

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, April 26, 2010

The Senate met at 1 p.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, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee—36.

Quorum present.

(NOTE: Senator Wiggins will be excused this day on legislative business, Senator Walters will be excused this day on personal business, and Senator Oropeza will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by David Warren, Volunteer Jewish Chaplain, California State Prison System:

More than 800 years ago, at a time of great difficulty, the Rabbi Maimonides provided a road map for decision making in troubled times when he wrote:

Anticipate charity by preventing poverty, assist the reduced fellowman either by a considerable gift, or a sum of money, or by teaching him a trade, or by putting him in the way of business, so that he may earn an honest livelihood, and not be forced to the dreadful alternative of holding out his hand for charity. This is the highest step and the summit of charity's golden ladder.

As you proceed today with your daily business, and in this time of stress, keep in mind two very important thoughts. As the Rambam made clear, "The risk of a wrong decision is preferable to the terror of indecision." And as you work to solve California's problems, remember proverbs 11:29, "He who troubles his own house will inherit the wind."

For thousands of years, our services have ended with the following from the book of numbers 6:24–26:

May The Lord bless you and keep you;

May The Lord make his face shine upon you and be gracious unto you;
and

May The Lord turn his face toward you and give you peace.

AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 22, 2010

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

ACR 121 ACR 147 ACR 153 AJR 29

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 121—Relative to County Government Month 2010.

Assembly Concurrent Resolution 147—Relative to Financial Aid and Literacy Month.

Assembly Concurrent Resolution 153—Relative to Crime Victims' Rights Week.

Assembly Joint Resolution 29—Relative to domestic partners tax equity.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Date of Hearing, April 20, 2010

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

SB 892

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

LENO, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2010

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

SB 1087

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

LENO, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2010

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

SB 1253

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

LENO, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2010

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

SB 1168

SB 1277

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

LENO, Chair

Above measures ordered to second reading.



Committee on Judiciary

Senate Chamber, April 26, 2010

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

SB 1038

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.

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 19, 2010

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

SB 1006

SB 1138

SB 1402

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 measures ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2010

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

SB 1204

SB 1317

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

LENO, Chair

Above measures ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing, April 20, 2010

Mr. President: The Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

SB 1102

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

HANCOCK, Chair

Above measure ordered to second reading.



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

Senate Bill 1344—An act to amend Sections 53601.8 and 53635.8 of the Government Code, relating to local agency investments.

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

Senate Bill 1405—An act to amend Section 10127.7 of the Insurance Code, relating to insurance.

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

Senate Bill 1406—An act to amend Section 10083 of the Insurance Code, relating to insurance.

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

Senate Bill 1408—An act to amend Section 1067.01 of the Insurance Code, relating to insurance.

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

Senate Bill 918—An act to amend Sections 13350 and 13521 of, and to add Chapter 7.3 (commencing with Section 13560) to Division 7 of, the Water Code, relating to water recycling.

Bill read second time.

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

Senate Bill 1284—An act to amend Sections 13385 and 13385.1 of the Water Code, relating to water quality.

Bill read second time.

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

Senate Bill 1418—An act to amend Sections 2550, 2551, 2555, and 2557 of the Streets and Highways Code, relating to highways.

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.

Senate Bill 1445—An act to amend Section 65040.6 of, and to add Section 65080.6 to, the Government Code, to amend Section 75125 of the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to planning.

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.



Senate Bill 1169—An act to amend Sections 1367.01, 1371, 1371.35, and 1374.72 of, and to add Section 1370.8 to, the Health and Safety Code, and to amend Sections 10123.13, 10123.135, 10123.147, and 10144.5 of, and to add Section 10123.125 to, the Insurance Code, relating to health care coverage.

Bill read second time.

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

Senate Bill 1444—An act to add Section 51207 to the Education Code, relating to pupil instruction.

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

Senate Bill 1045—An act to amend Section 66410 of the Education Code, relating to postsecondary education.

