CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FORTY–THIRDLEGISLATIVE DAY

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IN SENATE

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Senate Chamber, Sacramento
Monday, June 29, 2009

The Senate met at 10:56 a.m.
Hon. Dean Florez, of the 16th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zach Twilla reading.

ROLL CALL

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

Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—40.

Quorum present.

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PRAYER

Upon invitation of the President, the following prayer was offered by Dr. David Thompson:

Loving God of Us All, We come into your presence with hope and anticipation that we will see the best in each other today. Help us never to say no to an opportunity even if it is something that does not seem at first to be what we wanted to do. May we work as hard as we can. May we never give up on being kind. May we care about something greater than ourselves. May we learn to share with others around us. May we be resolute and cordial.

Solomon who knew the art of good governance once said, "Hold to sound judgment and to prudence, do not let them out of your sight, they will prove the life of your soul, an ornament around your neck. You will go your way in safety. Your feet will not stumble. God will be your guarantor." In the fiscal crisis which is on everyone's mind, with all the checks and balances in California governance that weigh us down, help us to take off our ideological glasses which prevent us from seeing the obvious but cast out solutions. Deliver us from going around the mazes of our own constructions and take us instead into the freedom of decision making. Guide us so that our feet do not stumble, that we may take the state of California forward with the integrity that will allow God to be our guarantor. For in God we trust and in God we are not dismayed.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES
Committee on Rules

State Capitol, June 29, 2009

The Committee on Rules has re–referred the following measure to committee:

Education—AB 35.

Committee on Education

Date of Hearing, June 29, 2009

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

AB 35

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

ROMERO, Chair

Above measure re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS
Consideration of Senate Bill 29

Senate Bill 29—An act relating to the Budget Act of 2009.

Bill read third time.

Motion to Amend

Senator Ducheny moved the adoption of amendments to SB 29.
Amendments read.

Consideration of Senate Bill 30

Senate Bill 30—An act relating to the Budget Act of 2009.
Bill read third time.

Motion to Amend

Senator Ducheny moved the adoption of amendments to SB 30.
Amendments read.

Consideration of Senate Bill 31

Senate Bill 31—An act relating to the Budget Act of 2009.
Bill read third time.

Motion to Amend

Senator Ducheny moved the adoption of amendments to SB 31.
Amendments read.

Roll Call

The roll was called and the amendments to the above bills adopted by
the following vote:

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier,
Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete
McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg,
Wolk, Wright, and Yee.

NOES (13)—Senators Ashburn, Benoit, Cogdill, Cox, Denham,
Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters,
and Wyland.

THIRD READING OF ASSEMBLY BILLS
Consideration of Assembly Bill 2

Assembly Bill 2—An act to amend Items 3910–004–0226,
3910–004–0281, and 3910–007–0387 of Section 2.00 of the Budget Act
of 2003 (Chapter 157 of the Statutes of 2003), and to amend Items
0690–102–0001, 0690–102–0214, 0690–102–0597, 0690–113–0001,
0890–001–0001, 1870–012–0214, 2640–101–0046, 2660–302–0042,
2660–302–0890, 3790–001–0001, 3790–001–6051, 4140–011–0121,
4170–101–0001, 4300–101–0001, 5180–111–0001, 5225–101–0001,
6440–001–0001, 6600–001–0001, 6610–001–0001, 6610–002–0001,
8660–011–0470, 8660–011–0471, 8660–011–0483, and 9210–101–0001
of, and to add Items 2180–011–0067, 2660–013–0042, 3560–011–0347,
3680–011–0516, 3790–011–0263, 3910–011–0226, and 8120–013–0268
to, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the
Statutes of 2008), and to amend Section 28.00 of, and to add Sections 3.90,
8.25, and 35.10 to, the Budget Act of 2008, relating to the support of state

government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 2.

Amendments read.

Consideration of Assembly Bill 4

Assembly Bill 4—An act to amend Sections 2558.46, 14041.5, 17592.71, 41203.1, 42238, 42238.146, 52124, and 60119 of, to amend, repeal, and add Section 17584.1 of, to add Sections 14041.6, 17070.766, 17592.74, 41207.3, 42238.49, 42605, 52124.3, and 92612.5 to, and to add and repeal Sections 1240.3 and 60422.1 of, the Education Code, to amend Items 6110-196-0001, 6110-234-0001, 6110-488, 6870-101-0001, and 6870-295-0001 of, to add Items 6110-111-0046 and 6110-111-3116 to, and to repeal Item 6110-111-0001 of, Section 2.00 of, and to add Section 12.42 to, and to repeal Sections 12.40 and 35.80 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to amend Sections 34, 35, and 37 of, and to repeal Section 33 of, Chapter 757 of the Statutes of 2008, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 4.

