

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, August 5, 2010

The Senate met at 9 a.m.
Hon. Gloria Romero, of the 24th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zachary L. Twilla reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Ducheny, Dutton, Emmerson, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee(waives per diem)—35.

Quorum present.

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



PRAYER

Upon invitation of the President, the following prayer was offered by Rev. Pamela Anderson of Countryside Community Church in Esparto:

In the 1930's, there was a young man who applied for a position as a Morse Code operator. When he arrived for the interview, he entered a large, noisy office. In the background a telegraph clacked away. He read a sign on the receptionist's counter that instructed all applicants to wait until they were summoned to enter the inner office. This young man sat down with the other waiting applicants. After a few minutes the young man stood up, crossed the room to the door to the inner office, and went right in. The other applicants sat outside muttering to themselves that they hadn't heard any summons. Within minutes the young man emerged from the inner office escorted by the interviewer, who announced to the other applicants, "Gentlemen, thank you very much for coming, but the job has been filled by this young man." The other applicants were angered, and one said: "Wait a minute—I don't understand. He was the last one to come in, and we never even got the chance to be interviewed." To which the employer responded, "All the time you've been sitting here, the telegraph has been ticking out the following message in Morse Code: 'If you understand this message, then come right in. The job is yours.' None of you heard it or understood it. This young man did. So the job is his."

We are all called to do deep listening, particularly in these Senate chambers. But more importantly, we are called to do deep listening with the "still small voice" that is in each of us.

Let us pray:

God of Grace, We pray for our California Senate. May they listen to each other and to your still, small voice that will give them direction to make the best decisions that will benefit each Californian today.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
August 4, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective August 4, 2010, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Brian J. Stiger Director of Department of Consumer Affairs
Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.



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

Senate Bill 1156—An act to add and repeal Section 44127 of the Health and Safety Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1952—An act to amend Section 12509 of, and to add Section 12509.5 to, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Assembly Bill 1743—An act to amend Sections 7513.8, 82002, and 82039 of, and to add Sections 7513.86, 7513.87, 82025.3, 82047.3, and 86206 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Assembly Bill 2575—An act to add Article 5.5 (commencing with Section 4564) to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, relating to resources.

Bill read second time.

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

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

Bill read second time.

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

Assembly Bill 2215—An act to amend Section 19604 of the Business and Professions Code, relating to horse racing.

Bill read second time.

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

Assembly Bill 1679—An act relating to public safety.

Bill read second time and ordered to third reading.



Assembly Bill 1726—An act to amend Section 1363.05 of, and to amend, repeal, and add Section 1363.03 of, the Civil Code, relating to common interest developments.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

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 and ordered to third reading.

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

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 119** and **ACR 116** were withdrawn from Committee and placed on today's consent calendar.

CONSENT CALENDAR

Objections Raised

Senator Ducheny objected to **AB 2408** being on the Special Consent Calendar.

Senator Correa objected to **AB 2203** being on the Consent Calendar.

Senator Cogdill objected to **AB 1254** being on the Consent Calendar.

Senator Emmerson objected to **AB 655** being on the Special Consent Calendar.

Senator Wright objected to **AB 2791**, **AB 2792**, **AB 2793**, and **AB 2201** being on the Consent Calendar.

Senator Lowenthal objected to **AB 2762** being on the Consent Calendar.

Senator Corbett objected to **AB 2284** being on the Special Consent Calendar.

Senator Harman objected to **AB 2535** being on the Consent Calendar.

Senator Wyland objected to **AB 2111** being on the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.

Senator Calderon objected to **AB 2367** being on the Consent Calendar and requested that it be moved it to the inactive file.

Senator Padilla objected to **AB 2533** being on the Consent Calendar and requested that it be moved it to the inactive file.

The President ordered the above measures placed on the inactive file.



MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Lowenthal moved that **AB 1964** be placed on the inactive file.
Motion carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Negrete McLeod moved that **AB 583** be taken from the inactive file and placed on the second reading file.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****Consideration of Governor's Appointments**

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

ANYORK LEE, Member, Acupuncture Board.

PAUL H. WEISMAN, Member, Acupuncture Board.

ROY ASHBURN, Member, Western Interstate Commission for Higher Education.

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

Roll Call

The roll was called and the appointments were confirmed by the following vote:

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

NOES (0)—None.

CONSENT CALENDAR

Assembly Bill 1901—An act to amend Sections 66002 and 66003 of the Education Code, relating to postsecondary education.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1644—An act to amend Section 942 of, and to add Sections 951, 952, 953, and 954 to, 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)

Assembly Bill 2686—An act to amend Section 46017 of the Food and Agricultural Code, relating to organic products.

