civil Code, relating to mortgage appraisals.

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

Date of Hearing, April 5, 2010

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

SB 1365

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

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 8, 2010

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

SB 1038

SB 1146

SB 1223

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

CORBETT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1038—An act to amend Section 4231 of, and to add Section 4231.5 to, the Probate Code, relating to powers of attorney.

Bill read second time.

Senate Bill 1146—An act to amend Section 116.230 of the Code of Civil Procedure, and to amend Sections 22165 and 22166 of, and to add and repeal Article 3.5 (commencing with Section 22348) of Chapter 2 of Division 9 of, the Financial Code, relating to finance lenders.

Bill read second time.

Senate Bill 1223—An act to add Section 17412 to the Financial Code, relating to escrow agents.

Bill read second time.

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



Committee on Public Safety

Senate Chamber, April 8, 2010

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

SB 1025

SB 1317

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

LENO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1025—An act to amend Section 68661 of, and to add Section 68667 to, the Government Code, relating to courts.

Bill read second time.

Senate Bill 1317—An act to add Section 270.1 to the Penal Code, relating to truancy.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, April 8, 2010

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

SB 1211

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

DESAULNIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1211—An act to amend Section 1379 of, and to add Section 1375.7 to, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, April 8, 2010

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

SB 1215

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

LOWENTHAL, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1215—An act to add Chapter 10.2 (commencing with Section 4529.25) to Division 5 of the Government Code, relating to public contracts.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, April 8, 2010

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

SB 1275

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

CORBETT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1275—An act to amend Section 2923.5 of, and to add and repeal Sections 2923.4, 2923.7, 2923.73, and 2923.75 of, the Civil Code, relating to mortgages.

Bill read second time.

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

Committee on Budget and Fiscal Review

Senate Chamber, April 8, 2010

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

SCA 19

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

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 8 and 9 of Article II thereof, by amending Sections 8, 10, and 12 of Article IV thereof, by amending Sections 24 and 25.5 of Article XIII thereof, by amending Section 3 of Article XIII A thereof, by adding Section 17 to Article XI thereof, and by adding Section 3.5 to Article XVIII thereof, relating to state and local finance.

Resolution read second time.

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



Committee on Health

Senate Chamber, April 8, 2010

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

SB 900

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 900—An act to add Division 114 (commencing with Section 135000) to the Health and Safety Code, relating to health care coverage.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, April 8, 2010

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

SB 1231

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

WRIGHT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1231—An act to amend Section 6108 of the Public Contract Code, relating to public contracts.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, April 8, 2010

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

SB 1027

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

LENO, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1027—An act to amend Section 3000 of the Penal Code, relating to parole.

Bill read second time.

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

Committee on Rules

Senate Chamber, April 8, 2010

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

SB 1110

SB 1118

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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1110—An act to amend Section 6593.5 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1110 pursuant to Joint Rule 58.

SENATOR RUNNER

Permission of Rules Committee

Senate Chamber, April 8, 2010

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1110.

STEINBERG, Chair

Senate Bill 1118—An act to amend Section 84105 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Senate Chamber, April 8, 2010

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

SB 1283

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

STEINBERG, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1283—An act relating to health care coverage.

Bill read second time.

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Ruben Casillas of Chula Vista.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Max C. Mazzetti of Econdido.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Bill Porter of Victor Valley, Joan Anderson and Dr. Penmetsa Varma of of Antelope Valley.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Amy Elizabeth Wygant, Phillip A. Fultano, and David Harris Rule of Stockton and Patrick Lee Cassidy, William Brouwer and Margaret J. Berger of Manteca.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 1 p.m., Monday, April 12, 2010.

PAULA K. ROSSETTO, Minute Clerk

O