Amendments read.

Roll Call

The roll was called and the amendments to the above bills adopted by the following vote:

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wolk, Wright, and Yee.

NOES (13)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

MOTION TO RE-REFER TO COMMITTEE

Pursuant to Joint Rule 10.5, Senator Ducheny moved that **SB 29**, **SB 30**, **SB 31**, **AB 2**, and **AB 4** be re-referred to the Committee on Budget and Fiscal Review.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (25)—Senators Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal,

Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Ashburn, Benoit, Cogdill, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Measures re-referred to Committee on Budget and Fiscal Review.

RECESS

At 11:01 a.m., on motion of Senator Ducheny the Senate recessed in order to convene the Budget and Fiscal Review Committee.

REASSEMBLED

At 11:04 a.m., the Senate reconvened.

Hon. Dean Florez, of the 16th District, presiding.

REPORTS OF STANDING COMMITTEES
Committee on Budget and Fiscal Review

Date of Hearing, June 29, 2009

Mr. President: The Committee on Budget and Fiscal Review, to which were referred:

SB 29	SB 30	SB 31
AB 2	AB 4	

Reports the same back with the recommendation: Do pass.

Above bills ordered to third reading.

DUCHENY, Chair

MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of SB 29, SB 30, SB 31, AB 2 and AB 4 at this time, as amended, in print, and properly before the Senate.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (13)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

REQUEST FOR UNANIMOUS CONSENT (SB 16)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 16 at this time, without reference to file.

Consideration of Senate Bill 16
Consideration of Assembly Amendments

Senate Bill 16—An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009-10 Third Extraordinary Session) by amending

Items 0250-001-0001, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-001-6051, 0540-490, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0559-001-0001, 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0890, 0820-001-0001, 0820-001-0890, 0840-001-0001, 0840-001-0970, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1730-001-0044, 1730-001-0064, 1760-001-0001, 1760-001-0666, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0822, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001, 2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890, 2660-001-6801, 2660-002-3007, 2660-002-3008, 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6064, 2660-004-6072, 2660-102-0890, 2660-302-0042, 2660-302-0890, 2660-303-0042, 2660-491, 2665-004-6043, 2670-001-0290, 2720-001-0044, 2720-001-0840, 2720-001-0890, 2720-301-0044, 2740-001-0042, 2740-001-0044, 2740-001-0064, 3340-001-0001, 3340-001-0318, 3340-001-6051, 3360-001-0465, 3360-001-0890, 3360-001-3117, 3480-001-0001, 3480-001-0133, 3480-001-0141, 3480-001-0336, 3480-001-3046, 3480-101-0005, 3540-001-0001, 3540-001-0140, 3540-001-0235, 3540-001-0890, 3540-001-3120, 3600-001-0001, 3600-001-0005, 3600-001-0200, 3600-001-0235, 3600-001-0320, 3600-001-6051, 3600-101-0320, 3680-101-0516, 3680-101-0890, 3680-101-3001, 3760-001-0140, 3760-001-0565, 3760-301-0262, 3760-301-0371, 3760-301-0593, 3760-301-6051, 3760-301-6076, 3790-001-0001, 3790-001-0235, 3790-001-0263, 3790-301-6051, 3790-490, 3790-497, 3810-001-0140, 3810-301-6031, 3855-001-0140, 3860-001-0001, 3860-001-0140, 3860-001-0404, 3860-001-0890, 3860-001-3057, 3860-001-6052, 3860-101-6052, 3860-301-6052, 3910-001-0387, 3910-001-0890, 3930-001-0106, 3940-001-0235, 3940-001-043 9, 3940-001-0890, 3940-101-0001, 3980-001-0001, 3980-001-0044, 3980-001-0106, 3980-001-0557, 3980-001-3056, 4120-101-0001, 4170-001-0001, 4170-001-0890, 4170-101-0890, 4200-001-0367, 4200-001-0890, 4200-001-3146, 4200-101-3146, 4200-102-3146, 4200-103-3146, 4260-001-0236, 4260-001-0890, 4260-101-0080, 4260-101-0232, 4260-101-0890, 4260-102-0890, 4260-106-0890, 4260-111-0080, 4260-111-0236, 4260-111-0890, 4260-113-0890, 4260-117-0890, 4265-001-0070, 4265-001-0099, 4265-001-0203, 4265-001-0234, 4265-001-0890, 4265-001-3098, 4265-111-0231, 4265-111-0236, 4265-111-0890, 4265-111-6031, 4265-115-0890, 4265-115-6031, 4265-116-0890, 4265-401, 4270-001-0001, 4280-101-0890, 4280-102-0890, 4280-103-0890, 4280-103-3055, 4280-111-0233, 4280-111-0236, 4280-112-0232, 4280-112-0233, 4280-112-3133, 4300-003-0001,