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

Senate Bill 1382—An act to amend Section 69432.9 of the Education Code, relating to student financial aid.

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

Senate Bill 880—An act to add Article 3 (commencing with Section 115810) to Chapter 4 of Part 10 of Division 104 of the Health and Safety Code, relating to public safety.

Bill read second time.

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

Senate Bill 1455—An act to add Section 740.12 to the Public Utilities Code, relating to electric vehicles.

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.

Senate Bill 959—An act to add Sections 65913.3 and 65922.3 to the Government Code, relating to development, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



Senate Bill 1033—An act to amend Section 38570 of the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Senate Bill 1454—An act to repeal Chapter 5.8 (commencing with Section 42359) of, and to repeal and add Chapter 5.7 (commencing with Section 42355) of, Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Bill read second time.

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

Senate Bill 1363—An act to amend Section 17405 of, and to add Section 17405.5 to, the Financial Code, relating to escrow agents.

Bill read second time.

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

Senate Bill 1359—An act to add and repeal Section 18919 of the Welfare and Institutions Code, relating to public social services.

Bill read second time.

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

Senate Bill 1264—An act to add Article 2 (commencing with Section 5515) to Chapter 9 of Division 2 of the Public Utilities Code, relating to commercial airlines.

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.

Senate Bill 1475—An act to amend Sections 12804.9, 12810.3, 23123, 23123.5, and 23124 of, and to add Section 23124.5 to, the Vehicle Code, relating to vehicles.

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.



Senate Bill 1112—An act to amend Sections 33333.8, 33333.10, 33333.11, and 33413 of, and to add Section 33333.9 to, the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Senate Bill 879—An act to amend Sections 20133 and 20175.2 of the Public Contract Code, relating to public contracts.

Bill read second time.

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

Senate Bill 1333—An act to add Section 21669.5 to the Public Utilities Code, relating to aviation.

Bill read second time.

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

Senate Bill 1390—An act to amend Section 4076.5 of the Business and Professions Code, relating to pharmacy.

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 1091—An act to amend Sections 14011.10 and 14053 of, and to add Section 14011.11 to, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Senate Bill 1320—An act to amend Section 640 of the Penal Code, and to amend Section 99580 of the Public Utilities 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 Rules.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 50—An act to amend Section 65302.6 of the Government Code, and to amend Sections 218, 17207, and 24347.5 of, and to add Sections 170.5, 195.146, 195.147, 195.148, 195.152, 195.153, 195.154, 195.155, 195.156, and 195.157, 195.161, 195.162, and 195.163 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 and ordered to third reading.

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 and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1452** and **SB 1245** were re-referred to the Committee on Appropriations.

REQUEST FOR UNANIMOUS CONSENT (SCR 103)

Senator Cedillo asked for, and was granted, unanimous consent that SCR 103 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Senate Concurrent Resolution 103

Senate Concurrent Resolution 103—Relative to Cinco de Mayo Week.

Resolution read third time and presented by Senator Cedillo.

Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



UNFINISHED BUSINESS**Consideration of Assembly Amendments**

Senate Bill 183—An act to amend Sections 1102.6 and 1102.6d of the Civil Code, and to add Sections 17926, 17926.1, and 17926.2 to, and to add Chapter 8 (commencing with Section 13260) to Part 2 of Division 12 of, the Health and Safety Code, relating to residential building safety.

Bill presented by Senator Lowenthal.

The question being: Shall the Senate concur in the Assembly amendments to SB 183?

Roll Call

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

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

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

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (AB 711)

Senator Romero asked for, and was granted, unanimous consent to take up AB 711 at this time.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Romero moved to suspend Senate Rule 29.3 to permit consideration of AB 711 at this time, in print, and properly before the Senate.

Motion carried.

Consideration of Assembly Bill 711

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

Bill read third time and presented by Senator Romero.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill 1176—An act to amend Section 17003 of the Food and Agricultural Code, relating to animals.

Bill read third time and presented by Senator Aanestad.