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

(NOTE: See Consent Calendar Roll Call)



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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1773—An act to add Sections 12606.1, 13188.4, and 13197.6 to the Health and Safety Code, relating to fire protection.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1792—An act to amend Section 19616.51 of the Business and Professions Code, relating to horse racing.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1890—An act to amend Section 2080.8 of, and to repeal Section 2080.9 of, the Civil Code, relating to property.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1891—An act to add Article 8 (commencing with Section 550) to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural Code, relating to agriculture.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1896—An act to amend Section 25660 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)

Assembly Bill 1944—An act to amend Sections 5007 and 22511.55 of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2083—An act to amend Section 53201 of the Education Code, relating to school accountability.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 2116—An act to amend Section 170.9 of the Code of Civil Procedure, relating to judges.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2371—An act to add Section 12172.8 to the Government Code, relating to the Secretary of State.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2629—An act to amend Sections 1507.3, 1566.45, and 1568.0832 of the Health and Safety Code, relating to health facilities.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1860—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1050—An act to amend Section 3042 of the Family Code, relating to child custody.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1683—An act to amend Sections 12000 and 12001 of the Education Code, relating to education.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1689—An act to amend Sections 6002, 6003, 6020, 6023, 6024, 6041, 6042, 6080, 6082, 6101, 6105, 6108, 6122, 6145, 6160, 6180, 6240, 6241, and 6950 of, to repeal Sections 6004, 6005, 6021, 6086, 6087, and 6100 of, to add and repeal Section 7110 of, and to repeal Article 11 (commencing with Section 6200) of Chapter 1 of Part 1 of Division 6 of the Elections Code, relating to elections.

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

(NOTE: See Consent Calendar Roll Call)



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.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1798—An act to amend Sections 23086 and 25503.15 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)

Assembly Bill 1846—An act to amend Sections 21159, 21159.1, and 21159.4 of the Public Resources Code, relating to the environment.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1863—An act to amend Section 41514.1 of the Health and Safety Code, relating to air pollution.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1865—An act to amend Section 50843.5 of the Health and Safety Code, relating to housing.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1888—An act to amend Sections 1127, 1137, and 1150 of, and to add Section 1193 to, the Harbors and Navigation Code, relating to harbors and ports.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1908—An act to amend Sections 5068 and 5069 of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1926—An act to amend Sections 68150 and 68151 of the Government Code, relating to court records.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 1929—An act to amend Section 2301 of the Fish and Game Code, relating to invasive aquatic species.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2001—An act to add Section 18949.7 to the Health and Safety Code, relating to building standards.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2031—An act to add Section 10295.2 to the Public Contract Code, relating to public contracts.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2040—An act to add Section 44259.4 to the Education Code, relating to teachers .

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2195—An act to add Section 524 to the Evidence Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2248—An act to amend Section 1797.98b of the Health and Safety Code, relating to emergency medical care.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2277—An act to amend Section 10608.26 of the Water Code, relating to water.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2327—An act to add Division 4 (commencing with Section 13900) to the Insurance Code, relating to risk pools.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 2565—An act to amend Section 21089 of the Public Resources Code, relating to the environment.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2669—An act to amend Section 116761.23 of the Health and Safety Code, relating to drinking water.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2778—An act to add and repeal Section 3254.1 of 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)

Assembly Bill 1713—An act to amend Sections 48800, 76002, and 84760.5 of, and to repeal Section 10701 of, the Education Code, relating to public education.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2144—An act to amend Sections 15200, 15300, 15302, 15306, 15308, 15311, 15311.1, 15312, and 22526 of, and to amend, repeal, and add Sections 1803.5, 1808.7, and 41501 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 Concurrent Resolution 119—Relative to Plasma Protein Therapies Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 116—Relative to California Lab Day.

Resolution read, adopted, 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 (33)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Ducheny, Dutton, Emmerson, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.



MOMENT OF SILENCE

Senator Romero requested that the Senate pause and observe a moment of silence in honor of the late Senator Dave Cox. The public memorial service for Senator Cox is being observed today.

LEAVES OF ABSENCE FOR THE DAY

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

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

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 9:15 a.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 Monday, August 9, 2010.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 5, 2010

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

SB 530	SB 1070	SB 1274	SB 1447
SB 999	SB 1101	SB 1295	SB 1488
SB 1019	SB 1217	SB 1374	SB 1049
SB 1047	SB 1221	SB 1387	

Above measures ordered enrolled.

Assembly Chamber, August 5, 2010

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

SB 518	SB 1303	SB 1353	SB 1483
SB 525	SB 1318	SB 1427	
SB 977	SB 1319	SB 1482	

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

Above measures ordered to unfinished business file.



Assembly Chamber, August 5, 2010

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: The Assembly on this day withdrew AB 2794 from Enrollment and pursuant to the instructions of the Assembly, I am herewith returning the bill to the Senate for further action.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, August 4, 2010

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 4–0, has referred SB 662 (Yee) to the Judiciary Committee.