4300-004-0001, 4300-101-0890, 4300-103-0001, 4300-301-0001,
4440-001-0890, 4440-001-3085, 4440-011-0001, 4440-101-0890,
4440-101-3085, 4700-001-0890, 4700-101-0890, 5160-001-0001,
5160-001-0890, 5160-101-0890, 5175-001-0001, 5175-001-0890,
5175-101-0001, 5175-101-0890, 5180-101-0890, 5180-141-0890,
5180-153-0890, 5225-001-0001, 5225-001-0917, 5225-002-0001,
5225-101-0001, 5225-301-0001, 5225-301-0660, 5225-301-0747,
6110-001-0001, 6110-001-0231, 6110-001-0890, 6110-102-0231,
6110-102-0890, 6110-104-0001, 6110-108-0001, 6110-111-0001,
6110-113-0001, 6110-119-0001, 6110-119-0890, 6110-122-0001,
6110-124-0001, 6110-125-0001, 6110-125-0890, 6110-126-0890,
6110-134-0890, 6110-136-0890, 6110-140-0001, 6110-140-0349,
6110-156-0890, 6110-161-0001, 6110-161-0890, 6110-166-0001,
6110-166-0890, 6110-167-0001, 6110-170-0001, 6110-181-0001,
6110-181-0140, 6110-182-0001, 6110-183-0890, 6110-189-0001,
6110-193-0001, 6110-193-0890, 6110-195-0890, 6110-196-0001,
6110-196-0890, 6110-197-0890, 6110-198-0001, 6110-201-0890,
6110-202-0001, 6110-203-0001, 6110-211-0001, 6110-220-0001,
6110-228-0001, 6110-240-0001, 6110-240-0890, 6110-243-0001,
6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001,
6110-248-0001, 6110-268-0001, 6440-0 01-0001, 6440-001-0234,
6600-001-0001, 6610-001-0001, 6870-001-0001, 6870-002-0890,
6870-101-0001, 6870-103-0001, 6870-111-0001, 6870-295-0001,
6870-301-6041, 6870-301-6049, 7100-001-0001, 7100-001-0185,
7100-001-0514, 7100-001-0588, 7100-001-0869, 7100-001-0870,
7100-011-0185, 7100-011-0890, 7100-021-0890, 7100-101-0588,
7100-101-0869, 7100-101-0871, 7100-101-0908, 7100-111-0890,
7120-001-0890, 7350-001-0001, 7350-001-3121, 7980-001-0001,
8260-001-0001, 8260-001-0890, 8260-101-0890, 8380-001-0001,
8380-004-0001, 8570-001-0001, 8570-001-0111, 8570-001-0890,
8860-001-0001, 8885-295-0001, 8940-001-0001, 8955-001-0001,
9100-101-0001, 9655-001-0001, 9655-001-0494, 9800-001-0001,
9800-001-0494, 9800-001-0988, and 9840-001-0001 of, by adding Items
0530-001-3151, 0540-491, 0540-493, 0559-011-3078, 0650-102-0890,
0690-301-0890, 0820-001-3136, 0820-011-0317, 0968-101-0890,
1100-011-0267, 1111-002-3122, 1760-490, 2240-490, 2660-002-0890,
2660-011-0042, 2740-011-0044, 2740-491, 3125-490, 3125-491,
3340-001-0140, 3340-101-6051, 3340-490, 3340-491, 3480-001-0867,
3540-001-3063, 3540-001-3117, 3540-301-0660, 3540-490, 3540-493,
3600-001-3117, 3600-101-0516, 3600-497, 3640-491, 3640-492,
3640-495, 3760-495, 3790-001-3117, 3790-101-0005, 3790-491,
3790-492, 3790-494, 3810-491, 3850-301-0005, 3850-301-6029,
3850-301-6051, 3855-490, 3860-101-6025, 3860-492, 3860-493,
3860-495, 3900-101-6051, 3900-490, 3930-001-0140, 3940-011-0439,
3940-012-0439, 3940-101-3134, 3940-101-3145, 3940-496,
3980-001-0115, 3980-001-0200, 4260-495, 4265-495, 4265-496,
4265-497, 4280-112-0236, 5225-491, 5225-496, 6110-008-0001,

