

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 12, 2009

The Senate met at 9 a.m.
Hon. Dean Florez, of the 16th 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:

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, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—35.

Quorum present.

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
May 12, 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

SANDRA L. McBRAYER, is chief executive officer for The Children's Initiative, a child advocacy agency since 1996. Former head teacher of the Homeless Outreach School with the San Diego County Office of Education Juvenile Court and Community Schools from 1987 to 1996. She was an adjunct professor for San Diego State University College of Education from 1999 to 2004. McBrayer served as a national education ambassador after being named the United States Teacher of the Year by former President Clinton. Appointed 04/15/09. Effective 05/11/09.

Member, Corrections Standards Authority, vice, Max L. Scott, resigned, term ending 07/01/11.

KIMBERLY K. EPPS, is a supervising probation officer with the San Bernardino County Probation Department (SBCPD) since 2004. She previously served as a probation officer III from 1999 to 2004, probation officer II from 1997 to 1999, probation corrections officer from 1993 to 1997 and night supervisor from 1990 to 1993 with the SBCPD. Appointed 04/15/09. Effective 05/08/09.

Member, Corrections Standards Authority, vice, Pamala M. Gilyard, resigned, term ending 07/01/10.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, May 11, 2009

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

SB 116	SB 392	SB 546	SB 760
SB 231	SB 447	SB 656	SB 766
SB 325	SB 545	SB 678	

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.



Senate Chamber, May 11, 2009

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 5	SB 309	SB 670	SB 820
SB 52	SB 396	SB 734	SB 828
SB 136	SB 415	SB 751	SB 830
SB 138	SB 501	SB 757	SB 831
SB 165	SB 511	SB 778	SB 833
SB 172	SB 532	SB 781	
SB 182	SB 624	SB 816	
SB 249	SB 644	SB 819	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

KEHOE, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, May 11, 2009

Mr. President: The Committee on Rules has examined:

SCR 22	SCR 26
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And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 11th day of May, 2009, at 3 p.m.

STEINBERG, Chair

Committee on Appropriations

Senate Chamber, May 12, 2009

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 99	SB 484	SB 597
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Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 99—An act to amend Sections 6503.5 and 6547 of, to add Sections 6548.5, 6592.1, and 53895.7 to, and to add Chapter 10.7 (commencing with Section 5870) to Division 6 of Title 1 of, the Government Code, relating to joint exercise of powers.

Bill read second time.

Senate Bill 484—An act to amend Sections 11058, 11100, and 11106 of, and to add Section 11375.5 to, the Health and Safety Code, relating to controlled substances.

Bill read second time.

Senate Bill 597—An act to amend Sections 11460 and 16119 of, and to add Section 16010.2 to, the Welfare and Institutions Code, relating to services for children .

Bill read second time.

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

Senate Chamber, May 11, 2009

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

SB 55

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

KEHOE, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, May 12, 2009

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

AB 285

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

CORBETT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 285—An act to amend Section 20 of the Corporations Code, relating to corporations.

Bill read second time.

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

Committee on Rules

Senate Chamber, May 12, 2009

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

SCA 2

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 Constitutional Amendment 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Sections 3, 8, 10, 11, and 12 of Article IV thereof, by amending, repealing, and adding Section 6 of Article XIX thereof, and by amending, repealing, and adding Section 1 of Article XIX A thereof, relating to legislative sessions.

Resolution read second time.

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

Committee on Natural Resources and Water

Date of Hearing, May 12, 2009

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 262

Reports the same back with the recommendation: Do pass as amended.

PAVLEY, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 5, 2009

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

SB 39 SB 543 SB 635 SB 782

Reports the same back with the recommendation: Do pass as amended.

CORBETT, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, May 11, 2009

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

SB 589

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

KEHOE, Chair

Above measure ordered to second reading.

Senate Chamber, May 12, 2009

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 133 SB 400

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

KEHOE, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 133—An act to add Article 9.3 (commencing with Section 31142.20) to Chapter 1 of Part 5 of Division 12 of the Water Code, relating to the Alameda County Water District.

Bill read second time.

Senate Bill 400—An act to amend Section 26003 of the Public Resources Code, relating to energy.

Bill read second time.