Roll Call

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

AYES (36)—Senators Aanestad, Alquist, Ashburn, 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, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 711)**

On motion of Senator Romero, 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 711 was adopted by the following vote:

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

NOES (9)—Senators Aanestad, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Runner, 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, DeSaulnier, Ducheny, Florez, Hancock, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wolk, Wright, and Yee.

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

Above bill ordered transmitted to the Assembly.

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

Senate Bill 1011—An act to amend Sections 25658 and 25662 of, and to add Section 25667 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time and presented by Senator Calderon.

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, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu,



Lowenthal, Maldonado, Negrete McLeod, 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 75—Relative to wildfires.

Resolution read third time and presented by Senator Hollingsworth.

Roll Call

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

AYES (34)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, 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, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Bill 1338—An act to amend Section 487 of the Penal Code, relating to crimes.

Bill read third time and presented by Senator Harman.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1342—An act to amend Section 12223 of the Elections Code, relating to elections.

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

NOES (4)—Senators Correa, Denham, Hollingsworth, and Huff.

Bill ordered transmitted to the Assembly.



Senate Bill 1229—An act to amend Section 36005 of the Vehicle Code, relating to vehicles.

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 (36)—Senators Aanestad, Alquist, Ashburn, 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, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1462—An act to amend Sections 2889.4, 2889.5, and 2894 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 (36)—Senators Aanestad, Alquist, Ashburn, 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, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 929—An act to amend the heading of Article 10.1.1 (commencing with Section 25214.1) of Chapter 6.5 of Division 20 of, and to add Section 25214.2.1 to, the Health and Safety Code, relating to hazardous materials.

Bill read third time and presented by Senator Pavley.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.



**REQUEST FOR UNANIMOUS CONSENT
(GOVERNOR'S NOMINATION)**

Senator Steinberg asked for, and was granted, unanimous consent that Governor's Nomination for Lieutenant Governor, Senator Abel Maldonado, be taken up at this time, without reference to file.

Consideration of Governor's Nomination

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

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

Roll Call

The roll was called and the nominee was confirmed by the following vote:

AYES (25)—Senators Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wolk, and Wright.

NOES (7)—Senators Aanestad, Denham, Ducheny, Harman, Runner, Wyland, and Yee.

REQUEST FOR UNANIMOUS CONSENT (ACR 145)

Senator Pavley asked for, and was granted, unanimous consent that ACR 145 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Assembly Concurrent Resolution 145

Assembly Concurrent Resolution 145—Relative to California Healthy Schools Day.

Resolution read.

Roll Call

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

AYES (25)—Senators Alquist, Cedillo, Corbett, Correa, Cox, DeSaulnier, Ducheny, Hancock, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Hollingsworth.

Resolution ordered transmitted to the Assembly.

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

Assembly Concurrent Resolution 134—Relative to Child Abuse Prevention Month.

Resolution read third time and presented by Senator Denham.



Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution 115—Relative to California Safe Digging Month.

Resolution read third time and presented by Senator Dutton.

Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 1464—An act to amend Section 65919.10 of the Government Code, and to amend Section 21083.9 of the Public Resources Code, relating to land use planning.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 977—An act to add Section 33214.7 to the Health and Safety Code, relating to redevelopment.

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

NOES (0)—None.



LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day on personal business: Senator Walters.

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 2:27 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 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 Tuesday, April 27, 2010.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 26, 2010

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

AB 1643	AB 2199	AB 2410	AB 2654
AB 1906	AB 2217	AB 2468	AB 2756
AB 1911	AB 2268	AB 2478	AB 2314
AB 2153	AB 2349	AB 2493	AB 2461

Assembly Chamber, April 26, 2010

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

ACR 103	ACR 126	ACR 146
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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 1643—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 1906—An act to add Section 904.7 to the Penal Code, relating to grand juries.



Assembly Bill 1911—An act to add Chapter 7.5 (commencing with Section 6750) to Division 7 of Title 1 of the Government Code, relating to the Ronald Reagan Centennial Commission.