6110-109-0001, 6110-198-0890, 6110-488, 6110-490, 6110-492, 6360-011-0407, 6360-011-0408, 6440-402, 6440-491, 6440-492, 6610-490, 6610-491, 6610-492, 6610-494, 6870-490, 6870-491, 6870-492, 6870-493, 6870-497, 7100-001-0871, 7350-001-3150, 7350-001-3152, 7350-011-0001, 7350-012-0001, 7980-101-0784, 8855-011-0001, 8940-001-3085, and 9350-104-6065 to, and by repealing Items 0558-001-0001, 0650-001-0214, 0650-011-0001, 0650-101-0214, 3480-101-0867, 3600-001-0404, 3860-101-0544, 4200-001-3019, 4200-101-3019, 4200-105-0001, 4260-101-0236, 4260-111-0233, 4265-111-0232, 4265-111-0233, 4265-111-6051, 4265-301-0001, 4280-101-0236, 4280-104-0236, 4280-104-0890, 4280-111-0232, 4300-101-3148, 6110-008-0046, 6110-111-0046, 6110-111-3116, and 6870-301-6028 of, Section 2.00 of that act, and by amending Sections 3.60, 3.90, 4.01, 4.12, 12.00, 12.32, 12.42, 25.50, and 35.50 of, by adding Sections 3.55, 4.85, 8.55, 12.45, 12.50, 12.55, 13.10, 13.25, 13.50, 15.30, 17.50, 17.80, 18.00, 18.10, 18.20, 18.30, 18.40, 18.50, 18.60, 24.60, and 25.25 to, and by repealing Section 24.65 of, that act, relating to the State Budget, and making an appropriation therefor.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 16?

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, and Wright.

NOES (17)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, Wyland, and Yee.

Above measure ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (SB 17)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 17 at this time, without reference to file.

Consideration of Senate Bill 17
Consideration of Assembly Amendments

Senate Bill 17—An act to amend Sections 31 and 7145.5 of the Business and Professions Code, to amend Sections 6203, 18661, 18663, 19025, 19116, 19136, 19136.1, 19504, 19571, 19755, and 19777 of, and to add Sections 6225, 18407.5, 18662.5, 18664, 19265, 19266, 19560.5,

and 19777.1 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Insurance Code, relating to taxation.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 17?

Roll Call

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

AYES (24)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Above measure ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (AB 2)

Senator Ducheny asked for, and was granted, unanimous consent to take up AB 2 at this time, as amended.

Assembly Bill 2—An act to add Section 8587.3 to the Government Code, to add Section 16031 to the Insurance Code, to add Section 5010.3 to the Public Resources Code, to amend Sections 30005.5, 30016, 30104, 30108, 30165.1, 30181, and 30436 of, to add Sections 7374, 10751.5, and 60709 to, to add Article 2.5 (commencing with Section 30130.3) to Chapter 2 of Part 13 of, to add Part 21 (commencing with Section 42001) to, to repeal Chapter 2 (commencing with Section 7360) of Part 2 of, and to repeal Chapter 2 (commencing with Section 60050) of Part 31 of, Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Roll Call

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

AYES (22)—Senators Alquist, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (17)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Negrete McLeod, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (AB 4)

Senator Ducheny asked for, and was granted, unanimous consent to take up AB 4 at this time, as amended.

Assembly Bill 4—An act to amend Sections 8879.65, 16965, and 65086.5 of the Government Code, to amend Sections 99312 and 99315 of,

and to add and repeal Section 21683.3 of, the Public Utilities Code, to amend Section 7103 of the Revenue and Taxation Code, and to amend Sections 2102, 2103, 2104.1, 2106.3, 2106.4, 2107.1, 2107.2, 2107.3, 2107.6, 2109, 2111, 2112, 2113, 2114, and 2115 of the Streets and Highways Code, relating to transportation.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (SB 29)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 29 at this time, as amended.