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

Committee on Governmental Organization

Date of Hearing, May 12, 2009

Mr. President: The Committee on Governmental Organization, to which were referred:

SB 825

SB 827

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

WRIGHT, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, May 12, 2009

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 555

SB 552

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 555—An act to add Section 1240.055 to the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Senate Bill 552—An act to add Section 51882 to the Education Code, relating to schools.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, May 12, 2009

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

SB 9



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

WRIGHT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 9—An act to add Section 8543.9 to the Government Code, relating to the State Auditor.

Bill read second time.

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

Committee on Appropriations

Senate Chamber, May 12, 2009

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

SB 283

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 283—An act to amend Sections 18931.6 and 18931.7 of the Health and Safety Code, and to amend Section 13557 of the Water Code, relating to building standards.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 283 pursuant to Joint Rule 58.

SENATOR DE SAULNIER

Permission of Rules Committee

Senate Chamber, May 12, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 283.

STEINBERG, Chair

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

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 676—An act to amend Section 2103 of the Code of Civil Procedure, to amend Section 711.4 of the Fish and Game Code, to amend Sections 27361, 27361.2, 27361.8, and 54985 of the Government Code, to amend Sections 987.5, 1203.1, 1203.1b, 1203.4, 1203.45, 1205, and 13300



of the Penal Code, and to amend Sections 903 and 903.3 of the Welfare and Institutions Code, relating to local fees.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 813—An act to amend Section 33080.2 of the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 430—An act to add Section 34004.1 to the Health and Safety Code, relating to redevelopment.

Bill read second time.

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

Senate Bill 119—An act to amend Section 678.3 of the Insurance Code, relating to professional liability insurance.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.

Senate Concurrent Resolution 20—Relative to the Children of Incarcerated Parents Bill of Rights.

Resolution 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 Bill 176—An act to amend Section 395.5 of the Public Utilities Code, relating to electricity.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, engrossed, and to third reading.



Senate Bill 48—An act to add Section 66410 to the Education Code, relating to college textbooks.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 520—An act to amend Section 51225.3 of the Education Code, relating to high school curriculum.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 515—An act to amend Section 52302 of the Education Code, relating to career technical education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 700—An act to amend Sections 800, 803.1, 805, 805.1, 805.5, and 2027 of, and to add Section 805.01 to, the Business and Professions Code, relating to healing arts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 549—An act to add Section 7401.5 to the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time, ordered engrossed, and to third reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 341** was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 668** was withdrawn from Committee and placed on second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

SB 116—Do pass

AYES (13)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.



SB 140—Do pass as amended

AYES (12)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Wolk, Wyland, and Yee.

NOES (0)—None.

SB 202—Do pass as amended

AYES (13)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

SB 231—Do pass

AYES (7)—Senators Corbett, DeSaulnier, Hancock, Kehoe, Leno, Wolk, and Yee.

NOES (3)—Senators Cox, Denham, and Walters.

SB 258—Do pass as amended

AYES (8)—Senators Corbett, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Wolk, and Yee.

NOES (4)—Senators Cox, Denham, Runner, and Walters.

SB 325—Do pass

AYES (8)—Senators Corbett, Cox, DeSaulnier, Kehoe, Leno, Walters, Wolk, and Yee.

NOES (0)—None.

SB 392—Do pass

AYES (13)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

SB 447—Do pass

AYES (12)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, and Yee.

NOES (0)—None.

SB 545—Do pass

AYES (13)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

SB 546—Do pass

AYES (8)—Senators Corbett, DeSaulnier, Hancock, Kehoe, Leno, Wolk, Wyland, and Yee.

NOES (3)—Senators Cox, Denham, and Walters.

SB 656—Do pass

AYES (11)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Wolk, and Wyland.

NOES (0)—None.



SB 662—Do pass as amended

AYES (12)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, and Yee.

NOES (0)—None.

SB 678—Do pass

AYES (9)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, and Wolk.

NOES (0)—None.

SB 760—Do pass

AYES (11)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

SB 766—Do pass

AYES (13)—Senators Corbett, Cox, Denham, DeSaulnier, Hancock, Kehoe, Leno, Oropeza, Runner, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

Date of Hearing: 5/11/2009

Kehoe (Chair)

Committee on Governmental Organization**SB 213—Do pass as amended and re-refer to Committee on Appropriations**

AYES (6)—Senators Benoit, Denham, Florez, Harman, Padilla, and Yee.

