

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 15, 2010

The Senate met at 9 a.m.

Hon. Curren Price, of the 26th 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, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee—36.

Quorum present.

(NOTE: Senators Denham, Ducheny, and Wiggins will be excused this day on legislative business.)



PRAYER

Senator Joseph Simitian introduced His Eminence Archbishop Hovnan Derderian, Primate of the Armenian Church of North America Western Diocese, and upon invitation of the President the Archbishop offered the following prayer:

Almighty God,

We lift up our hearts to praise Your name for bestowing upon us the gift of all bounties of the world, but above all, blessing us with the gift of life and challenging us to become your good hands in our communities.

The world is the city of God and all of us are called to be the spiritual tools of justice and peace, and the illuminators of the human souls. Today, we pray especially for the peace of the world and for all those who suffer as victims of injustice, war and poverty. Each time a gathering is formed in the life of the community, the presence of God is felt immensely.

Almighty God, we know well that the Honorable members of this Senate have responded to Your call to bring their wisdom for the well-being of the State of California.

Today, we give thanks to God for the prayers being offered to the victims of the first Genocide of the 20th century, sons and daughters of the Armenian nation who have been martyred for the sake of their faith and love for their ancestral land. We continue to pray for their souls, for You, as the Lord of justice bestow upon us the enlightened minds to pursue the recognition of the Armenian Genocide.

We have remembered the victims of the genocide in our prayers with reverence for the past 95 years. Our prayers will continue to honor their memory, thus not only showing our respect for their martyrdom but also sending out a clear message to all nations that the gift of life granted to us by God cannot be taken away forcefully or brutally.

The people and the leaders of the United States of America have condemned the genocide from its initial date in 1915. This country has inspired us to cherish the true value of democracy and freedom as well as the universal respect for humanity as the reflection of God's love.

Almighty God, bless this Senate with their members and their mission. Grant them divine wisdom and love to carry on their duties diligently, to uphold firm justice for the past and be the path of justice for all generations to come.—AMEN.

PRESENTATION OF THE COLORS

The colors were presented by the Homenetmen Santa Clara Scouts Troop 300.

PLEDGE OF ALLEGIANCE TO THE FLAG

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



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

Senate Bill 1128—An act to amend Sections 1365.2 and 1368 of the Civil Code, relating to common interest developments.

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

Senate Bill 1246—An act to amend Sections 1206.5, 1209, and 3613 of, and to add Sections 3640.2 and 3640.3 to, the Business and Professions Code, relating to naturopathic medicine.

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 1002—An act to amend Section 1011 of the Military and Veterans Code, relating to veterans.

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

Senate Bill 1003—An act to amend Section 1010 of the Military and Veterans Code, relating to veterans.

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

Senate Bill 837—An act to amend Section 1798.3 of the Civil Code, to amend Section 1985.3 of the Code of Civil Procedure, to amend Section 1326.1 of the Penal Code, and to add Sections 589, 779.3, 2750, and 8364.5 to, to add the heading of Chapter 4.5 (commencing with Section 2750) to Part 2 of Division 1 of, to add Chapter 10 (commencing with Section 5600) to Division 2 of, and to repeal the heading of Chapter 4.5 (commencing with Section 2771) of Part 2 of Division 1 of, the Public Utilities Code, relating to utility service.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, and re-referred to the Committee on Energy, Utilities and Communications.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 94** and **ACR 105** were withdrawn from Committee and placed on today's Consent Calendar.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Transportation and Housing to meet today, April 15, and to allow the Committee on Labor and Industrial Relations to meet on Monday, April 19, without four days notice in the Daily File.



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

Senate Concurrent Resolution 80—Relative to Lyme Disease Awareness Month.

