

## CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, January 28, 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, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland—36.

Quorum present.

*(NOTE: Senators Simitian and Yee will be excused this day on legislative business and Senator Maldonado will be excused this day on legislative business (waives per diem).)*

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
January 28, 2009

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointment or reappointment 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

GREG AGHAZARIAN, former California State Assemblyman from 2002 to 2008, representing the 26th District and former owner of the Law Offices of Gregory G. Aghazarian from 1997 to 2002. He earned a Juris Doctorate degree from University of the Pacific, McGeorge School of Law and a Bachelor of Science degree in business administration from the University of Southern California in 1986. Appointed 01/20/09. Effective 01/21/09.

Commissioner, Workers' Compensation Appeals Board, vice, Janice M. Jamison-Murray, term expired, term ending six years from Senate confirmation.

Above appointment referred to the Committee on Rules.

### **REPORTS OF STANDING COMMITTEES**

#### **Committee on Rules**

State Capitol, January 28, 2009

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that she be confirmed:

DEIDRA E. LOWE, Member, Workers' Compensation Appeals Board  
(5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, January 28, 2009

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

PHYLLIS W. CHENG, PH.D., Director, Department of Fair Employment and Housing (5-0)

CYNTHIA D. FLORES, Member, California State Lottery Commission  
(5-0)

STEINBERG, Chair

Above appointments ordered placed on unfinished business file.



State Capitol, January 28, 2009

Mr. President: The Senate Rules Committee has made the following changes to standing committees:

Appointed Senator Wiggins as a member of the Senate Committee on Energy, Utilities, and Communications to fill the existing vacancy.

Appointed Senator Ducheny as a member of the Senate Committee on Public Employment and Retirement to replace Senator Negrete McLeod.

Appointed Senator Ducheny as a member of the Senate Committee on Labor and Industrial Relations to replace Senator Negrete McLeod

STEINBERG, Chair

Date of Hearing, January 28, 2009

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

SR 12

Reports the same back with the recommendation: Be adopted.

STEINBERG, Chair

Above resolution ordered to second reading.

### 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 109:** By Senator Calderon—An act to amend Sections 1812.601 and 1812.607 of the Civil Code, relating to auctioneers.

**Senate Bill 110:** By Senator Liu—An act to amend Sections 11163.6, 11174.35, 11174.5, 11174.7, 13519.64, 13823.7, 13823.9, 13823.13, 13823.16, 13836, 13836.1, and 14213 of, to amend the heading of Article 2.7 (commencing with Section 11174.4) of Chapter 2 of Title 1 of Part 4 of, to add Sections 368.1, 368.5, and 13519.65 to, and to add a heading as Chapter 13 (commencing with Section 368) to Title 9 of Part 1 of, the Penal Code, and to amend Sections 4427, 4427.5, 15610.19, and 15763 of, to add Section 4689.25 to, and to add Chapter 10.5 (commencing with Section 15590) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to people with disabilities.

**Senate Bill 111:** By Senator Correa—An act to amend Section 798.44 of, to amend and renumber Sections 798.15, 798.16, 798.17, 798.18, 798.19, 798.19.5, 798.20, 798.21, 798.22, 798.27, 798.28, 798.29, 798.29.5, 798.29.6, 798.38, 798.39, 798.40, 798.42, 798.43, 798.43.1, 798.49, and 798.76 of, to amend and renumber the heading of Article 4 (commencing with Section 798.30) of Chapter 2.5 of Title 2 of Part 2 of Division 2 of, to add Section 798.29 to, and to add the heading of Article 4 (commencing with Section 798.40) of Chapter 2.5 of Title 2 of Part 2 of Division 2 to, the Civil Code, relating to mobilehome parks.

**Senate Concurrent Resolution 12:** By Senator Dutton—Relative to the Steve Faris Memorial Highway.



**SENATE COMMITTEE ROLL CALLS**  
**Committee on Rules**

**SR 12**—Be adopted

AYES (3)—Senators Cedillo, Oropeza, and Steinberg.

NOES (2)—Senators Aanestad and Dutton.

Date of Hearing: 1/28/2009

Steinberg (Chair)

**LEAVES OF ABSENCE FOR THE DAY**

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

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, January 29, 2009.

PAULA K. ROSSETTO, Minute Clerk

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