Assembly Bill 2153—An act to add and repeal Section 1257.10 of the Health and Safety Code, relating to health facilities.

Assembly Bill 2199—An act to amend Section 8050 of the Welfare and Institutions Code, relating to mental health.

Assembly Bill 2217—An act to amend Sections 611, 613, and 1209 of the Code of Civil Procedure, and to amend Sections 166, 1122, and 1128 of the Penal Code, relating to jurors.

Assembly Bill 2268—An act to add Section 11223 to the Health and Safety Code, relating to alcohol and drug abuse.

Assembly Bill 2349—An act to amend Section 14206 of, and to add Section 14021 to, the Unemployment Insurance Code, relating to workforce development.

Assembly Bill 2410—An act to amend Section 13879.80 of the Penal Code, relating to child abuse.

Assembly Bill 2468—An act to add Section 1034 to the Labor Code, relating to lactation accommodation.

Assembly Bill 2478—An act to amend Section 626.8 of the Penal Code, relating to school safety.

Assembly Bill 2493—An act to add Section 2360 to the Probate Code, relating to conservators.

Assembly Bill 2654—An act to amend Section 17533.6 of the Business and Professions Code, relating to solicitations.

Assembly Bill 2756—An act to add Chapter 33 (commencing with Section 7599) to Division 7 of Title 1 of the Government Code, relating to mobile billboard advertising displays.

Assembly Bill 2314—An act to amend Section 276.1 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2461—An act to amend Section 9565 of the Vehicle Code, relating to vehicles.

Assembly Concurrent Resolution 103—Relative to the Los Angeles County Deputy Sheriff Juan Abel Escalante Memorial Highway.

Assembly Concurrent Resolution 126—Relative to the El Salvador Community Corridor.

Assembly Concurrent Resolution 146—Relative to the Sergeant Mark Dunakin, Sergeant Ervin Romans, and Officer John Hege Memorial Bridge.



REPORTS OF STANDING COMMITTEES**Committee on Food and Agriculture**

Date of Hearing, April 20, 2010

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

SB 1085

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

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, April 20, 2010

Mr. President: The Committee on Energy, Utilities and Communications, to which were referred:

SB 837	SB 920	SB 1097	SB 1153
SB 1154	SB 1198	SB 1414	

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

PADILLA, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, April 26, 2010

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

SB 968 SB 1107 SB 1489

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 1266, 1267, 1268, 1271, 1271.5, and 1272 of, to amend the heading of Article 1.5 (commencing with Section 1266) of Chapter 5 of Part 1 of Division 1 of, to repeal Section 1270 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.

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.



Senate Bill 1489—An act to amend Sections 2065, 2096, 2102, 2103, 2177, 2184., 2570.19, 3025.1, 3046, 3057.5, 3147, 3147.6, 3147.7, 4017, 4028, 4037, 4052.3, 4059, 4072, 4101, 4119, 4127.1, 4169, 4181, 4191, 4196, 4425, 4426, 4980.40.5, 4980.43, 4980.80, 4982.25, 4984.8, 4989.54, 4990.02, 4990.12, 4990.18, 4990.22, 4990.30, 4990.38, 4992.36, 4996.17, 4996.23, 4999.46, 4999.58, and 4999.90 of, to add Section 4200.1 to, to add and repeal Sections 4999.57 and 4999.59 of, to repeal Sections 2026, 4980.07, 4982.2, and 4984.6 of, and to repeal Article 3 (commencing with Section 4994) of Chapter 14 of Division 2 of, the Business and Professions Code, relating to healing arts.

Bill read second time.

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

Committee on Health

Date of Hearing, April 21, 2010

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

SB 961

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

ALQUIST, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2010

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

SB 1062

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

LENO, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, April 21, 2010

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

SB 1104

SB 1283

SB 1395

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

ALQUIST, Chair

Above measures ordered to second reading.



Committee on Appropriations

Date of Hearing, April 26, 2010

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

SB 1040

SB 1131

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

KEHOE, Chair

Above measures ordered to second reading.