NOES (1)—Senator Wright.

Failed Passage

SB 213—Reconsideration granted

AYES (7)—Senators Benoit, Denham, Florez, Harman, Padilla, Wright, and Yee.

NOES (0)—None.

SB 517—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Benoit, Denham, Florez, Harman, Padilla, Wiggins, Wright, and Wyland.

NOES (1)—Senator Yee.

SB 825—Do pass, to Consent Calendar

AYES (10)—Senators Benoit, Denham, Florez, Harman, Negrete McLeod, Padilla, Wiggins, Wright, Wyland, and Yee.

NOES (0)—None.

SB 827—Do pass, to Consent Calendar

AYES (10)—Senators Benoit, Denham, Florez, Harman, Negrete McLeod, Padilla, Wiggins, Wright, Wyland, and Yee.

NOES (0)—None.

Date of Hearing: 5/12/2009

Wright (Chair)



Committee on Natural Resources and Water**SB 262—Do pass as amended**

AYES (7)—Senators Kehoe, Leno, Padilla, Pavley, Simitian, Wiggins, and Wolk.

NOES (3)—Senators Cogdill, Hollingsworth, and Huff.

Date of Hearing: 5/12/2009

Pavley (Chair)

LETTERS OF TRANSMITTAL

The following transmittals were ordered printed in the Journal:

An agency report dated: April 2, 2009, relating to the Institutional based Financial Aid 2007/08, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 2, 2009, relating to the EMS Fund 2007–08, was received from the County of Stanislaus and transmitted to the Committee on Health.

An agency report dated: July 1, 2006, relating to Reproductive Health Care Participation, was received from the Office of the Secretary of State and transmitted to the Committee on Education.

A biennial report dated: December 29, 1936, relating to the Fees Received from the July 1, 1934 to June 30, 1936, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: February 14, 2008, relating to the Implementation of the Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: April 18, 2008, relating to the Implementation of the Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: July 31, 2008, relating to the Implementation of the Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: November 13, 2007, relating to the Implementation of the Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 15, 2008, relating to the Status of Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.



A quarterly report dated: December 5, 2008, relating to the Implementation of the Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: March 9, 2009, relating to the Implementation of the Help America Vote Act, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 30, 2009, relating to the Business and Programs Division, Uniform Commercial Code Section, was received from the Office of the Secretary of State and transmitted to the Committee on Judiciary.

A final report dated: December 31, 2005, relating to the Task Force on Uniform Poll Worker Training Standards, was received from the Office of the Secretary of State and transmitted to the Committee on Elections, Reapportionment & Constitutional Amendments.

An agency report dated: November 30, 2007, relating to the Internal Control Audit Report, was received from the Office of the Secretary of State and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 31, 2006, relating to the Open Source Software in Voting Systems, 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: April 6, 2009, relating to the Cost Containment Measures, was received from the Department of Developmental Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 13, 2009, relating to the DNA Fund 2008, was received from the County of Sonoma and transmitted to the Committee on Public Safety.

A supplemental report dated: March 31, 2009, relating to the Status of Electronic Filing at the Board of Equalization Item 0860-001-0001, was received from the Board of Equalization and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 2, 2009, relating to the Employment of Minors in Lake County Agricultural Plants during Peak Pear Packing Season, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An annual report dated: March 30, 2009, relating to the DNA Fund 2008, was received from the County of San Bernardino and transmitted to the Committee on Public Safety.



An annual report dated: March 30, 2009, relating to the 2008 Annual Report of Activities, was received from the Urban Waterfront Area Restoration Financing Authority and transmitted to the Committee on Natural Resources and Water.

An annual report dated: March 30, 2009, relating to the 2007 Annual Report of Activities, was received from the Urban Waterfront Area Restoration Financing Authority and transmitted to the Committee on Natural Resources and Water.

An annual report dated: March 30, 2009, relating to the 2006 Annual Report of Activities, was received from the Urban Waterfront Area Restoration Financing Authority and transmitted to the Committee on Natural Resources and Water.

