

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Monday, May 10, 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, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee—32.

Quorum present.

(NOTE: Senators Liu and Wiggins will be excused this day on legislative business, Senator Denham will be excused this day on personal business, and Senators Corbett, Dutton, and Oropeza will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Eric Fromm, the noted American thinker, taught that: “Do not do to others what you have them do to you is one of the fundamental principles of ethics. But,” he says, “it is equally justifiable to state: Whatever you do to others, you also do to yourself.”

People do not exist in isolation from one another. Rather, we live in a state of relationship with those around us. While we are very often aware of the impact that the behavior of those around us has on *our* lives, we sometimes forget that the way we treat others *also* impacts who we are and how we live.

If we approach the world with kindness, compassion and joy, we will become more open to receiving it.

May the Holy One of Blessing grant us the wisdom, strength and ability to create the world we wish to live in. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 6, 2010

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

ACR 67

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 67—Relative to Public Service Recognition Week.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, May 10, 2010

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

AB 1008

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

STEINBERG, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1008—An act to add Section 78217 to the Education Code, relating to community colleges.

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

Date of Hearing, May 4, 2010

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

SB 949

SB 1362

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

LOWENTHAL, Chair

Above measures ordered to second reading.

Committee on Labor and Industrial Relations

Date of Hearing, May 3, 2010

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

SB 989

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

DESAULNIER, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, May 5, 2010

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

SB 1192

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

COX, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, May 5, 2010

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

SJR 31

Reports the same back with the recommendation: Be adopted as amended.

ALQUIST, Chair

Above measure ordered to second reading.



Committee on Judiciary

Senate Chamber, May 10, 2010

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

AJR 32

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**Assembly Joint Resolution 32**—Relative to gender discrimination.

Resolution read second time.

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

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

Senate Bill 1005—An act to amend Section 32132.5 of the Health and Safety Code, relating to health care districts.

Bill read second time.

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

Senate Bill 1187—An act to amend Section 24177.5 of the Health and Safety Code, relating to public health.

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

Senate Resolution 21—Relative to electronic health records.

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

Senate Bill 1334—An act to amend Section 2820 of the Fish and Game Code, relating to wildlife resources.

Bill read second time.

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

Senate Bill 1224—An act to amend Section 41700 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, engrossed, and to third reading.



Senate Bill 1124—An act to amend Section 5919 of the Public Resources Code, relating to land conservation.

Bill read second time.

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

Senate Bill 1328—An act to add Section 43018.7 to the Health and Safety Code, relating to air pollution.

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

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.

THIRD READING OF SENATE BILLS

Senate Joint Resolution 23—Relative to research for mitochondrial disease.

Resolution read third time and presented by Senator Simitian.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SR 42** was withdrawn from Committee and placed on today's special consent calendar.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution 81—Relative to California Plan Your Giving Day.

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



UNFINISHED BUSINESS**Consideration of Assembly Amendments**

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

Resolution presented by Senator Hancock.

The question being: Shall the Senate concur in the Assembly amendments to SCR 70?

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above resolution ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 889—An act to add Section 5653.2 to the Fish and Game Code, relating to fish and wildlife, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Aanestad.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (28)—Senators Aanestad, Alquist, Ashburn, Calderon, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Hancock.

Roll Call

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

AYES (28)—Senators Aanestad, Alquist, Ashburn, Calderon, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Hancock.

Bill ordered transmitted to the Assembly.

Senate Bill 1323—An act to amend Section 25600.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time and presented by Senator Walters.



Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 903—An act to add Section 200.5 to the Labor Code, relating to employment.

Bill read third time and presented by Senator Wright.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1034—An act to amend Section 5097.5 of, and to add Section 5097.7 to, the Public Resources Code, relating to archaeological resources.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1055—An act to add Section 11546.3 to the Government Code, relating to the State Chief Information Officer.

Bill read third time and presented by Senator Ashburn.