Senate Bill 29—An act to amend Sections 33685, 33686, and 33687 of the Health and Safety Code, relating to redevelopment.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (SB 30)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 30 at this time, as amended.

Senate Bill 30—An act to amend Sections 11001.5 and 11003 of the Revenue and Taxation Code, and to amend Sections 17600, 17600.10, and 17600.15 of, and to add Sections 15200.01 and 17600.16 to, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod,

Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (14)—Senators Aanestad, Ashburn, Benoit, Cogdill, Cox, Denham, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (SB 31)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 31 at this time, as amended.

Senate Bill 31—An act to add Part 32 (commencing with Section 61001) to Division 2 of the Revenue and Taxation Code, to amend Sections 2100, 2104, 2105, 2106, and 2107 of the Streets and Highways Code, and to amend Sections 1678, 12814.5, 14900, 14900.1, 14901, 14902, 15250.6, 15250.7, 15255.1, and 15255.2 of the Vehicle Code, relating to transportation.

Roll Call

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

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SB 40**, **SB 41**, **SB 42**, **SB 43**, **SB 44**, **SB 45**, **SB 46**, **SB 47**, **SB 48**, **SB 49**, **SB 50**, **SB 51**, **SB 52**, **SB 53**, and **SB 54** were withdrawn from the Committee on Rules placed on second reading, read second time, and placed on third reading;

Without objection, **AB 37**, **AB 41**, **AB 42**, **AB 43**, **AB 44**, **AB 45**, **AB 46** were withdrawn from the Committee on Rules placed on second reading, read second time, and placed on third reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 40—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 41—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 42—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 43—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 44—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 45—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 46—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 47—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 48—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 49—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 50—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 51—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 52—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 53—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 54—An act relating to the Budget Act of 2009.
Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 37—An act to amend Section 135 of the Code of Civil Procedure, to amend Sections 68085.1, 68086.1, 69926, 69927, 69957, 70602, and 70626 of, to add Sections 68511.9 and 77202.5 to, to add Chapter 2.1 (commencing with Section 68650) to Title 8 of, and to add and repeal Section 68106 of, the Government Code, to amend Section 11050.5 of, and to amend, repeal, and add Section 1465.8 of, the Penal Code, and to amend Sections 1955 and 1961 of the Welfare and Institutions Code, relating to courts.

Bill read second time and ordered to third reading.

Assembly Bill 41—An act to add Sections 2864 and 5653.1 to the Fish and Game Code, to amend Sections 14022 and 14023 of the Food and Agricultural Code, to amend Sections 25173.6, 25299.43, 25299.50.2, and 25404 of, and to add Chapter 7 (commencing with Section 42900) to Part 4 of, the Health and Safety Code, to amend Sections 4464, 4475, 4475.5, 4799.04, 4799.12, 21191, 25218, 25414, 25415, 25416, 25420, 25450,

25450.1, 25450.2, 25450.3, and 48653 of, to add Sections 4557, 25422, 25450.4, and 25450.5 to, to add Chapter 1.5 (commencing with Section 4210) to Part 2 of Division 4 of, and to add Chapter 5.6 (commencing with Section 25460) and Chapter 5.7 (commencing with Section 25470) to Division 15 of, the Public Resources Code, to amend Sections 5106 and 5108 of the Vehicle Code, and to amend Section 8551 of, and to add Sections 147 and 79424 to, the Water Code, relating to public resources, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 42—An act to amend Sections 1240.3, 2558.46, 8279.7, 8357, 8447, 42238.146, 60422.1, 66021.2, 69432.7, and 76300 of, to amend and repeal Section 33128.3 of, to amend, repeal, and add Section 47634.1 of, to add Sections 8481, 41202.5, and 84043 to, to add and repeal Sections 17463.7, 46201.2, 60422.2, and 60851.5 of, to repeal Section 8278 of, and to repeal Article 22 (commencing with Section 8460) of Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, and to amend Item 6110-113-0890 of Section 2.00 of the Budget Act of 2009 (Chapter 1 of the Statutes of 2009, Third Extraordinary Session), relating to education finance, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 43—An act to amend Section 17208 of, and to add Sections 17555 and 17561 to, the Family Code, and to amend Sections 1506, 1523.1, 1568.05, 1569.185, and 1596.803 of the Health and Safety Code, and to amend Sections 706.6, 9542, 9545, 10544, 10604.6, 10823, 11320.3, 11320.32, 11364, 11454.5, 11462, 11463, 11466.2, 11468.6, 12305.1, 12305.81, 12309, 14043.25, 15525, 16121, 16501.1, 16501.3, and 18358.30 of, to add Sections 11322.64, 11329.5, 12200.02, 12305.84, 12309.2, and 14021.9 to, to add and repeal Chapter 1.7 (commencing with Section 10545) of Part 2 of Division 9 of, to add and repeal Section 11325.71 of, to repeal Section 10830 of, and to repeal and add Section 16120 of, the Welfare and Institutions Code, relating to human services.