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Bill 1330—An act to amend Sections 31, 490, 490.5, 654.3, 728, 1246, 1301, 3152, 4040, 4076, 4980.44, 4999.2, 4999.7, 6213, 7028, 7108.5, 8520.2, 8676, 8761, 9889.20, 11344, 19596.2, 19850.6, 23356.2, 25503.42, and 25658.4 of, and to amend and renumber Section 19605.10 of, the Business and Professions Code, to amend Sections 1185, 1363.03, and 2954 of the Civil Code, to amend Sections 234 and 425.16 of, and to repeal Sections 128.6, 209, and 349 of, the Code of Civil Procedure, to amend Sections 8971, 14035, 33128.3, 42238, 42605, 42606, 44346.5, 44856, 45103.1, 49701, 52055.770, 52165, 53302, 60852.3, 67302.5, 69458, 69460, 69613, 69999.14, 69999.18, 69999.20, 87482, 88003.1, and 89267.5 of, and to repeal Section 51241 of, the Education Code, to amend Sections 354.5, 2157, 2157.2, 2225, 11100, and 13307 of the Elections Code, to amend Section 1118 of the Evidence Code, to amend Section 7572 of the Family Code, to amend Sections 2089.12, 2089.23, 5655, 9011, and 12013 of the Fish and Game Code, to amend Sections 3884.2, 5931, 6047.12, 15061, and 71031 of the Food and Agricultural Code, to amend Sections 7906, 8588.1, 8879.72, 11011.1, 11011.2, 11126, 12715, 13302, 15491, 15820.911, 16724.5, 16731.6, 22898, 25331, 31855.9, 53601, 56375.2, 56668, 63049.62, 63049.67, 65080, 65583, 66540.12, 66540.32, 70375, 70391, 76000, 76000.5, 76104.6, 91530, and 91533 of the Government Code, to amend Sections 86, 652, 1176, 5864, and 6035 of the Harbors and Navigation Code, to amend Sections 1261.5, 1289.4, 1348.8, 1357, 1357.50, 1358.4, 1358.12, 1358.91, 1367.66, 1418.21, 1429, 1499, 1568.03, 1569.69, 1599.645, 1736.5, 1798.200, 13221, 25396, 44272, 50843.5, 103526.5, 114850, 116064.2, 116540, 124991, 128730, 130060, and 130251 of, and to repeal Section 112877 of, the Health and Safety Code, to amend Sections 38.5, 1063.1, 1063.2, 10136, 10192.4, 10192.81, 10192.12, 10192.20, 10198.6, and 10700 of the Insurance Code, to amend Section 273 of the Labor Code, to amend Section 699.5 of the Military and Veterans Code, to amend Sections 290.011, 293, 336.9, 597.5, 626.10, 831.5, 851.8, 1000.1, 1120, 1170, 1202.4, 1202.8, 1203.098, 1203.4, 1229,



1230, 1231, 1233.1, 1233.7, 1463.23, 6126.1, 6126.5, 6128, 6131, 11170, 11411, 13821, 13823.16, 13848.6, and 14029.5 of, and to repeal Chapter 3 (commencing with Section 1228) of Title 8 of Part 2 of, the Penal Code, to amend Sections 10100, 10101, 10102, 10103, 10103.5, 10104, 10105, 10262.5, and 10344 of the Public Contract Code, to amend Sections 2621.7, 4590, 5842, 25402.10, 48010, and 48027 of the Public Resources Code, to amend Sections 281, 399.20, 777.1, 851, 2881, 5411, 10009.1, 99233.2, 99312, and 185036 of the Public Utilities Code, to amend Sections 69, 69.3, 276, 6018.6, 6248, 6363.4, 7104, 7104.2, 30461.6, 41007, 41011, 41030, and 41136 of the Revenue and Taxation Code, to amend Sections 149.9 and 30918 of the Streets and Highways Code, to amend Sections 1611 and 10214.6 of the Unemployment Insurance Code, to amend Sections 4465, 4466, 11709.4, 13386, 21455.5, 27602, 40002, and 42001.13 of the Vehicle Code, to amend Sections 10608.24, 10608.44, 10853, 10933, 12645, 12647, and 30779 of the Water Code, to amend Sections 4691, 4860, 5806, 14083, 14085.57, 14105.3, 14132.725, 14154, 14163, 14166.221, 14167.3, 14167.6, 14167.7, 14167.10, 14522.4, 14598, 16124, 18220.1, and 18987.62 of the Welfare and Institutions Code, to amend Section 5.1 of the Castaic Lake Water Agency Law (Chapter 28 of the Statutes of 1962, First Extraordinary Session), to amend Section 1 of the Osteopathic Act, to amend Section 1 of Chapter 226 of the Statutes of 2009, to amend Section 2 of Chapter 405 of the Statutes of 2009, and to amend Section 3 of Chapter 426 of the Statutes of 2009, relating to the maintenance of the codes.

