

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED NINETEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 26, 2010

The Senate met at 9a.m.
Hon. Gilbert Cedillo, of the 22nd 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, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee—33.

Quorum present.

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

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Senate Chamber, May 26, 2010

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

SB 982

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 982—An act to add Section 130 to the Code of Civil Procedure, relating to victims' rights, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Local Government

Senate Chamber, May 26, 2010

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

AB 2331

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 2331—An act to amend Section 53270 of the Government Code, relating to local government.

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 26, 2010

Mr. President: The Committee on Rules has examined:

SB 808

SB 838

And reports that the same have been correctly enrolled, and presented to the Governor on the 26th day of May, 2010, at 11 a.m.

STEINBERG, Chair

Committee on Health

Senate Chamber, May 26, 2010

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

AB 1437

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

ALQUIST, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1437—An act to add Chapter 14 (commencing with Section 25995) to Division 20 of the Health and Safety Code, relating to public health.

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 26, 2010

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

AJR 3

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 Joint Resolution 3—Relative to campaign finance reform.

Resolution read second time.

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

Committee on Public Safety

Senate Chamber, May 26, 2010

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

AB 668

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 668—An act to amend Section 626.9 of the Penal Code, relating to firearms.

Bill read second time.

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

Committee on Budget and Fiscal Review

Senate Chamber, May 26, 2010

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

SB 1426



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

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1426—An act to amend Section 13320 of, and to add Section 13338.5 to, the Government Code, relating to the state budget.

Bill read second time.

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

Committee on Human Services

Senate Chamber, May 26, 2010

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

AB 1914

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

LIU, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1914—An act to add Section 18914.1 to the Welfare and Institutions Code, relating to public social services.

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

Senate Chamber, May 26, 2010

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

AB 1104

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 1104—An act to amend Section 40215 of the Vehicle Code, relating to vehicles.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1104 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MONNING



Permission of Rules Committee

Senate Chamber, May 26, 2010

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1104.

STEINBERG, Chair

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

Committee on Appropriations

Senate Chamber, May 13, 2010

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

SB 1118

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.

Committee on Business, Professions and Economic Development

Senate Chamber, May 26, 2010

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 1111

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

NEGRETE McLEOD, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Rules

State Capitol, May 26, 2010

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

Reginald I. Low M.D., Member, Medical Board of California (4-0)

Janet K. Salomonson M.D., Member, Medical Board of California (4-0)

STEINBERG, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, May 26, 2010

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that he be confirmed:

Charles J. Kim, Member, Acupuncture Board (4-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.



Date of Hearing, May 26, 2010

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

SB 1057

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

STEINBERG, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Senate Chamber, May 26, 2010

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

AB 2177

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

Assembly Bill 2177—An act to add and repeal Section 18416.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 1130—An act to amend Section 2807 of the Penal Code, relating to corrections.

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

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

Senate Bill 1275—An act to amend Section 2923.5 of, and to add and repeal Sections 2923.4, 2923.7, 2923.73, and 2923.75 of, the Civil Code, relating to mortgages.

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

Senate Bill 1391—An act to add Sections 17060 and 23603 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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



Senate Bill 1168—An act to amend, repeal, and add Sections 937 and 939.2 of, and to add and repeal Sections 904.9 and 923.1 of, the Penal Code, relating to grand juries.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 190—An act relating to the Budget Act of 2010.

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 67**, **SCR 77**, **SCR 108**, and **ACR 128** were withdrawn from Committee and placed on third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Tuesday, June 1, 2010

SB 1380	SB 1411	SB 1127
SB 1332	SB 1348	

UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (AB 1369)

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1369 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1369

Assembly Bill 1369—An act to amend Section 1203.017 of the Penal Code, relating to home detention.

Bill read.

Motion to Amend

Amendments to AB 1369 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1500)

Senator Florez asked for, and was granted, unanimous consent that AB 1500 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1500

Assembly Bill 1500—An act to amend Section 21655.9 of, to amend and repeal Section 40000.13 of, and to add and repeal Section 5205.5 of, the Vehicle Code, relating to vehicles.

Bill read second time.

Motion to Amend

Amendments to AB 1500 proposed by Senator Florez were read and adopted and the measure ordered printed and to second reading.



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

Senate Bill 1282—An act to add and repeal Chapter 5.2 (commencing with Section 2529.50) of Division 2 of the Business and Professions Code, relating to healing arts.

Bill read third time.

Amendments Adopted

Amendments to SB 1282 proposed by Senator Steinberg were read and adopted and the measure ordered printed, engrossed, and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Rules**

SB 1057—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Aanestad, Cedillo, Dutton, and Steinberg.

NOES (0)—None.

Date of Hearing: 5/26/2010

Steinberg (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

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

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, May 27, 2010.

PAULA K. ROSSETTO, Minute Clerk

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