Bill read second time and ordered to third reading.

Assembly Bill 44—An act to add Section 293 to the Financial Code, to amend Sections 1250, 1265.5, 1266, 1275.3, 1326, 1337, 1418, 1567.50, 104820, 105250, 116565, 125175, 130500, 130507, 130509, and 130543 of, to amend and repeal Section 125165 of, and to add Sections 125155.1, 125157, and 125166 to, the Health and Safety Code, to amend Section 12739 of the Insurance Code, and to amend Sections 4107, 4684.60, 4684.74, 4684.75, 7502.5, 14005.40, 14007.9, 14011.2, 14087.9, 14105.191, 14105.436, 14105.45, 14110.55, 14126.033, 14132, 14132.951, 14166.20, 14166.225, 14166.23, 14166.245, and 14495.10 of, to amend and repeal Section 14526.1 of, to add Sections 5783, 14005.50, 14013.5, 14105.455, 14105.46, 14132.20, 14132.952, 14522.4, 14525.1, 14526.2, and 14550.6 to, and to repeal Sections 14522.3, 14526.1, and 14550.5 of, the Welfare and Institutions Code, relating to health.

Bill read second time and ordered to third reading.

Assembly Bill 45—An act to amend Sections 95004, 95014, and 95020 of, and to add Section 95021 to, the Government Code, to amend Sections 4648, 4648.1, 4659, 4677, 4685, 4686, 4689, 4784, and 7502.5 of, to amend the heading of Chapter 4 (commencing with Section 4570) of Division 4.5 of, to amend and repeal Sections 4418.1 and 4570 of, and to add Sections 4435, 4571, 4648.35, 4648.5, 4648.6, 4686.2, 4686.5, 4688.1, 4688.2, 4688.3, 4689.05, and 4692 to, the Welfare and Institutions Code, relating to public social services.

Bill read second time and ordered to third reading.

Assembly Bill 46—An act to amend Section 19616.51 of, and to add Section 19616.52 to, the Business and Professions Code, to amend Sections 8610.5, 11545, 12715, 13302, 16140, and 22877 of, to add Section 12472.5 to, and to add and repeal Section 22864.1 of, the Government Code, to amend Sections 1566.2, 13235, 17031.8, 17036, 18114, 18502, and 51504 of the Health and Safety Code, to amend Section 12975.9 of, and to add Article 7 (commencing with Section 11885) to Chapter 4 of Part 3 of Division 2 of, the Insurance Code, to amend Sections 62.5 and 4352 of, and to add Section 67 to, the Labor Code, to amend Section 1012.3 of, and to add Article 8.2 (commencing with Section 999.80) to Chapter 6 of Division 4 of, the Military and Veterans Code, to amend Section 679.02 of the Penal Code, to amend Sections 7204.3 and 7273 of the Revenue and Taxation Code, and to add Sections 10214.6 and 14022 to the Unemployment Insurance Code, relating to state government.

Bill read second time and ordered to third reading.

SENATE COMMITTEE ROLL CALLS
Committee on Budget and Fiscal Review

SB 29—Do pass

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wright, and Yee.

NOES (14)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

SB 30—Do pass

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wright, and Yee.

NOES (14)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

SB 31—Do pass

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wright, and Yee.

NOES (14)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

AB 2—Do pass

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wright, and Yee.

NOES (14)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

AB 4—Do pass

AYES (23)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wright, and Yee.

NOES (14)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Date of Hearing: 6/29/2009   Ducheny (Chair)

Committee on Education

AB 35—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alquist, Hancock, Huff, Liu, Romero, Simitian, and Wyland.

NOES (0)—None.

Date of Hearing: 6/29/2009   Romero (Chair)

ADJOURNMENT

At 12:51 p.m., the President declared the Senate adjourned on call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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