Bill read third time and presented by Senator Corbett.

Roll Call

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

AYES (36)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, 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 Bill 1080—An act to add Sections 626.91 and 830.95 to, to add Title 2 (commencing with Section 12001) to Part 4 of, to add Part 6 (commencing with Section 16000) to, to repeal Section 653k of, and to repeal Title 2 (commencing with Section 12000) of Part 4 of, the Penal Code, relating to nonsubstantive reorganization of deadly weapon statutes.

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 Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod,



Oropeza, Pavley, Price, Runner, Simitian, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1115—An act to amend Sections 7542.1, 7574.14, 7581, 7582.2, 7583.12, 7583.31, 7583.35, 7583.37, 7591.11, 7596.6, 7596.12, 7597.1, 7597.6, 17533.9, 21626, 21628, 21628.2, and 21641 of the Business and Professions Code, to amend Section 3485 of the Civil Code, to amend Sections 527.6, 527.8, 527.85, and 527.9 of the Code of Civil Procedure, to amend Sections 6383, 6385, and 6389 of the Family Code, to amend Sections 211, 2006, 3001, 3801.6, 10500, and 10506 of the Fish and Game Code, to amend Sections 6254, 6276.18, and 53071.5 of the Government Code, to amend Sections 1257.7, 12000, 12101, 12540, 12756, and 12757 of the Health and Safety Code, to amend Sections 136.2, 139, 166, 171b, 171c, 171d, 171.5, 186.22, 186.22a, 189, 244.5, 245, 245.3, 273.6, 417.4, 417.6, 538d, 626.9, 626.95, 626.10, 629.52, 667.5, 667.7, 679.03, 830.5, 830.8, 833.5, 836, 999e, 1170.11, 1174.4, 1192.7, 1203, 1203.1, 1203.4, 1203.4a, 1210.1, 1524, 1601, 2933.5, 2962, 3057, 4852.03, 4852.17, 4854, 11105, 11105.03, 11106, 11108, 11413, 11418, 11460, and 13730 of the Penal Code, to amend Section 10334 of the Public Contract Code, and to amend Sections 676, 707, 727, 1772, 4514, 5328.4, 6500, 8100, 8103, 8104, and 15657.03 of the Welfare and Institutions Code, relating to the nonsubstantive reorganization of the deadly weapons statutes.

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 Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Price, Runner, Simitian, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 838—An act to amend Sections 1366.21, 1366.22, 1366.25, and 1366.27 of the Health and Safety Code, to amend Sections 10128.51, 10128.52, 10128.55, and 10128.57 of the Insurance Code, and to add Section 2800.4 to the Labor Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Strickland.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (35)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock,



Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 839—An act to add Section 8594.5 to the Government Code, relating to emergency alerts.

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 (36)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, 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 Bill 1166—An act to amend Sections 1798.29 and 1798.82 of the Civil Code, relating to personal information.

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 (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (5)—Senators Cogdill, Dutton, Hollingsworth, Huff, and Walters.

Bill ordered transmitted to the Assembly.

Senate Bill 1139—An act to amend Sections 21337, 21337.1, 21670, 21671, 21672, 21674, 21675, 21676, 21677, 21679, 21680, 21681, 21682,



21683, 21685, and 22814 of, and to add Section 21671.5 to, the Government Code, relating to state retirement.

Bill read third time and presented by Senator Correa.

Roll Call

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

AYES (35)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, 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 Bill 1479—An act to amend Sections 31527 and 31582 of, and to add Section 31618.5 to, the Government Code, relating to public employment.

Bill read third time and presented by Senator Correa.

Roll Call

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

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

THIRD READING OF ASSEMBLY BILLS

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

Bill read third time and presented by Senator Strickland.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 4—An act to add Section 5008.9 to the Public Resources Code, relating to public resources.

