

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWO HUNDRED SEVENTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, May 24, 2010

The Senate met at 1 p.m.  
Hon. S. Joseph Simitian, of the 11th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary Jamie Taylor 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, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Strickland, Walters, Wolk, Wright, Wyland, and Yee—33.

Quorum present.

*(NOTE: Senators Price and Wiggins will be excused this day on legislative business, Senators Cogdill and Steinberg will be excused this day on personal business, and Senator Oropeza will be excused this day due to illness.)*



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

John Hawes wrote a bit of advice that I believe is still relevant. He wrote: “Aim at the sun, and you may not reach it; but your arrow will fly higher than if aimed on a level with yourself.”

May we always have the ability to dream of a more perfect world, and may we always have the strength and determination to make our dreams become a reality. May this be God’s will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE GOVERNOR**

Governor’s Office, State Capitol  
May 21, 2010

*To the Senate of the State of California:*

I hereby respectfully withdraw from consideration, effective May 21, 2010, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Larry Loris Zarian                      Member, California Transportation  
Commission.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 20, 2010

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

SCR 91

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

Above measures ordered to unfinished business file.

Assembly Chamber, May 20, 2010

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

ACR 158

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 158**—Relative to Women Veterans Recognition Month.



**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Senate Chamber, May 24, 2010

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

SB 942

SB 1098

SB 1066

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 942**—An act to amend Section 11349.3 of, to add Sections 11349.10 and 11349.11 to, and to add Article 5.5 (commencing with Section 11348.5) to Chapter 3.5 of Part 1 of Division 3 of Title 2 of, the Government Code, relating to regulations.

Bill read second time.

**Senate Bill 1098**—An act to amend, repeal, and add Section 6106.7 of, to add Chapter 2.5 (commencing with Section 18900) to, and to repeal Chapter 2.5 (commencing with Section 18895) of, Division 8 of, the Business and Professions Code, relating to athlete agents, and making an appropriation therefor.

Bill read second time.

**Senate Bill 1066**—An act to amend Section 6126 of, and to add Section 5040 to, the Penal Code, relating to corrections.

Bill read second time.

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

**Committee on Public Safety**

Senate Chamber, May 24, 2010

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

AB 1738

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

LENO, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 1738**—An act to amend Section 6228 of the Family Code, relating to domestic violence.

Bill read second time.

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



**Committee on Appropriations**

Senate Chamber, May 24, 2010

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

SB 1470

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

KEHOE, Chair

Above measure ordered to second reading.

**Committee on Local Government**

Senate Chamber, May 24, 2010

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

AB 1791

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 1791**—An act to amend Section 33492.70 of the Health and Safety Code, relating to redevelopment.

Bill read second time.

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

**Committee on Appropriations**

Date of Hearing, May 17, 2010

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

SB 1457

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

KEHOE, Chair

Above measure ordered to second reading.

**Committee on Rules**

Senate Chamber, May 21, 2010

Mr. President: The Committee on Rules has examined:

SCR 74

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 21st day of May, 2010, at 2 p.m.

STEINBERG, Chair



**Committee on Transportation and Housing**

Senate Chamber, May 24, 2010

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

AB 2461

AB 1648

AB 1375

SCR 90

AB 1927

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

LOWENTHAL, Chair

**Second Reading of Bills—Author's Amendments**

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

Bill read second time.

**Assembly Bill 1648**—An act to amend Sections 1808.1, 12804.9, and 15278 of, to add Section 12804.11 to, and to repeal Sections 12954, 15250.6, and 15250.7 of, the Vehicle Code, relating to vehicles.

Bill read second time.

**Assembly Bill 1375**—An act to repeal and add Division 19.5 (commencing with Section 185000) of the Public Utilities Code, relating to high-speed rail.

Bill read second time.

**Senate Concurrent Resolution 90**—Relative to affordable in-home Internet service.

Resolution read second time.