An annual report dated: March 18, 2009, relating to the DNA Fund 2008, was received from the County of El Dorado and transmitted to the Committee on Public Safety.

A supplemental report dated: March 25, 2009, relating to the Transparency Concerning West Sacramento Headquarters Costs, was received from the Division of California State Teachers' Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 3, 2009, relating to the Incompetent to Stand Trial Commitments Exceeding the 10-Day Limit, was received from the Department of Mental Health and transmitted to the Committee on Banking, Finance and Insurance.

An annual report dated: April 24, 2009, relating to the EMS Fund 2007–08, was received from the County of Plumas and transmitted to the Committee on Health.

An annual report dated: March 24, 2009, relating to the EMS Fund 2007–08, was received from the County of Butte and transmitted to the Committee on Health.

An annual report dated: March 3, 2009, relating to the DNA Fund 2008, was received from the County of Santa Barbara and transmitted to the Committee on Public Safety.

An annual report dated: March 27, 2009, relating to the DNA Fund 2008, was received from the County of San Joaquin and transmitted to the Committee on Public Safety.

A quarterly report dated: April 24, 2009, relating to the Capitol Outlay Projects as of September 30, 2008, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: March 20, 2009, relating to the DNA Fund 2008, was received from the County of Riverside and transmitted to the Committee on Public Safety.

A supplemental report dated: March 23, 2009, relating to the Institutional-based Financial Aid 2007/08, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: March 19, 2009, relating to the July through September 2008 Capitol Outlay, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: March 26, 2009, relating to the Electronic Recording Equipment Purchased and Leased by the Superior Courts, was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: March 25, 2009, relating to the Fall 2007 Classroom and Teaching Utilization Report, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 22, 2009, relating to the Green Buildings, was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: March 13, 2009, relating to the 2009 OAL Determination No. 3(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: March 17, 2009, relating to the 2009 OAL Determination No. 4(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: March 13, 2009, relating to the 2009 OAL Determination No. 2(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: March 13, 2009, relating to the 2009 OAL Determination No. 2(S) (CTU2009-0209-01), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An annual report dated: March 17, 2009, relating to the 2009 OAL Determination No. 5(S) (CTU2009-0217-02), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.



An agency report dated: March 17, 2009, relating to the 2009 OAL Determination No. 6(S) (CTU2009-0217-01), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

A supplemental report dated: April 1, 2009, relating to the Sales and Use Tax Department, Statewide Compliance and Outreach Program, was received from the Board of Equalization and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 13, 2009, relating to the Expenditure of Nonvehicular Source Fees FY 2006–07, was received from the Air Resources Board and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 15, 2009, relating to the Denied Mandates, was received from the Commission on State Mandates and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 16, 2009, relating to the Federal Expenditure Report, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: April 16, 2009, relating to the Standardized Testing and Report Program, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: April 14, 2009, relating to the Witness Relocation and Assistance Program, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: April 23, 2009, relating to the Temporary Workers in Local Government, was received from the California State Auditor and transmitted to the Committee on Rules.

An audit report dated: April 22, 2009, relating to the Funds Received Under the American Recovery and Reinvestment Act of 2009, was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: February 18, 2009, relating to the Trade Corridors Improvement Fund, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 17, 2009, relating to the 2007 Budget Act (Item 2180-001-0067), was received from the Department of Corporations and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: April 27, 2009, relating to the EMS Fund 2007–08, was received from the County of Colusa and transmitted to the Committee on Health.

A supplemental report dated: April 13, 2009, relating to the Corridor System Management Plans Micro Simulation Project Status, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 13, 2009, relating to the Virtual Traffic Monitoring Station Pilot, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 13, 2009, relating to the Intercity Rail Vehicle Maintenance and Overhaul FY 2009–10, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 13, 2009, relating to the Owner Controlled Insurance Program Status Report April 2009, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: April 13, 2009, relating to the Fourth Quarter 2008 Non-Toll Seismic Retrofit Program, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 29, 2009, relating to the State Video Franchise Holder Employment, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

A final report dated: March 26, 2009, relating to the Institutional Financial Aid Programs, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 22, 2009, relating to the DNA Fund 2008, was received from the County of Marin and transmitted to the Committee on Public Safety.

