

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

THIRD LEGISLATIVE DAY

IN JOINT CONVENTION
2008 Budget Crisis

Assembly Chamber, Sacramento
Monday, December 8, 2008

At 3 p.m., the Senate and Assembly met in Joint Convention.

Hon. Karen Bass, Speaker of the Assembly, presiding.

(NOTE: For text of the Joint Session see Assembly Journal for December 8, 2008.)

ADJOURNMENT OF JOINT CONVENTION

At 5 p.m., there being no further business, Speaker Bass, declared the Joint Convention adjourned *sine die*.

IN SENATE

Senate Chamber, Sacramento
Monday, December 8, 2008

The Senate met at 5 p.m.

Hon. Leland Yee, of the 8th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary David Valverde 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, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa (waiving per diem), Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee—36.

Quorum present.

(NOTE: Senator Kehoe will be excused this day on legislative business, Senator Wyland 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:

Robert Collier, a 20th century American author wrote these words more than a half century ago, but sadly seems to apply to our generation as well: "Sooner or later comes a crises in our affairs, and how we meet it determines our future happiness and success."

O God, We are in difficult times and the well-being of our State is in our hands. Provide us with guidance and insight to navigate the coming months with wisdom and creativity, compassion and diligence. May we work together to lay the groundwork for a future filled with happiness and success.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

December 3, 2008

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

GEORGE I. LOVELAND, former assistant city manager, city of San Diego, before retiring in 2005; former senior deputy city manager, deputy city manager, and water department director, city of San Diego; member, Association of California Water Agencies; and past member,

San Diego County Water Authority Board of Directors. Appointed 11/03/08. Effective 12/03/08.

Member, California Regional Water Quality Control Board, San Diego Region, vice, Alan L. Barrett, resigned, term ending 09/30/12.

CONSTANCE B. BLACKBURN, kindergarten teacher, Escondido Union School District, since 1986; holds three credentials including Clear Multiple Subject Credential, Cross Cultural, Language and Academic Development Certificate, and Communication Handicapped Credential; member, California Teacher of the Year Foundation Board of Directors. Appointed 11/21/08. Effective 12/02/08.

Member, Commission on Teacher Credentialing, vice, Jon M. Stordahl, resigned, term ending 11/20/12.

CAROL A. MUSKE-DUKES, professor of English, University of Southern California (USC), since 1993; former associate professor, 1991 to 1993, assistant professor from 1989 to 1991, and lecturer from 1984 to 1988 at USC; founded and taught creative writing program, "Free Space", Women's House of Detention, Riker's Island, New York; and regular critic, New York Times Book Review and LA Times Book Review. Appointed 11/12/08. Effective 11/30/08.

California Poet Laureate, vice, Albert J. Young, term expired, term ending Two Years from Second Commission.

DONALD M. JARDINE, member, Alpine County Board of Supervisors, representing District 1 since 1987; worked for Caltrans, 1986 to 2006, as a supervisor from 2001 to 2006, and an equipment operator and lead worker from 1986 to 2001; member of Carson Water Subconservancy District, Alpine Watershed Group, Alpine County Water Agency, Alpine County Local Agency Formation Commission, Alpine County Assessment Appeals Board, and of the Alpine County/South Lake Tahoe Public Utility District Contract Commission. Reappointed 11/13/08. Effective 11/25/08.

Member, California Regional Water Quality Control Board, Lahontan Region, term ending, 09/30/12.

STEVEN J. DEAN, JR., Spanish teacher, Las Virgenes Unified School District, since 2002, and previously from 1994 to 1996; former Spanish teacher and foreign language department chair person, William S. Hart High School District, from 1996 to 2002; holds a Clear Single Subject Credential in Spanish with Cross-cultural, Language and Academic Development emphasis. Appointed 10/28/08. Effective 11/25/08.

Member, Commission on Teacher Credentialing, vice, Gloria J. Grant, term expired, term ending 11/20/11.



GEOFFREY M. HALES, geologist for the consulting firm McBain and Trush Incorporated since 2001; served on the North Coast Regional Water Quality Control Board since 2006; former geologist with the firms Kleinfelder Incorporated, from 1999 to 2001, Busch Geotechnical Consultants, from 1995 to 1999, and with the U.S. Geological Survey in 1995; and founding member, Humboldt Friends of Geology. Reappointed 11/13/08. Effective 11/24/08.

Member, California Regional Water Quality Control Board, North Coastal Region, term ending 09/30/12.

Above appointments referred to the Committee on Rules.

FIRST READING OF SENATE MEASURES

The following measure was read the first time:

(The following measure was introduced on December 5, 2008)

Senate Resolution 8: By Senator Steinberg—Relative to the Standing Rules of the Senate for the 2009–10 Regular Session.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 33: By Senator Correa—An act to amend Sections 28, 4980.02, 4980.03, 4980.35, 4980.38, 4980.40, 4980.43, 4980.44, 4980.50, and 4980.54 of, to amend and repeal Sections 4980.37, 4980.39, 4980.41, 4980.80, and 4980.90 of, and to add Sections 4980.36, 4980.72, 4980.74, 4980.76, and 4980.78 to, the Business and Professions Code, to amend Section 1010 of the Evidence Code, to amend Sections 6924 and 6929 of the Family Code, and to amend Sections 1277 and 123115 of the Health and Safety Code, relating to marriage and family therapy.

REQUEST FOR UNANIMOUS CONSENT (SR 8)

Senator Steinberg asked for, and was granted, unanimous consent to take up SR 8 at this time, without reference to file.

Consideration of Senate Resolution 8

Senate Resolution 8—Relative to the Standing Rules of the Senate for the 2009–10 Regular Session.

Roll Call

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

AYES (33)—Senators Aanestad, Alquist, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Huff, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (2)—Senators Ashburn and Hollingsworth.



RECESS

At 5:21 p.m., on motion of Senator Yee the Senate recessed in order to convene the First extraordinary session.

REASSEMBLED

At 5:35 p.m., the Senate reconvened.

Hon. Darrell Steinberg, of the 6th District, presiding.

LEAVES OF ABSENCE FOR THE DAY

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

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

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 5:35 p.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 5:35 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 5:35 p.m., the Senate will adjourn until Wednesday, December 10, 2008.

Motion carried.

**REPORTS OF STANDING COMMITTEES
Committee on Rules**

State Capitol, December 8, 2008

Mr. President: The Senate Rules Committee has appointed the following members to the Senate Committee on Budget and Fiscal Review: Senators Ducheny (Chair), Dutton (Vice-Chair), Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee (1 vacancy).

STEINBERG, Chair

Senate Chamber, April 2, 2014

Mr. President: The Committee on Rules has examined:

SCR 2

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 4th day of December, 2008, at 4 p.m.

STEINBERG, Chair



REQUESTS TO ADJOURN IN MEMORIAM

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Rabbi Gabi Holtzberg and Mrs. Rivky Holtzberg of Mumbai India.

Senator Cogdill requested that when the Senate adjourns this day it do so in memory of John Clarence Renard of Modesto.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Larry Canfield of Galt.

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Joyce Seelinger of Antioch.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Julianne Marie Huerta and Dr. Kenneth Ozawa of Sacramento.

Senator Wiggins requested that when the Senate adjourns this day it do so in memory of Stephen Halt and Charles Rhinehart of Santa Rosa.

ADJOURNMENT

At 5:35 p.m., on motion of Senator Steinberg, the Senate adjourned until 9 a.m., Wednesday, December 10, 2008.

PAULA K. ROSSETTO, Minute Clerk

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