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1119—An act to amend Sections 1812.540, 1812.542, 1812.543, and 1812.544 of , and to add Section 1812.545 to, the Civil Code, relating to health care.

Bill read third time and presented by Senator Wright.

Roll Call

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

AYES (30)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1303—An act to amend Section 2087 of the Fish and Game Code, relating to protected species.

Bill read third time and presented by Senator Wolk.

Roll Call

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

AYES (30)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 931—An act to add Section 580e to the Code of Civil Procedure, relating to mortgages.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1220—An act to amend Section 35002 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Wolk.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1422—An act to add Article 5 (commencing with Section 52760) to Chapter 11 of Part 28 of Division 4 of Title 2 of the Education Code, relating to teachers.

Bill read third time and presented by Senator Romero.

Roll Call

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

AYES (22)—Senators Alquist, Ashburn, Calderon, Cedillo, Correa, Cox, DeSaulnier, Florez, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wolk, Wright, Wyland, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 1023—An act to amend Section 57077 of, and to add and repeal Sections 56853.5 and 56853.6 of, the Government Code, relating to local government.

Bill read third time and presented by Senator Cox.

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1039—An act to add Section 19.5 to the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), relating to harbors and ports.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (31)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, 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 1069—An act to amend Section 3501 of, and to add Sections 3502.2, 3502.3, and 3528.5 to, the Business and Professions Code, to amend Sections 44336, 49406, 49423, 49455, 87408, 87408.5, and 87408.6 of, and to add Section 49458 to, the Education Code, to amend Section 2881 of the Public Utilities Code, and to amend Section 2708 of the Unemployment Insurance Code, relating to physician assistants.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SJR 23)

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

Roll Call

The names of the absentees were called and SJR 23 was adopted by the following vote:

AYES (32)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla,



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

NOES (0)—None.

Above resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1191—An act to amend Section 52055.765 of the Education Code, relating to education funding.

Bill read third time and presented by Senator Hancock.

Roll Call

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

AYES (27)—Senators Aanestad, Alquist, Ashburn, Calderon, Cogdill, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 552—An act to amend Sections 15819.40, 15819.401, 15819.41, and 15819.411 of the Government Code, and to amend Section 7021 of the Penal Code, relating to correctional facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Wolk.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (30)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, 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 (30)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, DeSaulnier, Ducheny, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 903)**

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

Roll Call

The names of the absentees were called and SB 903 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 894—An act to add Section 17624.5 to the Education Code, to amend Sections 17600, 23110, 23124, 31010.5, 31479.1, 34873, 34875, 34900, 34901, 36508, 36511, 36515, 36516.1, 36516.5, 36804, 36811, 50271, 65063.7, 65920, 66000.5, and 66031 of, and to add Sections 56103.5, 65107, 65801, and 66499.38 to, the Government Code, to amend Sections 33080.2, 33445.1, 40225, 40326, 40751, 116183, and 117065 of, to amend and repeal Sections 32121 and 32126 of, and to add Section 33501.9 to, the Health and Safety Code, to amend Sections 20142, 20405, and 20688.6 of, and to add Sections 20614 and 20998 to, the Public Contract Code, to add Section 21167.9 to the Public Resources Code, to add Section 21670.6 to the Public Utilities Code, to amend Section 99.02 of the Revenue and Taxation Code, to amend Sections 35424, 50655, and 50656 of the Water Code, and to amend Section 3.2 of Chapter 283 of the Statutes of 1973, relating to local government.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 950—An act to amend Section 1035.7 of the Military and Veterans Code, relating to veterans.