**Assembly Bill 1927**—An act to amend Section 1368 of, and to add Section 1360.2 to, the Civil Code, relating to common interest developments.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, May 24, 2010

Mr. President: The Committee on Rules has examined:

SB 408

And reports that the same has been correctly enrolled, and presented to the Governor on the 24th day of May, 2010, at 9:45 a.m.

STEINBERG, Chair



**Committee on Energy, Utilities and Communications**

Senate Chamber, May 24, 2010

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 228

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

PADILLA, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 228**—An act to amend Sections 2827 and 2827.8 of, and to repeal Section 2827.5 of, the Public Utilities Code, relating to electricity.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, May 24, 2010

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

SCA 28

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 Constitutional Amendment 28**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article III thereof, relating to state audits.

Resolution read second time.

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

**MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Cox moved that **AB 1451** be placed on the inactive file.

Motion carried.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill 838**—An act to amend Sections 1366.21, 1366.22, 1366.25, and 1366.27 of, and to add Chapter 1.1 (commencing with Section 24100) to Division 20 of, the Health and Safety Code, and to amend Sections 10128.51, 10128.52, 10128.55, and 10128.57 of the Insurance



Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Strickland.

The question being: Shall the Senate concur in the Assembly amendments to SB 838?

#### **Roll Call**

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

AYES (30)—Senators Aanestad, Alquist, Ashburn, Calderon, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

#### **THIRD READING OF SENATE BILLS**

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

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 (29)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Harman, Hollingsworth, Huff, Kehoe, Liu, Lowenthal, Negrete McLeod, Padilla, Romero, Runner, Simitian, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Leno and Pavley.

Bill ordered transmitted to the Assembly.

**Senate Bill 961**—An act to add Section 1367.655 to the Health and Safety Code, and to add Section 10123.205 to the Insurance Code, relating to health care coverage.

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

NOES (6)—Senators Ashburn, Dutton, Hollingsworth, Huff, Runner, and Walters.

Bill ordered transmitted to the Assembly.



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

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

NOES (1)—Senator Pavley.

Bill ordered transmitted to the Assembly.

**Senate Bill 1049**—An act to amend Sections 1269c and 1270.1 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 (28)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Harman, Hollingsworth, Huff, Kehoe, Liu, Lowenthal, Padilla, Romero, Runner, Simitian, Strickland, Walters, Wolk, Wright, and Wyland.

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

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Yee.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1244**—An act to amend Sections 621 and 13009 of, and to add Sections 623 and 928.7 to, the Unemployment Insurance Code, relating to employment taxes, and making an appropriation therefor.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Correa.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1402**—An act to amend Section 43023 of, and to add Sections 39619.7 and 43024 to, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Dutton.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**Senate Bill 1290**—An act to add Section 51223.3 to the Education Code, relating to physical education.

Bill read third time and presented by Senator Kehoe.

**Roll Call**

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

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Pavley, Romero, Simitian, Wolk, Wright, Wyland, and Yee.

NOES (3)—Senators Ashburn, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

**Senate Bill 1351**—An act to add Section 38566 to the Health and Safety Code, relating to air pollution.

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 (24)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Huff, Negrete McLeod, Padilla, Romero, Runner, Strickland, Walters, Wolk, Wright, and Wyland.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Corbett.

**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 888**—An act to amend Sections 111222 and 111223 of, to amend the heading of Article 14 (commencing with Section 111222) of Chapter 5 of Part 5 of Division 104 of, and to add Section 114429.5 to, the Health and Safety Code, relating to food safety.

Bill read third time and presented by Senator Yee.



**Roll Call**

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1417**—An act to amend Sections 10401, 14500, 14501, and 14502 of, to amend the heading of Part 11 (commencing with Section 14500) of Division 3 of Title 1 of, to add Sections 14504 and 14505 to, and to repeal Section 10402 of, the Corporations Code, and to amend Sections 11105 and 13300 of the Penal Code, relating to corporations.

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 (29)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Cox, Denham, DeSaulnier, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Padilla, Pavley, Romero, Runner, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 953**—An act to amend Section 2397 of the Business and Professions Code, relating to healing arts.