Bill presented by Senator Oropeza.

The question being: Shall the Senate concur in the Assembly amendments to SB 4?



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, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wolk, and Yee.

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

Above bill ordered enrolled.

CONSENT CALENDAR

Senate Bill 1456—An act to amend Section 21167.8 of the Public Resources Code, relating to environmental quality, 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)

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 third time.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1137—An act to amend Section 50700 of the Financial Code, relating to mortgage lending.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 958—An act to add Chapter 6.8 (commencing with Section 50676) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 94—Relative to Schoolbus Drivers' Day.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Concurrent Resolution 105—Relative to Perinatal Depression Awareness 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 (35)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1181)**

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

Roll Call

The names of the absentees were called and AB 1181 was passed by the following vote:

AYES (27)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wolk, and Yee.

NOES (9)—Senators Aanestad, Ashburn, Cogdill, Cox, Huff, Runner, Walters, Wright, and Wyland.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution 22—Relative to horses.

Resolution read third time and presented by Senator Florez.

Roll Call

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

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

NOES (7)—Senators Ashburn, Dutton, Harman, Hollingsworth, Huff, Runner, and Walters.

Resolution ordered transmitted to the Assembly.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 604—An act relating to pest control, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Maldonado.

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Roll Call

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

AYES (36)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, 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.

LEAVES OF ABSENCE FOR THE DAY

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

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 10:05 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 19, 2010.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 15, 2010

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

SB 841

Above measure ordered enrolled.



Assembly Chamber, April 15, 2010

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

SCR 29

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

Above measure ordered to unfinished business file.

Assembly Chamber, April 15, 2010

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

AB 1969

AB 2020

AB 2350

AB 1708

AB 2002

AB 1668

Assembly Chamber, April 15, 2010

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

ACR 82

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 1969—An act to add Section 9063.5 to the Health and Safety Code, relating to public cemeteries.

Assembly Bill 2020—An act to amend Sections 7630, 7662, 7667, and 8710 of, and to repeal Section 7631 of, the Family Code, relating to family law.

Assembly Bill 2350—An act to amend Section 207 of the Welfare and Institutions Code, relating to juveniles.

Assembly Bill 1708—An act to amend Section 1765.1 of the Insurance Code, relating to insurance.

Assembly Bill 2002—An act to amend Section 923.5 of, and to repeal Section 11558 of, the Insurance Code, relating to reserve requirements.

Assembly Bill 1668—An act to amend Sections 34902, 36512, 57377, and 57379 of the Government Code, relating to local government.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, April 14, 2010

The Committee on Rules has referred the following measure to committee:

Labor and Industrial Relations—SB 1495.

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

Appropriations—SB 911.

Education—SB 955, SB 1376.

Elections, Reapportionment and Constitutional Amendments—SB 1118.

Energy, Utilities and Communications—SB 1441.

Environmental Quality—SB 1157, SB 1351.

Health—SB 888, SB 1283, SB 1395.

Judiciary—AJR 15.

Local Government—SB 1232, SB 1333, SB 1461.

Revenue and Taxation—SB 884, SB 1110, SJR 30.

Transportation and Housing—SB 921, SB 1189, SB 1392; SCR 90.

Committee on Appropriations

Senate Chamber, April 15, 2010

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

SB 968

AB 591

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

Senate Bill 968—An act to amend Sections 1267, 1268, 1271, 1271.5, and 1272 of, and to repeal and add Section 1269 of, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

Bill read second time.

Assembly Bill 591—An act to add Sections 1385.5 and 1363.08 to the Health and Safety Code, and to amend Section 754 of, and to add Sections 10113.96 and 10123.133 to, the Insurance Code, relating to insurance.

Bill read second time.



Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 591 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DE LA TORRE

Permission of Rules Committee

Senate Chamber, April 15, 2010

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 591.

STEINBERG, Chair

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

Committee on Natural Resources and Water

Date of Hearing, April 13, 2010

Mr. President: The Committee on Natural Resources and Water, to which were referred:

SB 1093 SB 1179 SB 1303 SB 1350

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

PAVLEY, Chair

Above measures ordered to second reading.

