

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

---

---

# SENATE DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

---

## IN SENATE

---

Senate Chamber, Sacramento  
Wednesday, March 4, 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, Correa,  
Cox, Denham, DeSaulnier, Dutton, Florez, Hancock, Harman,  
Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete  
McLeod, Oropeza, Padilla, Runner, Simitian, Steinberg, Strickland,  
Walters, Wiggins, Wolk, Wright, and Wyland—34.

Quorum present.

*(NOTE: Senators Corbett, Ducheny, Pavley, Romero, and Yee will be  
excused this day on legislative business.)*

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
March 4, 2009

*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

MALISSA FERUZZI SHRIVER, is owner of Feruzzi Fine Arts since 1993 and has served on the California Arts Council since 2005, serving as vice chair since 2007. Previously, Feruzzi Shriver was a television actress for national commercials including Coca-Cola, Sprite and Union Bay Jeans. She has served on the Board of the California Music Project since 2007. Reappointed 01/21/09. Effective 02/14/09.

Member, California Arts Council, term ending 01/01/13.

JULIA A. LEVIN, formerly with the National Audubon Society serving as global warming campaign director since 2007 and California policy director from 2003 to 2007. Previous California policy coordinator for the Union of Concerned Scientists from 1999 to 2003, environmental attorney in private practice from 1997 to 1999 and senior staff attorney at the Natural Heritage Institute from 1994 to 1996. Levin is chair of the American Wind Wildlife Institute Board of Directors and is a member of the Sierra Club. Appointed 02/05/09. Effective 02/23/09.

Member, State Energy Resources Conservation and Development Commission, vice, Jackalyne Pfannenstiel, resigned, term ending 01/06/14.

TIFFANY RYSTROM, previous of counsel with the law firm Carroll, Burdick & McDonough from 2001 to 2007 and has served on the Public Employment Relations Board since 2007. Former partner in the law firm Franchetti & Rystrom from 1983 to 2000. Rystrom previously served as deputy attorney general for the California Attorney General's Office from 1979 to 1983 and deputy district attorney for the Marin County District Attorney's Office from 1978 to 1979. Reappointed 02/05/09. Effective 02/20/09.

Member, Public Employment Relations Board, term ending 12/31/13.

MARGO REID BROWN, previous director of scheduling for the Office of Governor Arnold Schwarzenegger from 2004 to 2006 and has served on the Integrated Waste Management Board since 2006. Brown is founder and served as president of Capitol Ideas Development Corporation from 2002 to 2004. She was president of the Junior League of Sacramento from 1999 to 2000 and director of scheduling for the Office of Governor Pete Wilson from 1991 to 1999. Reappointed 02/26/09. Effective 03/02/09.

Member, California Integrated Waste Management Board, term ending 01/01/13.

Above appointments referred to the Committee on Rules.



**REPORTS OF STANDING COMMITTEES****Committee on Business, Professions and Economic Development**

Senate Chamber, March 4, 2009

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 112

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 112**—An act to amend Sections 1247.2, 1247.4, 1247.6, 1247.63, 1247.64, 1247.8 of, to add Section 1247.61 to, and to add and repeal Section 1247.62 of, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

**Committee on Local Government**

Date of Hearing, March 4, 2009

Mr. President: The Committee on Local Government, to which were referred:

SB 101              SB 102              SB 103              SB 106

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

WIGGINS, Chair

Above measures ordered to second reading.

Date of Hearing, March 4, 2009

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

SB 99

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

WIGGINS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, March 4, 2009

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

SB 27



Reports the same back with the recommendation: Do pass.

WIGGINS, Chair

Above bill ordered to second reading.

### INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

**Senate Concurrent Resolution 19:** By Senator Steinberg (Principal coauthor: Senator Florez) (Principal coauthor: Assembly Member Ruskin) (Coauthors: Senators Alquist, Runner, and Yee) (Coauthors: Assembly Members Bill Berryhill, Huffman, Jeffries, Niello, and Torlakson)—Relative to Jewish American Heritage Month.

### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill 20**—An act to amend Sections 1798.29 and 1798.82 of the Civil Code, relating to personal information.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

### SENATE COMMITTEE ROLL CALLS Committee on Local Government

**SB 27**—Do pass

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 93**—Do pass as amended

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 99**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 101**—Do pass, to Consent Calendar

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 102**—Do pass, to Consent Calendar

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

**SB 103**—Do pass, to Consent Calendar

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.



**SB 106**—Do pass, to Consent Calendar

AYES (5)—Senators Aanestad, Cox, Kehoe, Wiggins, and Wolk.

NOES (0)—None.

Date of Hearing: 3/4/2009

Wiggins (Chair)

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Corbett, Ducheny, Pavley, Romero, and Yee.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senators Runner and Dutton requested that when the Senate adjourns this day it do so in memory of Cpt. Creighton Nece of Oak Hills.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Thursday, March 5, 2009.

PAULA K. ROSSETTO, Minute Clerk

O