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**CONSENT CALENDAR**

**Senate Joint Resolution 20**—Relative to taxation.

Resolution read third time

**Consent Calendar Roll Call**

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

AYES (32)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez,



Hancock, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

#### **REQUEST TO BE ADDED TO ROLL CALL**

May 24, 2010

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

SB 838—Aye	SB 1224—Aye	SB 961—No
SB 1033—Aye	SB 1049—Aye	SB 1333—Aye
SB 1244—Aye	SB 1075—Aye	SB 1402—Aye
SB 1351—Aye	SB 1390—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 Price and Wiggins.

The following Senators were granted leaves of absence for the day on personal business: Senators Cogdill and Steinberg.

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 2:35 p.m., on motion of Senator Aanestad, further proceedings under the quorum call of the Senate were dispensed with.

#### **MOTION TO ADJOURN**

Senator Aanestad 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 25, 2010.

Motion carried.

#### **MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 24, 2010

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

SB 808

Above measure ordered enrolled.



Assembly Chamber, May 24, 2010

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

AB 1690	AB 1964	AB 2120	AB 2510
AB 1715	AB 2012	AB 2133	AB 2595
AB 1749	AB 2018	AB 2136	AB 2656
AB 1766	AB 2033	AB 2238	AB 2685
AB 1778	AB 2084	AB 2485	AB 2733
AB 1895	AB 2086	AB 2490	AB 2747

Assembly Chamber, May 24, 2010

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

ACR 110

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 1690**—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.164, 195.165, and 195.166 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 1715**—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 1749**—An act to amend Section 8547.2 of, and to add Section 8547.13 to, the Government Code, relating to whistleblower protection.

**Assembly Bill 1766**—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.161, 195.162, and 195.163 to, the Revenue and Taxation Code, relating to disaster assistance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 1778**—An act to add Chapter 1.7 (commencing with Section 6096) to Division 7 of the Government Code, relating to state promotions.

**Assembly Bill 1895**—An act to amend Section 68062 of the Education Code, relating to postsecondary education.

**Assembly Bill 1964**—An act to amend Sections 18400.1, 18424, and 18502 of the Health and Safety Code, relating to mobilehomes.



**Assembly Bill 2012**—An act to amend Section 597 of the Penal Code, relating to cruelty to animals.

**Assembly Bill 2018**—An act to add Section 11053.2 to the Welfare and Institutions Code, relating to public social services.

**Assembly Bill 2033**—An act to add Section 50505.5 to the Health and Safety Code, relating to homelessness.

**Assembly Bill 2084**—An act to add Section 1596.808 to the Health and Safety Code, relating to child day care facilities.

**Assembly Bill 2086**—An act to amend Section 69432.7 of the Education Code, relating to postsecondary education.

**Assembly Bill 2120**—An act to amend Section 798.15 of the Civil Code, relating to mobilehomes.

**Assembly Bill 2133**—An act to amend Section 2621.7 of the Public Resources Code, relating to geologic hazards.

**Assembly Bill 2136**—An act to amend Section 8686 of the Government Code, and to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.170, 195.171, and 195.172 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 2238**—An act to amend Section 8657 of, and to add Section 8591.5 to, the Government Code, relating to earthquakes.

**Assembly Bill 2485**—An act to amend Section 70617 of the Government Code, relating to courts.

**Assembly Bill 2490**—An act to add Section 11658.5 to the Insurance Code, relating to workers' compensation insurance.

**Assembly Bill 2510**—An act to add Section 22894 to the Government Code, relating to public employees' retirement.

**Assembly Bill 2595**—An act to amend Section 12979 of the Food and Agricultural Code, and to add Section 13269.5 to the Water Code, relating to irrigated agriculture.

**Assembly Bill 2656**—An act to add Section 66014.7 to the Education Code, relating to postsecondary education.

**Assembly Bill 2685**—An act to amend Section 44237 of the Education Code, relating to teacher credentialing.

**Assembly Bill 2733**—An act to amend Sections 22971 22973.1, 22977.2, 22979, 22980.2, and 22980.3 of, and to add Sections 22971.5, 22980.4, and 22980.5 to, the Business and Professions Code, relating to cigarette and tobacco products.