Committee on Transportation and Housing

Date of Hearing, April 13, 2010

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

SB 1470

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, April 14, 2010

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

SB 1431

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

ALQUIST, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 14, 2010

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

SB 1255



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

ALQUIST, Chair

Above measure re-referred to the Committee on Education.

Date of Hearing, April 14, 2010

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

SB 971

SB 1119

SB 1390

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Business, Professions and Economic Development.

ALQUIST, Chair

Above measures re-referred to the Committee on Business, Professions and Economic Development.

Committee on Rules

Senate Chamber, April 15, 2010

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

SB 1084

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 1084—An act relating to poverty.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, April 15, 2010

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

SB 989

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 989—An act to amend Section 2699 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



Committee on Revenue and Taxation

Date of Hearing, April 14, 2010

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

SB 1493

SB 1494

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

WOLK, Chair

Above measures ordered to second reading.

Date of Hearing, April 14, 2010

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

SB 1113

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

WOLK, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, April 14, 2010

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

SB 1250

SB 1492

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

WOLK, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 14, 2010

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

SB 996

SB 1028

SB 1065

SB 1076

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

WOLK, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Transportation and Housing

Senate Chamber, April 15, 2010

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

SB 964



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 964—An act to add Section 185039 to the Public Utilities Code, relating to workforce training, and making an appropriation therefor.

Bill read second time.

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

Committee on Education

Date of Hearing, April 14, 2010

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

SB 1136

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

ROMERO, Chair

Above measure ordered to second reading.

Senate Chamber, April 15, 2010

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

SB 1075

SB 1186

SB 1227

SB 1380

SB 1440

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

ROMERO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1075—An act to amend Sections 821 and 824 of the Military and Veterans Code, relating to military service.

Bill read second time.

Senate Bill 1186—An act to amend Sections 33000, 33030, 33031, 33032, 33111, and 33301 of, to add Chapter 1.7 (commencing with Section 33090) to Part 20 of Division 2 of Title 2 of, and to repeal Section 33034 of, the Education Code, relating to education governance.

Bill read second time.

Senate Bill 1227—An act to amend Sections 17077.30, 17255, 17263, 17267, 17280, 17285, 17292, 17295, 17307, 17352, 17354, 81133, 81138, and 81149 of, to repeal Sections 17280.1, 17280.5, 17281, 17282.5, 17296, 17297, 17298, 17299, 17300, 17301, 17303, 17304, 17305, 17306, 17307.5, 17308, 17309, 17310, 17311, 17313, 17314, 17315, 17317, 17351, 17355, 17356, 17357, 17358, 17359, 17360, 81130, 81130.3, 81133.1, 81133.2, 81133.5, 81134, 81135, 81136, 81141, 81142, 81143,



81146, and 81147 of, and to repeal Article 3.3 (commencing with Section 17319) of Chapter 3 of Part 10.5 of Division 1 of Title 1 of, the Education Code, and to amend Sections 4453, 4454, and 4459.5 of, and to repeal Section 4453.5 of, the Government Code, relating to school facilities.

Bill read second time.

Senate Bill 1380—An act to amend Section 101012 of the Education Code, relating to school facilities.

Bill read second time.

Senate Bill 1440—An act to add Article 3 (commencing with Section 66745) to Chapter 9.2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to community colleges.

Bill read second time.

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

Committee on Transportation and Housing

Date of Hearing, April 13, 2010

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

SB 1295

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

LOWENTHAL, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, April 15, 2010

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

AB 711

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 711—An act relating to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



Committee on Rules

Senate Chamber, April 15, 2010

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

SB 1047

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 1047—An act to amend Section 62.1 of the Revenue and Taxation Code, relating to taxation.

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, April 15, 2010

The Committee on Rules has referred the following measure to committee:

Judiciary—SB 1113.**Committee on Judiciary**

Senate Chamber, April 15, 2010

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

SB 1113

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 1113—An act to amend Sections 19048, 19334, and 19346 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Date of Hearing, April 13, 2010

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

SB 1361

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

CORBETT, Chair

Above measure ordered to second reading.