STEINBERG, Chair

State Capitol, August 4, 2010

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 4–0, has referred SB 535 (Yee) to the Transportation and Housing Committee

STEINBERG, Chair

Committee on Appropriations

Senate Chamber, August 5, 2010

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

AB 2322

AB 2499

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

Assembly Bill 2322—An act to amend Sections 830, 5328, 10850.1, 15610.55, 18951, and 18961.5 of, and to add Section 18961.6 to, the Welfare and Institutions Code, relating to public social service, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2499—An act to amend Sections 11202.5, 11205.1, 42005.1, 42005.5, 42007.1, 42007.3, and 42007.4 of, to amend, repeal, and add Sections 1803.5, 1808.7, 11200, 11202, 11205, 11205.2, 11208, 40512.6, 41501, 42005, and 42007 of, to add and repeal Sections 11208.5



and 42005.2 of, and to repeal and add Section 11205.4 of, the Vehicle Code, relating to vehicles.

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, August 5, 2010

Madam President: The Committee on Rules has examined:

SB 438 SB 1050 SB 1486

And reports that the same have been correctly enrolled, and presented to the Governor on the 5th day of August, 2010, at 9:30 a.m.

STEINBERG, Chair

Senate Chamber, August 4, 2010

Madam President: The Committee on Rules has examined:

SCR 50 SCR 69 SCR 84 SCR 85
SCR 88 SCR 89 SCR 100 SJR 34

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 4th day of August, 2010, at 3:45 p.m.

STEINBERG, Chair

Committee on Public Safety

Senate Chamber, August 5, 2010

Madam President: The Chair of the Committee on Public Safety, to which were referred:

AB 984 AB 1443 AB 2157 AB 2233

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

LENO, Chair

Above measures ordered filed with the Secretary of the Senate.

Committee on Environmental Quality

Date of Hearing, August 2, 2010

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

AB 25 AB 231

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

SIMITIAN, Chair

Above measures ordered to second reading.



Committee on Appropriations

Date of Hearing, August 2, 2010

Madam President: The Committee on Appropriations, to which were referred:

AB 2093

AB 2279

AB 2300

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

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, August 5, 2010

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

AB 2702

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

Assembly Bill 2702—An act to amend Section 4646.4 of, and to add Section 4646.7 to, the Welfare and Institutions Code, relating to developmental services.

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

Senate Chamber, August 5, 2010

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

AB 1178

AB 1554

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 1178—An act to add Section 107.10 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 1554—An act to amend Sections 12206, 17058, and 23610.5 of, and to add Sections 17053.15 and 23608.4 to, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



Committee on Appropriations

Date of Hearing, August 2, 2010

Madam President: The Committee on Appropriations, to which was referred:

AB 234

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

KEHOE, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, August 5, 2010

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

AB 1078

AB 1260

AB 1265

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 1078—An act to amend Sections 25251 and 25257 of the Health and Safety Code, relating to hazardous materials.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1078 pursuant to Joint Rule 58.

ASSEMBLY MEMBER FEUER

Permission of Rules Committee

Senate Chamber, August 5, 2010

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1078.

STEINBERG, Chair

Assembly Bill 1260—An act to amend Sections 4686.5 and 4688.1 of the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1265—An act to amend Section 400 of the Family Code, relating to marriage.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1265 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MA



Permission of Rules Committee

Senate Chamber, August 5, 2010

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1265.

STEINBERG, Chair

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

State Capitol, August 4, 2010

The Committee on Rules has re-referred the following measures to committee:

Business, Professions and Economic Development—AB 1140, AB 1542.

Education—AB 70, AB 184.

Elections, Reapportionment and Constitutional Amendments—AB 496.

Environmental Quality—AB 2738.

Governmental Organization—AB 2036.

Health—AB 2551.

Judiciary—AB 230.

Labor and Industrial Relations—AB 2779.

Natural Resources and Water—AB 2214.

Public Safety—AB 1676.

Revenue and Taxation—AB 1511.

Transportation and Housing—AB 1106.

Veterans Affairs—AB 2143.

The Committee on Rules has re-referred the following measures to committee:

Business, Professions and Economic Development—AJR 27.

Natural Resources and Water—AJR 38.

Transportation and Housing—ACR 174; AJR 41; SCR 116, SCR 118.

Committee on Governmental Organization

Senate Chamber, August 5, 2010

Madam President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 635



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

WRIGHT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 635—An act to add Chapter 2.5 (commencing with Section 13065) to Part 1 of Division 12 of the Health and Safety Code, relating to firefighting.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 635 pursuant to Joint Rule 58.

ASSEMBLY MEMBER V. MANUEL PÉREZ

Permission of Rules Committee

Senate Chamber, August 5, 2010

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 635.