An agency report dated: April 28, 2009, relating to the Teacher Supply Report FY 2007–08, was received from the Commission on Teacher Credentialing and transmitted to the Committee on Education.

An audit report dated: April 30, 2009, relating to the Investigations of Improper Activities by State Employees: July through December 2008, was received from the California State Auditor and transmitted to the Committee on Rules.



A supplemental report dated: April 20, 2009, relating to the Supplemental Report of the 2008 Budget Act, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 24, 2009, relating to the Seismic Safety Retrofit Goals, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 23, 2009, relating to the Reading, Writing, and Mathematics Proficiency of All First-time Freshmen, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 14, 2009, relating to the EMS Fund 2007–08, was received from the County of Colusa and transmitted to the Committee on Health.

An annual report dated: April 14, 2009, relating to the EMS Fund 2007–08, was received from the Orange County Health Care Agency and transmitted to the Committee on Health.

A biennial report dated: April 30, 2009, relating to the School Facility Program Costs, was received from the State Allocation Board and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: January 12, 2009, relating to the Vacancy Timetable and Hiring Plan—2008–09, was received from the Department of California Highway Patrol and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 13, 2009, relating to Capitol Area Plan Progress Report 2009, was received from the Department of General Services and transmitted to the Committee on Education.

A quarterly report dated: April 10, 2009, relating to Efforts to Transfer Foreign-Born Inmates to their Countries of Origin, was received from the Board of Parole Hearings and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 9, 2009, relating to Licensing and Compliance, was received from the Department of Alcoholic Beverage Control and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 26, 2009, relating to the EMS Fund 2007–08, was received from the Yolo County Department of Public Health and transmitted to the Committee on Health.

An agency report dated: April 15, 2009, relating to Uninsured Employers Benefits Trust Fund Job Classifications, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.



An annual report dated: April 15, 2009, relating to the Performance Outcomes, was received from the Department of Mental Health and transmitted to the Committee on Health.

A Title Summary Report 09-0004 dated: April 9, 2009, relating to the California Taxpayer Protection Act of 2010, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary Report 09-0005 dated: April 9, 2009, relating to the Vote SAFE: Secure and Fair Elections Act, was received from the Department of Justice and transmitted to the Committee on Rules.

An agency report dated: March 27, 2009, relating to the Notification of Data Used in First Principal Apportionment Fiscal Year 2008–09, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: March 27, 2009, relating to the DNA Fund 2008, was received from the County of Stanislaus and transmitted to the Committee on Public Safety.

An annual report dated: March 31, 2009, relating to the DNA Fund 2008, was received from the County of Mendocino and transmitted to the Committee on Public Safety.

An annual report dated: March 25, 2009, relating to the DNA Fund 2008, was received from the County of Ventura and transmitted to the Committee on Public Safety.

An annual report dated: March 30, 2009, relating to the DNA Fund 2008, was received from the County of Tulare and transmitted to the Committee on Public Safety.

An agency report dated: April 1, 2009, relating to the Summary of GARVEE Projects, was received from the Transportation Commission and transmitted to the Committee on Transportation and Housing.

An agency report dated: April 3, 2009, relating to the Quarterly Project Resourcing and Schedule Management System December 1, 2008 to February 28, 2009, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An agency report dated: April 30, 2009, relating to the Replacement of Equipment and Furnishings Directly Related to the Care of the Members at the Veteran Homes of California, was received from the Board of Veterans and transmitted to the Committee on Veterans Affairs.

An annual report dated: April 2, 2009, relating to the EMS Fund 2004–05, was received from the County of San Diego and transmitted to the Committee on Health.



An agency report dated: April 9, 2009, relating to the Ten Year State Highway Operation and Protection Plan, was received from the Transportation Commission and transmitted to the Committee on Transportation and Housing.

A quarterly report dated: April 8, 2009, relating to the Lifer Parole Backlog Hearings, was received from the Board of Parole Hearings and transmitted to the Committee on Public Safety.

An agency report dated: April 1, 2009, relating to the Investment Costs, was received from the Division of California State Teachers' Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: May 1, 2009, relating to the 2008–09 First Quarter Update on Staff Hiring Plan, was received from the Department of Mental Health and transmitted to the Committee on Health.

