

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, February 2, 2009

The Senate met at 2 p.m.
Hon. Leland Y. 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, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, 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—37.
Quorum present.

(NOTE: Senator Cedillo will be excused this day on legislative business and Senator Calderon will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

We are taught in the book of Genesis that all of humanity descends from a single person. There are those who say that Holy One did this so that no person could say “My father is greater than your father.” By this, we are taught that we are all brothers and sisters, part of the same human family, with a shared destiny, and a shared responsibility for one another.

May we be ever mindful of all that binds us, finding compassion in our hearts for all people, and treating each other with dignity and respect.

May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****Consideration of Governor’s Appointments**

Senator Steinberg placed the following Governor’s appointments before the Senate:

PHYLLIS W. CHENG PH.D., Director, Department of Fair Employment and Housing.

CYNTHIA D. FLORES, Member, California State Lottery 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 (33)—Senators Aanestad, Alquist, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Pavley, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day due to illness: Senator Calderon.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 2:11 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 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 Tuesday, February 3, 2009.

Motion carried.

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 117: By Senator Corbett (Principal coauthor: Assembly Member Chesbro)—An act to amend Section 1570.7 of the Health and Safety Code, relating to adult day health care.

Senate Bill 118: By Senator Liu (Principal coauthor: Assembly Member Beall)—An act to amend Sections 16500.1 and 16501.1 of the Welfare and Institutions Code, relating to child welfare services.

Senate Bill 119: By Senator Wyland (Principal coauthor: Assembly Member Beall)—An act to amend Section 678.3 of the Insurance Code, relating to professional liability insurance.

Senate Bill 120: By Senator Lowenthal—An act to amend Sections 789.3, 1950.5, and 1962 of, and to add Section 1942.2 to, the Civil Code, and to amend Sections 777.1, 10009.1, 12822.1, and 16481.1 of, and to repeal Sections 777, 10009, 12822, and 16481 of, the Public Utilities Code, relating to residential tenancies.

Senate Concurrent Resolution 13: By Senator Steinberg (Principal coauthor: Assembly Member Jones) (Coauthor: Assembly Member Ma)—Relative to the creation of the Joint Committee for the Protection of Lake Tahoe.

Senate Resolution 13: By Senator Alquist—Relative to Greek History Month.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS**

Senate Resolution 10—Relative to National Engineers Week.

Resolution read third time.

Amendments Adopted

Amendments to SR 10 proposed by Senator Padilla were read and adopted and the measure ordered printed, engrossed, and to second reading.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Geraldine Brown of Seal Beach.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Daniel O. Robinson of Calexico.

Senator Florez requested that when the Senate adjourns this day it do so in memory of Charles L. Everhart (USN Ret.) of Exeter.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Christopher Wainright of Temecula.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Steve Conley of San Francisco.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Newman M. Walker of Palo Alto.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Jack Levitt of University Heights, Ohio.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, February 3, 2009.

PAULA K. ROSSETTO, Minute Clerk

O