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

(NOTE: See Consent Calendar Roll Call)

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1318—An act to repeal Section 14529.15 of the Government Code, to amend Section 1776 of the Labor Code, to amend Sections 21669.6, 24908, 99221, 99313.1, and 132820 of, and to repeal



Section 132352.6 of, the Public Utilities Code, to amend Sections 301, 302, 319, 339, 366, 371, 372, 374, 379, 383, 384, 411, 444, 451, 460, 464, 470, and 560 of, to add Section 575 to, and to repeal Section 301.5 of, the Streets and Highways Code, and to amend Sections 1808.1, 2800, 5201, 14611, 21754, 21755, 22452, 22511.55, 24400, 26100, 26101, 26505, 29004, 34518, and 40802 of, and to add Sections 667 and 34500.4 to, the Vehicle Code, relating to transportation.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1371—An act to add Chapter 9.6 (commencing with Section 2425) to Division 3 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1407—An act to amend Section 11797 of the Insurance Code, relating to insurance.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1492—An act to amend Sections 19191 and 19194 of the Revenue and Taxation Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 54—Relative to the Kirk Lindsey Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

CONSENT CALENDAR

Senate Resolution 42—Relative to National Public Works Week.

Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 945—An act to add Section 607.5 to the Welfare and Institutions Code, relating to children.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 962—An act to amend Section 2625 of, and to add Section 2626 to, the Penal Code, relating to prisoners.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1046—An act to amend Sections 811.2, 900.2, 913, 915, and 940.2 of, and to add Sections 905.9, 912.5, and 935.9 to, the Government Code, relating to government liability.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1161—An act to amend Section 17070.51 of the Education Code, relating to school finance.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1271—An act to add Section 87314 to the Government Code, relating to the Political Reform Act of 1974.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1329—An act to add Section 1569.686 to the Health and Safety Code, relating to residential care facilities for the elderly.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1443—An act to amend Section 12994.5 of the Water Code, relating to water.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1476—An act to add Sections 387.7 and 714 to, and to repeal Section 393 of, the Public Utilities Code, relating to public utilities.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1028—An act to add Sections 6591.6, 7655.5, 8876.5, 12631.5, 30281.5, 32252.5, 40101.5, 41095.5, 43155.5, 45153.5, 46154.5, 50112.1, 55042.5, and 60207.5 to the Revenue and Taxation Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1201—An act to amend Section 290.06 of the Penal Code, relating to sex offenders.

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

(NOTE: See Consent Calendar Roll Call)



Senate Bill 1295—An act to amend Sections 5101.4 and 5101.8 of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1432—An act to amend Section 17070.80 of the Education Code, relating to school facilities.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1435—An act to amend Section 25217.5 of, and to repeal the heading of Chapter 6.5 (commencing with Section 25550) of Division 15 of, the Public Resources Code, relating to energy.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1467—An act to add Section 326 to, and to repeal Sections 389, 619, 709.7, 740.3, 740.8, and 1701.6 of, the Public Utilities Code, relating to public utilities.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1489—An act to amend Sections 2065, 2096, 2102, 2103, 2177, 2184, 2516, 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 third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1490—An act to amend Sections 5092, 5094.6, and 5096.12 of the Business and Professions Code, relating to professions and vocations, 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 1491—An act to amend Sections 5020, 5021, 5024, 5076, 5090, 5109, 5120, 5122, 7028.6, 7028.7, 7028.9, 7058.5, 7099.2, 7110, 7210.7, 7316, 7317, 7320.1, 7352, and 7410 of, and to repeal Section 5109.5 of, the Business and Professions Code, to amend Section 11126 of the Government Code, and to amend Sections 7054.6 and 8344 of, and to



repeal Section 8340 of, the Health and Safety Code, relating to professions and vocations.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1260—An act to amend Section 23396.1 of the Business and Professions Code, relating to alcoholic beverages.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1387—An act to amend Sections 64, 66.5, and 67 of the Military and Veterans Code, relating to veterans.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1079—An act to amend Section 14851 of the Government Code, relating to advertising.

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

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

May 10, 2010

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

SB 1119—Aye

DENNIS HOLLINGSWORTH, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

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

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

The following Senators were granted leaves of absence for the day due to illness: Senators Corbett, Dutton, and Oropeza.