Committee on Food and Agriculture

Senate Chamber, April 15, 2010

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

SB 1321

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

FLOREZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1321—An act to amend Section 4156 of the Food and Agricultural Code, relating to agriculture.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, April 15, 2010

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

SB 1209

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

CORREA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1209—An act to amend Section 21623 of the Government Code, relating to public employees' retirement, and making an appropriation therefor.

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, April 15, 2010

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

SB 1224

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

CORREA, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1224—An act to amend Section 41700 of the Health and Safety Code, relating to pollution.

Bill read second time.

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

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1216** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

SB 1071 was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committees on Health and Revenue and Taxation.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SJR 24** was withdrawn from Committee and placed on third reading.

SB 846, SB 847, SB 848, SB 849, SB 850, SB 851, SB 852, SB 853, SB 854, SB 855, SB 856, SB 857, SB 858, SB 859, SB 860, SB 861, SB 862, SB 863, SB 864, SB 865, SB 866, SB 867, SB 868, SB 869, SB 870, SB 871, SB 872, and SB 873 were withdrawn from Committee and placed on second reading.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of the Committee on Local Government to meet on Monday, April 19th in order to hear **SB 879, SB 894, SB 977, SB 1005, SB 1112, SB 1142, SB 1174, SB 1232, SB 1319, SB 1333, SB 1356, SB 1398, and AB 155** without four days notice in the Daily File.

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

Senate Bill 906—An act to amend Sections 300, 400, 402, 420, 421, 422, 423, 425, and 426 of the Family Code, relating to marriage.

Bill read third time.

Amendments Adopted

Amendments to **SB 906** proposed by Senator Leno were read and adopted and the measure ordered printed, engrossed, and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Health**

SB 880—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Cedillo, Cox, Leno, Negrete McLeod, and Pavley.

NOES (2)—Senators Aanestad and Strickland.



SB 971—Do pass and re-refer to Committee on Business, Professions and Economic Development

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

NOES (0)—None.

SB 998—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Cedillo, Leno, Negrete McLeod, Pavley, and Romero.

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

SB 1063—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

SB 1064—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Alquist, Leno, Negrete McLeod, Pavley, and Strickland.

NOES (0)—None.

SB 1109—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Aanestad and Cox.

NOES (6)—Senators Alquist, Cedillo, Leno, Negrete McLeod, Pavley, and Strickland.

Failed passage

SB 1109—Reconsideration granted

AYES (8)—Senators Aanestad, Alquist, Cedillo, Cox, Leno, Negrete McLeod, Pavley, and Strickland.

NOES (0)—None.

SB 1119—Do pass and re-refer to Committee on Business, Professions and Economic Development

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

NOES (0)—None.

SB 1169—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Alquist, Cedillo, Leno, Negrete McLeod, Pavley, and Romero.

NOES (2)—Senators Cox and Strickland.



SB 1236—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

SB 1255—Do pass and re-refer to Committee on Education

AYES (6)—Senators Alquist, Cedillo, Leno, Negrete McLeod, Pavley, and Romero.

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

SB 1390—Do pass and re-refer to Committee on Business, Professions and Economic Development

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

NOES (0)—None.

SB 1431—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Alquist, Cedillo, Leno, Negrete McLeod, Pavley, and Romero.

NOES (2)—Senators Cox and Strickland.

Date of Hearing: 4/14/2010

Alquist (Chair)

Committee on Transportation and Housing

SB 1470—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators DeSaulnier, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (3)—Senators Ashburn, Harman, and Huff.

Date of Hearing: 4/15/2010

Lowenthal (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senators Corbett and Hancock requested that when the Senate adjourns this day it do so in memory of Anna Petris of San Leandro.

Senators Cox, Steinberg, and Lowenthal requested that when the Senate adjourns this day it do so in memory of Bruce Michael Bone of Orangevale.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of Van Snow of Santa Yenz Valley.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Ernest C. Brockschmidt of Mill Valley.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of August Longo of San Francisco.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Felipe Abrigonapala of Stockton.

Senator Yee requested that when the Senate adjourns this day it do so in memory of Rita D'Amico of San Francisco.



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 19, 2010.

PAULA K. ROSSETTO, Minute Clerk

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