

CALIFORNIA LEGISLATURE
2007–08 REGULAR SESSION

SENATE DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 11, 2007

The Senate met at 9 a.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall 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, Ackerman, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee—36.

Quorum present.

(NOTE: Senators Battin and Harman will be excused this day on legislative business and Senators Calderon and Vincent will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rev. Canon James Richardson:

Our God, the Guide of Humanity, Let Your spirit rule this nation and its citizens, that their deeds may be prompted by a love of justice and right, and bear fruit in goodness and peace.—AMEN.

(from *Gates of Prayer* (Reformed Jewish))

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ridley-Thomas led the Senate in the pledge of allegiance to the Flag.

Senator Romero Presiding**CONSIDERATION OF DAILY FILE****UNFINISHED BUSINESS****Consideration of Governor's Appointment**

Senator Perata placed the following Governor's appointment before the Senate:

Paula A. Cordeiro, Ed.D., Member, Commission on Teacher Credentialing.

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

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointments

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

George W. Campbell, Member, Southwest Low Level Radioactive Waste Commission;

Kenneth G. Vadnais, Member, Southwest Low Level Radioactive Waste Commission.

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 (35)—Senators Aanestad, Ackerman, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Rachelle B. Chong, Member, Public Utilities Commission.

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

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alquist, Ashburn, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Hollingsworth, Lowenthal, Machado, Maldonado, Margett, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Joe Nunez, Member, State Board of Education.

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

Roll Call

The roll was called and the appointment was refused confirmation by the following vote:

AYES (25)—Senators Alquist, Cedillo, Corbett, Correa, Denham, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Cogdill, Cox, Dutton, Hollingsworth, Margett, McClintock, Runner, and Wyland.



LEAVES OF ABSENCE FOR THE DAY

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

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

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:55 a.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Perata 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 Friday, January 12, 2007.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
January 11, 2007

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

David A. King, Attorney at Law and President with the Law Office of David A. King. Appointed 12/19/06. Effective 01/10/07.

Member, California Regional Water Quality Control Board,
San Diego Region vice Janet Keller, resigned, term ending
09/18/2010.

Above appointment referred to the Committee on Rules.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Bill 57: By Senator Hollingsworth—An act to amend Sections 17041 and 19602 of, to add Section 17063.1 to, to repeal Sections 17043 and 19602.5 of, and to repeal Chapter 2.1 (commencing with Section 17062) of Part 10 of, the Revenue and Taxation Code, relating to taxation.

Senate Bill 58: By Senator Hollingsworth—An act to amend Sections 11320.15 and 11327.5 of, and to add Section 11454.2 to, the Welfare and



Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Senate Bill 59: By Senator Cogdill (Principal coauthor: Senator Ackerman) (Coauthors: Senators Cox, Denham, and Runner) (Coauthors: Assembly Members Aghazarian, Arambula, Benoit, Berryhill, Fuller, Galgiani, Houston, La Malfa, Maze, and Parra)—An act to add Division 32 (commencing with Section 82000) to the Water Code, relating to financing a water supply program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Senate Bill 60: By Senator Cedillo—An act to amend Section 40000.11 of, to amend, repeal, and add Sections 12801.5 and 14610.7 of, to add Sections 1653.6 and 12801.1 to, and to add and repeal Section 12801.9 of, the Vehicle Code, relating to vehicles.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Frm. Kern County Sheriff Larry Kleier of Bakersfield.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Walter Canada of Antioch.

Senator Florez requested that when the Senate adjourns this day it do so in memory of Wanda Williams-Hinton, John Clark and Bill Banister of Hanford and Stephen Fabbri of Bakersfield.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Yvonne DeCarlo of Woodland Hills.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of Helen Karber of Hamden, CT.

Senator Migden requested that when the Senate adjourns this day it do so in memory of Frances Kors of Palm Desert.

Senator Oropeza requested that when the Senate adjourns this day it do so in memory of Josephine (Diaz) Alvarez of Monterey Park and Quincy Beaver of Los Angeles.

Senator Perata requested that when the Senate adjourns this day it do so in memory of Carolina Fuentes Lopez of Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Friday, January 12, 2007.

PAULA K. ROSSETTO, Minute Clerk