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

At 2:25 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, May 11, 2010.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 10, 2010

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

AB 1726	AB 2037	AB 2309	AB 2467
AB 1902	AB 2137	AB 2328	
AB 1921	AB 2149	AB 2361	
AB 1997	AB 2202	AB 2419	

Assembly Chamber, May 10, 2010

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

AB 2275	AB 2365	AB 2417
AB 2619	AB 2769	AB 2798

Assembly Chamber, May 10, 2010

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

AJR 40	ACR 125
--------	---------

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 1726—An act to amend Section 1363.03 of the Civil Code, relating to common interest developments.

Assembly Bill 1902—An act to amend Sections 31488, 31490, and 31494.5 of, and to add Section 31495.6 to, the Government Code, relating to county employees' retirement.

Assembly Bill 1921—An act to amend Section 87500.1 of the Government Code, relating to the Political Reform Act of 1974.

Assembly Bill 1997—An act to amend Section 69433 of the Education Code, relating to student financial aid.



Assembly Bill 2037—An act to add Chapter 3.5 (commencing with Section 8350) to Division 4.1 of the Public Utilities Code, relating to electricity.

Assembly Bill 2137—An act to amend, repeal, and add Sections 14540 and 14542 of the Food and Agricultural Code, relating to fertilizer.

Assembly Bill 2149—An act to amend Sections 31470.4, 31470.5, 31470.6, 31720.5, 31801, 31887, 31904, 32204, 32204.5, 32206, 32207, 32208, 32234, 32235, 32300, 32327, 32328, 32337, 32338, 32339, 32350, 32352, and 33003 of the Government Code, relating to county retirement.

Assembly Bill 2202—An act to amend Section 71103.5 of the Public Resources Code, relating to the New River.

Assembly Bill 2309—An act to amend Section 1011 of the Military and Veterans Code, relating to veterans.

Assembly Bill 2328—An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

Assembly Bill 2361—An act to amend Section 12246 of the Business and Professions Code, relating to weights and measures.

Assembly Bill 2419—An act to amend Sections 27, 101, 130, 144, 205, 7000, 7000.5, 7002, 7007, 7011, 7011.4, 7011.5, 7011.8, 7015, 7017.3, 7026.2, 7026.3, 7026.11, 7026.12, 7027.1, 7027.3, 7027.5, 7028.1, 7028.3, 7028.4, 7028.14, 7029.5, 7029.6, 7030, 7031, 7034, 7042.1, 7055, 7056, 7057, 7058, 7058.5, 7058.6, 7058.7, 7058.8, 7059, 7065.2, 7065.3, 7068.5, 7071.5, 7071.6, 7071.10, 7071.12, 7071.14, 7080.5, 7085.5, 7099.4, 7099.10, 7116, 7118.4, 7118.5, 7118.6, 7119, 7120, 7123.5, 7124.6, 7125, 7126, 7135, 7136, 7137.5, 7138, 7139.1, 7139.2, 7139.5, 7139.8, 7139.10, 7145, 7145.5, 7151, 7155, 7159, 8516, 16000, 16100, and 19164 of, and to amend and repeal Section 7000.6 of, the Business and Professions Code, to amend Section 3084 of the Civil Code, to amend Section 116.220 of the Code of Civil Procedure, to amend Section 17250.25 of the Education Code, to amend Sections 14137, 14661, 14661.1, 26509, 63047, and 70391.7 of the Government Code, to amend Sections 19825 and 25284.1 of the Health and Safety Code, to amend Sections 98.9, 3099, 3099.2, and 6652 of the Labor Code, to amend Sections 396 and 830.3 of the Penal Code, to amend Sections 6100, 6805, 10262, 10762, 20103.5, 20175.2, 20193, 20209.7, 20688.6, 20919.4, and 22010 of the Public Contract Code, to amend Section 327 of the Public Utilities Code, to amend Section 143 of the Streets and Highways Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to contractors.

