

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 11, 2010

The Senate met at 9 a.m.
Hon. Leland Yee, of the 8th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

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

Quorum present.

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

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 adopted:

ACR 157

AJR 39

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 157—Relative to Asian and Pacific Islander American Heritage Month.

Assembly Joint Resolution 39—Relative to common state education standards.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing, May 4, 2010

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

SB 1047

SB 1188

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

CORBETT, Chair

Above measures ordered to second reading.

Date of Hearing, May 4, 2010

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

SB 878

SB 909

SB 953

SB 972

SB 1355

SB 1427

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

CORBETT, Chair

Above measures ordered to second reading.

Committee on Appropriations

Date of Hearing, May 10, 2010

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

SB 879

SB 1146

SB 1244

SB 1452

SB 1035

SB 1168

SB 1317

SB 1454

SB 1093

SB 1174

SB 1340

SB 1138

SB 1204

SB 1363

SB 1142

SB 1230

SB 1418

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.

Senate Chamber, May 10, 2010

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

SB 880

SB 892

SB 961

SB 1008

SB 1029

SB 1033

SB 1049

SB 1215

SB 1246

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, May 6, 2010

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

SB 1368

SB 1392

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

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, May 6, 2010

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

SB 1395

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

KEHOE, Chair

Above measure ordered to second reading.

Senate Chamber, May 11, 2010

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

SB 930

SB 1172

SB 1411

SB 1470

SB 1266

SB 1097

SB 1099

SB 1112

SB 1399

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 930—An act to amend Sections 60640 and 60643 of, and to add Section 52052.7 to, the Education Code, relating to pupil assessments.

Bill read second time.

Senate Bill 1172—An act to amend Section 156.1 of, and to add Sections 315.2, 315.4, and 315.6 to, the Business and Professions Code, relating to regulatory boards.

Bill read second time.



Senate Bill 1411—An act to add Section 528.5 to the Penal Code, relating to impersonation.

Bill read second time.

Senate Bill 1470—An act to amend Section 5216.1 of, and to add Section 5412.5 to, the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

Senate Bill 1266—An act to add Section 1170.05 to the Penal Code, relating to inmates.

Bill read second time.

Senate Bill 1097—An act to amend Sections 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, and 2799 of the Public Utilities Code, relating to utility services.

Bill read second time.

Senate Bill 1099—An act to amend Sections 11410 and 15200.5 of, and to add Section 11410.5 to, the Welfare and Institutions Code, relating to foster care.

Bill read second time.

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.

Senate Bill 1399—An act to amend Section 3041 of, and to add Section 3550 to, the Penal Code, relating to parole.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, May 11, 2010

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

AB 1956

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

PAVLEY, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1956—An act to add Section 3858 to the Fish and Game Code, and to amend Section 19348 of the Food and Agricultural Code, relating to wildlife.

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, May 28, 2010

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

SB 1216

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

WOLK, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 110: By Senator Romero (Coauthors: Senators Liu, Oropeza, and Pavley) (Coauthors: Assembly Members Huffman, Saldaña, and Yamada)—Relative to Pain Awareness Month and Women In Pain Awareness Day.

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

Senate Bill 949—An act to amend Sections 21 and 21100 of 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, engrossed, and to third reading.

Senate Bill 1362—An act to amend Section 21455.5 of 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, engrossed, and to third reading.



Senate Bill 989—An act to amend Sections 2699 and 2699.3 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Labor and Industrial Relations were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Senate Bill 1192—An act to amend Section 1936 of the Civil Code, and to amend Section 50474.1 of the Government Code, relating to airports.

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 Joint Resolution 31—Relative to persons with disabilities.

Resolution read second time.

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

Senate Bill 882—An act to add Sections 16005 and 16106 to the Business and Professions Code, and to add Section 118941 to the Health and Safety Code, relating to tobacco, and declaring the urgency thereof, to take effect immediately.

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 1332—An act to add Section 107046 to the Health and Safety Code, relating to radiologic technology, and declaring the urgency thereof, to take effect immediately.

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 1341—An act to amend Section 130232 of the Public Utilities Code, relating to public contracts.

Bill read second time.

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



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 second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1436—An act to add Section 66020.5 to the Education Code, relating to postsecondary educational institutions.

Bill read second time.

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

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

Bill read second time.

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

Assembly Concurrent Resolution 106—Relative to the CAL-FIRE Firefighter Matt Will Memorial Highway.

Resolution 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.

THIRD READING OF SENATE BILLS

Senate Bill 1345—An act to amend Section 6530 of the Penal Code, relating to dead animal parts.

Bill read third time.

Amendments Adopted

Amendments to SB 1345 proposed by Senator Calderon were read and adopted and the measure ordered printed, engrossed, and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

SB 879—Do pass

AYES (6)—Senators Alquist, Cox, Kehoe, Walters, Wolk, and Wyland.

NOES (3)—Senators Leno, Price, and Yee.

SB 1035—Do pass

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

NOES (1)—Senator Walters.



SB 1093—Do pass

AYES (6)—Senators Alquist, Kehoe, Leno, Price, Wolk, and Yee.

NOES (2)—Senators Cox and Wyland.

SB 1116—Do pass as amended

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

NOES (0)—None.

SB 1138—Do pass

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

NOES (0)—None.

SB 1142—Do pass

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

NOES (0)—None.

SB 1146—Do pass

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

NOES (0)—None.

SB 1168—Do pass

AYES (7)—Senators Alquist, Cox, Leno, Price, Wolk, Wyland, and Yee.

NOES (2)—Senators Kehoe and Walters.

SB 1174—Do pass

AYES (6)—Senators Alquist, Kehoe, Leno, Price, Wolk, and Yee.

NOES (3)—Senators Cox, Walters, and Wyland.

SB 1198—Do pass

AYES (5)—Senators Cox, Price, Walters, Wyland, and Yee.

NOES (4)—Senators Alquist, Kehoe, Leno, and Wolk.

Failed passage

SB 1198—Reconsideration granted

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

NOES (0)—None.

SB 1204—Do pass

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

NOES (0)—None.

SB 1230—Do pass

AYES (6)—Senators Alquist, Kehoe, Leno, Price, Wolk, and Yee.

NOES (2)—Senators Cox and Wyland.



SB 1244—Do pass

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

NOES (0)—None.

SB 1317—Do pass

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

NOES (1)—Senator Walters.

SB 1333—Do pass as amended

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

NOES (0)—None.

SB 1340—Do pass

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

NOES (1)—Senator Walters.

SB 1363—Do pass

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

NOES (0)—None.

SB 1418—Do pass

AYES (6)—Senators Alquist, Kehoe, Leno, Price, Wolk, and Yee.

NOES (3)—Senators Cox, Walters, and Wyland.

SB 1445—Do pass as amended

AYES (6)—Senators Alquist, Kehoe, Leno, Price, Wolk, and Yee.

NOES (2)—Senators Cox and Wyland.

SB 1452—Do pass

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

NOES (0)—None.

SB 1454—Do pass

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

NOES (1)—Senator Cox.

SB 1475—Do pass as amended

AYES (6)—Senators Alquist, Cox, Kehoe, Leno, Price, and Wolk.

NOES (3)—Senators Walters, Wyland, and Yee.

Date of Hearing: 5/10/2010

Kehoe (Chair)



LEAVES OF ABSENCE FOR THE DAY

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

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

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 12, 2010.

PAULA K. ROSSETTO, Minute Clerk

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