Date of Hearing, April 26, 2010

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

SB 904

SB 965

SB 1254

AB 552

SB 911

SB 1155

SB 1365

SB 951

SB 1242

SB 1472

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.

Senate Chamber, April 26, 2010

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

SB 895

SB 1022

SB 1265

SB 1401

SB 938

SB 1167

SB 1349

SB 1410

SB 947

SB 1196

SB 1372

SB 1437

SB 1004

SB 1214

SB 1394

SB 1487

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, April 26, 2010

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

SB 1101

SB 1223

SB 1481

SB 1488

SB 1122

SB 1274

SB 1485

SCR 84

SB 1217

SB 1480

SB 1486

SCR 85

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and to be placed on the Consent Calendar.

KEHOE, Chair

Above measures ordered to second reading.



Committee on Health

Date of Hearing, April 21, 2010

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

SB 890

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

ALQUIST, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 26, 2010

Mr. President: The Committee on Rules has examined:

SJR 17

SJR 26

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 26th day of April, 2010, at 2:45 p.m.

STEINBERG, Chair

Committee on Education

Date of Hearing, April 14, 2010

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

SB 930

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

ROMERO, 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 1064

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

ALQUIST, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 104: By Senator Steinberg—Relative to Foster Care Month.

Senate Concurrent Resolution 105: By Senator Florez—Relative to the National Purple Heart Trail.



Senate Concurrent Resolution 106: By Senator Wright—Relative to the Deputy Chief Kenneth O. Garner Memorial Highway.

Senate Concurrent Resolution 107: By Senator Wright—Relative to Rudolph B. Davila Memorial Interchange.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 964** was withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SB 1036**, **SB 1304**, and **SB 1353** were withdrawn from Committee and placed on second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

SB 904—Do pass

AYES (9)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (0)—None.

SB 911—Do pass

AYES (8)—Senators Alquist, Corbett, Cox, Kehoe, Leno, Price, Wolk, and Yee.

NOES (1)—Senator Denham.

SB 951—Do pass

AYES (8)—Senators Alquist, Corbett, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (1)—Senator Cox.

SB 957—Do pass as amended

AYES (8)—Senators Alquist, Corbett, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (1)—Senator Cox.

SB 965—Do pass

AYES (8)—Senators Alquist, Corbett, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (1)—Senator Cox.

SB 1019—Do pass as amended

AYES (9)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (0)—None.

SB 1040—Do pass as amended

AYES (9)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (0)—None.



SB 1131—Do pass as amended

AYES (7)—Senators Alquist, Corbett, Kehoe, Leno, Price, Wolk, and Yee.

NOES (2)—Senators Cox and Denham.

SB 1155—Do pass

AYES (9)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (0)—None.

SB 1242—Do pass

AYES (9)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (0)—None.

SB 1254—Do pass

AYES (9)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Price, Wolk, and Yee.

NOES (0)—None.

SB 1365—Do pass

AYES (7)—Senators Alquist, Corbett, Kehoe, Leno, Price, Wolk, and Yee.

NOES (2)—Senators Cox and Denham.

SB 1472—Do pass

AYES (7)—Senators Alquist, Corbett, Kehoe, Leno, Price, Wolk, and Yee.

NOES (2)—Senators Cox and Denham.

AB 552—Do pass

AYES (8)—Senators Alquist, Corbett, Cox, Kehoe, Leno, Price, Wolk, and Yee.

NOES (1)—Senator Denham.

Date of Hearing: 4/26/2010

Kehoe (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Jerry Cooper of Hayward.

Senators Denham and Cogdill requested that when the Senate adjourns this day it do so in memory of Virginia Clendenin of Modesto.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Vicente Garcia of Madera.

Senator Strickland requested that when the Senate adjourns this day it do so in memory of Christie Stanley of Santa Barbara.



ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, April 27, 2010.

PAULA K. ROSSETTO, Minute Clerk

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