Assembly Bill 2467—An act to amend Section 3007.5 of the Elections Code, relating to elections.



Assembly Bill 2275—An act to amend Section 11011.15 of the Government Code, relating to state property.

Assembly Bill 2365—An act to amend Sections 401, 402, 404, 405, 406, 407, 408, 409.1, 409.3, and 409.4 of, and to add Sections 409.14, 812, and 829 to, the Military and Veterans Code, relating to veterans.

Assembly Bill 2417—An act to amend Section 366.24 of the Welfare and Institutions Code, relating to tribal customary adoption.

Assembly Bill 2619—An act to amend Sections 706.011, 706.023, 706.121, and 706.125 of the Code of Civil Procedure, and to amend Section 15657.5 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Assembly Bill 2769—An act to amend Section 321.6 of, and to repeal Section 1701.6 of, the Public Utilities Code, relating to the Public Utilities Commission.

Assembly Bill 2798—An act to amend Section 13997.2 of the Government Code, relating to economic development.

Assembly Joint Resolution 40—Relative to gang violence prevention.

Assembly Concurrent Resolution 125—Relative to health facilities.

REPORTS OF STANDING COMMITTEES

Committee on Education

Date of Hearing, May 5, 2010

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

AB 1436

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.

Date of Hearing, May 5, 2010

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

AB 7

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

ROMERO, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, May 5, 2010

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

SB 882

SB 1332

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 Transportation and Housing

Date of Hearing, May 4, 2010

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

SB 1341

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, May 4, 2010

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

ACR 106

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, May 10, 2010

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

SB 1057

AB 228

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 1057—An act to amend Section 6703 of the Government Code, relating to state holidays.

Bill read second time.

Assembly Bill 228—An act to amend Sections 25237 and 25238 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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



Committee on Local Government

Senate Chamber, May 10, 2010

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

AB 715

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

COX, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 715—An act to amend Sections 25124 and 36933 of the Government Code, relating to ordinances.

Bill read second time.

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

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 108: By Senator Harman—Relative to federal immigration policy reform.

Senate Concurrent Resolution 109: By Senator Padilla (Coauthor: Assembly Member Monning)—Relative to California Golf Week.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 988** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

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

Senate Bill 1404—An act to amend Sections 13002, 13004, 13005, 13006, 18400, 19202, 19214, and 19214.5 of, to add Section 19212.5 to, and to repeal Section 13007 of, the Elections Code, relating to elections.

Bill read third time.

Amendments Adopted

Amendments to SB 1404 proposed by Senator Pavley were read and adopted and the measure ordered printed, engrossed, and to second reading.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Richard Malott, Sr. of Nevada City.

Senators Cedillo, Padilla, and Wright requested that when the Senate adjourns this day it do so in memory of William Elkins Jr. of Los Angeles.

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of Martin S. Mazman of Fresno.

Senators Ducheny and Hollingsworth requested that when the Senate adjourns this day it do so in memory of Officer Daniel N. Benavides of Indio.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Eugene G. Kuhns of San Jose.

Senator Lowenthal requested that when the Senate adjourns this day it do so in memory of Larry Nelson of Artesia and Gail Murchison Powell of Long Beach.

Senator Price requested that when the Senate adjourns this day it do so in memory of Lena Horne.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Deputy Cameron Glover of Santa Clarita.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Cleveal Watts, Ann Carol Strecker, Robert August Firpo, Winston Walter Carmean, Raymond L. Johnson of Stockton, and Michael Yrigoyen of Manteca.

Senator Wright requested that when the Senate adjourns this day it do so in memory of Paul DeVan of Inglewood and Marsha Nohl of Fair Oaks.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 11, 2010.

PAULA K. ROSSETTO, Minute Clerk

O