An agency report dated: April 30, 2009, relating to the 2009 Ten Year State Highway Operation and Protection Plan, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An agency report dated: April 30, 2009, relating to the Delegation of National Environmental Policy Act, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An agency report dated: April 29, 2009, relating to the Enforcement in the Car Washing and Polishing Industry, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

A supplemental report dated: May 27, 2009, relating to the Information Technology Update Report, was received from the Department of Real Estate and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 30, 2009, relating to the Nursing Programs Enrollment Levels, FY 2008–09, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: May 1, 2009, relating to the CSU Mathematics and Science Teacher Initiative, was received from the California State University and transmitted to the Committee on Education.

A quarterly report dated: May 1, 2009, relating to the parole backlog hearings, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Public Safety.



A quarterly report dated: May 6, 2009, relating to the Litigation Deposit Fund, was received from the Department of Justice and transmitted to the Committee on Judiciary.

An annual report dated: May 12, 2009, relating to the Jenkins Act Compliance and Enforcement, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 27, 2009, relating to the 2009 OAL Determination No. 8(S) (CTU2009-0113-01), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An annual report dated: May 7, 2009, relating to the DNA Fund 2008, was received from the County of Inyo and transmitted to the Committee on Public Safety.

An annual report dated: May 7, 2009, relating to the DNA Fund 2008, was received from the County of Yolo and transmitted to the Committee on Public Safety.

A quarterly report dated: May 4, 2009, relating to the Hazardous Waste Fees First Quarter 2009, was received from the Board of Equalization and transmitted to the Committee on Environmental Quality.

An agency report dated: April 30, 2009, relating to the Statewide position reduction activities, was received from the Department of Personnel Administration and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 22, 2009, relating to the System II Actuarial Valuation FY 2008, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: May 11, 2009, relating to the Maintenance of the Codes, was received from the Legislative Counsel and transmitted to the Committee on Rules.

An annual report dated: May 5, 2009, relating to the Operation and Fiscal Information, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 24, 2009, relating to the Expenditures of Nonvehicular Source Fees for FY 2007–08, was received from the Air Resources Board and transmitted to the Committee on Budget and Fiscal Review.



An agency report dated: April 22, 2009, relating to the Actuarial Valuation of the Legislators Retirement System, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An annual report dated: April 22, 2009, relating to the 2008 Cost of Living Report, was received from the Public Employment And Retirement System and transmitted to the Committee on Public Employment and Retirement.

An annual report dated: May 7, 2009, relating to the Green Collar Jobs Act and Activities of the Green Collar Jobs Council, was received from the Board of California Workforce Investment Board and transmitted to the Committee on Labor and Industrial Relations.

A supplemental report dated: May 6, 2009, relating to the Disenrolled Students Report, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: May 1, 2009, relating to the 2007 Purchasing Activities, was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: May 5, 2009, relating to the Cumulative Expenditures and Remaining Commitments, Ending September 30, 2008, was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: May 5, 2009, relating to the Cumulative Expenditures and Remaining Commitments, Ending May 31, 2008, was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: May 1, 2009, relating to the Program Operations, was received from the Department of California Earthquake Authority and transmitted to the Committee on Banking, Finance and Insurance.

A quarterly report dated: May 12, 2009, relating to the Assembly Bill 900 (Chapter 7, Statutes of 2007), was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: May 4, 2009, relating to the Predesignation of Personal Physician Program, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An annual report dated: May 12, 2009, relating to the Consolidated Annual Performance, Accountability, and Financial Status Reports on Technical Education Programs, was received from the Department of Education and transmitted to the Committee on Education.



A supplemental report dated: April 27, 2009, relating to the 2007 Budget Act (Item 3860-001-00001), was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: May 12, 2009, relating to the California Energy Resources Scheduling Divisions' Activities, was received from the Department of Water Resources and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: April 30, 2009, relating to the Clean Fuels Program, was received from the South Coast Air Quality Management District and transmitted to the Committee on Environmental Quality.

LEAVES OF ABSENCE FOR THE DAY

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

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

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 13, 2009.

PAULA K. ROSSETTO, Minute Clerk

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