**Assembly Bill 2747**—An act to add Section 5024.2 to the Penal Code, relating to prisoners.

**Assembly Concurrent Resolution 110**—Relative to Step Up California Month and Step Up California Day.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Revenue and Taxation**

Senate Chamber, May 24, 2010

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

SB 1056

SJR 30

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

WOLK, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 1056**—An act to add Sections 17053.81 and 23623.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

**Senate Joint Resolution 30**—Relative to deferred compensation plans.

Resolution read second time.

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

**Committee on Appropriations**

Senate Chamber, May 24, 2010

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

SB 1063

SB 1067

SB 1259

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 1063**—An act to amend Section 12693.21 of the Insurance Code, relating to health care coverage.

Bill read second time.

**Senate Bill 1067**—An act to amend Section 12838.3 of the Government Code, and to add Section 1710.5 to the Welfare and Institutions Code, relating to juveniles.

Bill read second time.



**Senate Bill 1259**—An act to add Chapter 2 (commencing with Section 15910) to Part 12 of Division 3 of the Government Code, relating to state government.

Bill read second time.

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

Senate Chamber, May 24, 2010

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

SB 882            SB 1240            SB 1332            SB 1375

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 24, 2010

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

SB 1362

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 24, 2010

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

SCR 88            SCR 89            SCR 100            ACR 106  
ACR 109            ACR 122            ACR 131            ACR 136

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.

#### **INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Joint Resolution 33:** By Senator Lowenthal (Coauthors: Senators Ashburn, Harman, Huff, Kehoe, and Oropeza) (Coauthor: Assembly Member Bonnie Lowenthal)—Relative to national freight policy.





**MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 1147** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

**JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Budget and Fiscal Review to meet on Friday, May 28 without four days notice in the Daily File.

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

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

Bill read third time.

**Amendments Adopted**

Amendments to AB 1668 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1348**—An act to add Section 14521.5 to the Government Code, relating to transportation.

Bill read third time.

**Amendments Adopted**

Amendments to SB 1348 proposed by Senator Steinberg were read and adopted and the measure ordered printed, engrossed, and to second reading.

**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 third time.

**Amendments Adopted**

Amendments to SB 1107 proposed by Senator Kehoe were read and adopted and the measure ordered printed, engrossed, and to second reading.

**SENATE COMMITTEE ROLL CALLS****Committee on Appropriations**

**SB 910**—Do pass

AYES (10)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

**SB 920**—Do pass as amended

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

NOES (4)—Senators Cox, Denham, Walters, and Wyland.



**SB 1059—Do pass as amended**

AYES (10)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

**SB 1130—Do pass as amended**

AYES (7)—Senators Alquist, Corbett, Cox, Denham, Leno, Walters, and Wyland.

NOES (3)—Senators Kehoe, Wolk, and Yee.

**SB 1275—Do pass**

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

NOES (4)—Senators Cox, Denham, Walters, and Wyland.

**SB 1355—Do pass as amended**

AYES (10)—Senators Alquist, Corbett, Cox, Denham, Kehoe, Leno, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

**SB 1391—Do pass**

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

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

**SB 1439—Do pass as amended**

AYES (6)—Senators Cox, Kehoe, Leno, Walters, Wyland, and Yee.

NOES (3)—Senators Alquist, Corbett, and Wolk.

Date of Hearing: 5/24/2010

Kehoe (Chair)

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Cox requested that when the Senate adjourns this day it do so in memory of Donald Scott Rogers of South Lake Tahoe.

Senator Denham requested that when the Senate adjourns this day it do so in memory of Richard Bruhn and Donald J. Barsotti of Salinas and Barbara Crowell Robinson of Gonzales.

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Deirde Golden Katz.

Senator Kehoe requested that when the Senate adjourns this day it do so in memory of Bob Breitbard.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Ian M. Cribbs of Palo Alto.



**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Aanestad, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 25, 2010.

PAULA K. ROSSETTO, Minute Clerk

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