STEINBERG, Chair

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 measure was introduced and read the first time:

Senate Resolution 46: By Senator Steinberg—Relative to the Senate coffee lounge.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 1610, AB 1611, AB 1612, AB 1613, AB 1614, AB 1615, AB 1616, AB 1617, AB 1618, AB 1619, AB 1620, AB 1621, AB 1622, AB 1623, AB 1624, AB 1625, AB 1626, AB 1627, AB 1268, AB 1629, AB 1630, AB 1631, AB 1632, AB 1633, AB 1634, AB 1635, AB 1636, and AB 1637** were withdrawn from Committee and placed on second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2408—An act to amend Sections 8592.1, 8592.5, 8592.7, 11532, 11534, 11535, 11537, 11539, 11540, 11541, 11541.5, 11542, 11543, 11544, 11545, 11546, 11546.5, 11548.5, 11549, 11549.1, 11549.3, 11549.5, 12804, 14995, 15251, 15253, 15254, 15275, 15277, 53108.5, 53113, 53114, 53114.1, 53114.2, 53115, 53115.1, 53115.2, 53115.3, 53116, 53119, 53120, 53126.5, and 53127 of, to amend the headings of Article 2 (commencing with Section 11534) and Article 3 (commencing with Section 11544) of Chapter 5.5 of Part 1 of Division 3 of Title 2 of, to amend the heading of Chapter 5.7 (commencing with Section 11549) of Part 1 of Division 3 of Title 2 of, to amend and renumber Section 11549.6 of, to add Sections 11546.1, 11546.2, 11546.3, 11549.7, and 11549.8 to, to add the headings of Article 1 (commencing with Section



11549) and Article 2 (commencing with Section 11549.5) to Chapter 5.7 of Part 1 of Division 3 of Title 2 of, and to repeal Section 11549.2 of, and to repeal Chapter 9 (commencing with Section 14930) of Part 5.5 of Division 3 of Title 2 of, the Government Code, to amend Sections 12100.7, 12101, 12103, 12104, 12105, 12120, and 12121 of the Public Contract Code, to amend Sections 2872.5, 2892, and 2892.1 of the Public Utilities Code, to amend Sections 41030, 41031, 41032, 41136.1, 41137, 41137.1, 41138, 41139, 41140, 41141, and 41142 of the Revenue and Taxation Code, and to amend Section 16501.7 of the Welfare and Institutions Code, relating to state government information technology.

Bill read third time.

Amendments Adopted

Amendments to AB 2408 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1507—An act to amend Section 44283 of, and to add Section 44287.2 to, the Health and Safety Code, relating to air pollution.

Bill read third time.

Amendments Adopted

Amendments to AB 1507 proposed by Senator Liu were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2212—An act to add Section 709 to the Welfare and Institutions Code, relating to minors.

Bill read third time.

Amendments Adopted

Amendments to AB 2212 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 759)

Senator Padilla asked for, and was granted, unanimous consent that AB 759 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 759

Assembly Bill 759—An act to amend Section 10286.1 of the Public Contract Code, and to amend Sections 24411 and 25110 of, and to add Section 25117 to, the Revenue and Taxation Code, relating to corporations.

Bill read second time.

Motion to Amend

Amendments to AB 759 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1596—An act to amend Sections 527.6, 527.8, 527.10, 527.85, and 527.9 of the Code of Civil Procedure, to amend Sections 241, 242, 243, 244, 245, 246, 6304, 6320, 6320.5, 6322.7, 6345, 6380, 6384,



6387, and 6389 of, to add Section 6229 to, and to repeal and add Section 6302 of, the Family Code, to amend Section 6103.2 of the Government Code, and to amend Sections 213.5, 15657.03, and 15657.04 of the Welfare and Institutions Code, relating to protective orders.

Bill read third time.

Amendments Adopted

Amendments to AB 1596 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2554—An act to amend Sections 2 and 16 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read third time.

Amendments Adopted

Amendments to AB 2554 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2632)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2632 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2632

Assembly Bill 2632—An act to amend Section 166 of the Penal Code, relating to contempt of court.

Bill read.

Motion to Amend

Amendments to AB 2632 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS
Committee on Environmental Quality**

AB 25—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Corbett, Hancock, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

AB 231—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Corbett, Hancock, Lowenthal, Simitian, and Strickland.

NOES (0)—None.

Date of Hearing: 8/2/2010

Simitian (Chair)



REQUESTS TO ADJOURN IN MEMORIAM

Senator Liu requested that when the Senate adjourns this day it do so in memory of Edgar “Ed” L. Moulton of La Canada.

Senator Oropeza requested that when the Senate adjourns this day it do so in memory of Tammy Tagami Reeves of El Segundo.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Sgt. Robert Crow Jr. of Apple Valley.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators’ requests until 1 p.m., Monday, August 9, 2010.

PAULA K. ROSSETTO, Minute Clerk

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