

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, January 14, 2009

The Senate met at 9 a.m.

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

Secretary Greg Schmidt at the Desk.

Assistant Secretary David Valverde 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, DeSaulnier, Ducheny, Dutton, Florez, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, and Wyland—34.

Quorum present.

*(NOTE: Senators Denham, Wright, and Yee will be excused this day on legislative business, Senator Hancock will be excused this day on legislative business (waives per diem), and Senator Maldonado will be excused this day on personal business.)*

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

Senate Chamber, January 14, 2009

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

SCR 7

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****Senate Concurrent Resolution 7**—Relative to kidney cancer.

Resolution read second time.

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

**Senate Bill 52:** By Senator Correa—An act to repeal Sections 3404 and 3405 of, and to repeal and add Sections 3401, 3402, and 3403 of, the Government Code, relating to the Public Safety Officer Medal of Valor.

**Senate Bill 53:** By Senator DeSaulnier—An act to amend Sections 63049, 63049.4, and 63049.5 of the Government Code, relating to tobacco settlement moneys, and declaring the urgency thereof, to take effect immediately.

**Senate Resolution 10:** By Senator Padilla—Relative to National Engineers Week.

**LETTERS OF TRANSMITTAL**

The following transmittals were ordered printed in the Journal:

An annual report dated: January 12, 2009, relating to the Annual Report for 2008, was received from the Transportation Commission and transmitted to the Committee on Transportation and Housing.

An agency report dated: December 22, 2008, relating to the Year-round Operations in Instruction, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 9, 2009, relating to the Plan for the Closure of Agnews Developmental Center, was received from the Department of Developmental Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 8, 2009, relating to the Annual Lottery Education Funds Report, Fiscal Year 2006–2007, was received from the Department of Developmental Services and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: December 30, 2008, relating to the Real ID Act for the quarter ending June 30, 2008, was received from the Department of Motor Vehicles and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: December 30, 2008, relating to the Competitive Cal Grant Program 2005–2008, was received from the California Student Aid Commission and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: January 4, 2009, relating to the Kapiloff Land Bank FY 2007–08, was received from the State Lands Commission and transmitted to the Committee on Environmental Quality.

An agency report dated: January 5, 2009, relating to the Taxpayer Use and Administration of the Revised 540 2EZ Tax Form, was received from the Office of the Legislative Analyst and transmitted to the Committee on Revenue and Taxation.

An annual report dated: January 5, 2009, relating to the State Bar, was received from the California State Bar and transmitted to the Committee on Judiciary.

A final report dated: December 30, 2008, relating to the Consolidation of the Veteran Homes Organization Codes, was received from the Department of Veterans Affairs and transmitted to the Committee on Veterans Affairs.

An annual report dated: December 29, 2008, relating to the CalVet Insurance Plans, was received from the Department of Veterans Affairs and transmitted to the Committee on Veterans Affairs.

An annual report dated: December 31, 2008, relating to the Participation of Small Businesses, Socially and Economically Disadvantaged Businesses in all Contracts Awarded, was received from the State Lottery and transmitted to the Committee on Governmental Organization.

A supplemental report dated: December 1, 2008, relating to the Sales and Use Tax Audit and Collection Activities and Audit Selection Improvements FY 2007–08, was received from the State Board of Equalization and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: December 29, 2008, relating to the 2009 Assessment of the Efficacy, Availability and Environmental Impacts of Ballast Water Treatment Systems for Use in California Waters, was received from the State Lands Commission and transmitted to the Committee on Environmental Quality.

An agency report dated: January 1, 2009, relating to the Voter Registration Efforts, was received from the Office of the Secretary of State and transmitted to the Committee on Elections, Reapportionment and Constitutional Amendments.

An agency report dated: December 31, 2008, relating to the Facsimile Transmissions of Special Absentee Ballots, was received from the Office of the Secretary of State, and transmitted to the Committee on Elections, Reapportionment and Constitutional Amendments.



An agency report dated: January 1, 2009, relating to the Use of Signature Stamps During the 2008 Elections, was received from the Office of the Secretary of State and transmitted to the Committee on Elections, Reapportionment and Constitutional Amendments.

An annual report dated: December 19, 2008, relating to the Tobacco-Related Disease Research Program for 2008, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: December 12, 2008, relating to the Status of the Written Updates to the Legislature, was received from the Department of Social Services and transmitted to the Committee on Human Services.

A Title Summary Report 08-0016 dated: December 8, 2008, relating to the Legislators' Terms in Office. Campaign Contributions and Junkets. Initiative Constitutional Amendment, was received from the Office of the Attorney General and transmitted to the Committee on Rules.

An agency report dated: January 5, 2009, relating to the Unauthorized Possession of Razor Blades by Inmates, was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: December 16, 2008, relating to the Approved Mandate Claims January 1, 2008 through June 30, 2008, was received from the Commission on State Mandates and transmitted to the Committee on Governmental Organization.

An agency report dated: January 13, 2009, relating to the San Diego County Water Authority, was received from the County of San Diego and transmitted to the Committee on Natural Resources and Water.

An agency report dated: December 12, 2008, relating to the 2008 OAL Determination No. 32, was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An annual report dated: December 10, 2008, relating to the Federal Carryover, was received from the Department of Education and transmitted to the Committee on Education.

A quarterly report dated: December 12, 2008, relating to the Lifer Parole Backlog Hearings, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: December 31, 2008, relating to the Property Tax Assessments, was received from the Board of Equalization and transmitted to the Committee on Revenue and Taxation.



An agency report dated: December 31, 2008, relating to the Investment Holdings in Companies with Business Operations in Iran, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: January 5, 2009, relating to the Staffing and Quality of Care Indicators in Skilled Nursing Facilities, was received from the Department of Public Health and transmitted to the Committee on Health.

#### **LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Denham, Wright, and Yee.

The following Senator was granted leave of absence for the day due to legislative business (waives per diem): Senator Hancock.

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

#### **ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9:30 a.m., Thursday, January 15, 2009.

PAULA K. ROSSETTO, Minute Clerk

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