

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, January 25, 2010

The Senate met at 2 p.m.

Hon. Curren Price, of the 26th District, presiding.

Chief Assistant Secretary Bernadette McNulty at the Desk.

Assistant Secretary Zachary L. Twilla 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, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—36.

Quorum present.

(NOTE: Senators Florez and Maldonado will be excused this day on personal business and Senator Alquist will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

The Reverend Martin Luther King, Jr. was not only a man of faith, but also a man of action. His ability to translate words into deeds, beliefs into results, was our blessing. For Reverend King, political action was motivated by his faith in the goodness of God and in humanity.

He once said that he was “convinced that the universe is under the control of a loving purpose, and that in the struggle for righteousness man has cosmic companionship.”

Regardless of the name we might use in our own prayers for what Rev. King referred to as our “cosmic companion,” we are not alone in our personal pursuits of righteousness and goodness, or compassionate and moral action. When our actions are guided towards the good, the kind, the loving act, we are accompanied by a force greater than ourselves.

May we walk in the path of the righteous, and may our actions be guided by a desire to do what is right and just. May we find inspiration in the deeds of the generations that came before us, who found strength from their faith in our Creator and in the goodness of humanity. May we, like them, bring redemption and hope into our land. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor’s Office, State Capitol
January 22, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective January 22, 2010, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Catherine T. Campisi, Ph.D. Member California Commission on
Disability Access

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

Governor’s Office, State Capitol
January 22, 2010

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

ANTHONY R. EGGERT, previous science and technology advisor to the chair of the California Air Resources Board since 2007. He served as advisor on energy and climate policy to the Office of Federal Government Relations for the University of California, Office of the President in 2007 and associate research director for the University of California, Davis Institute of Transportation Studies from 2002 to 2006. Eggert served the Ford Motor Company as manager of the California Fuel Cell Partnership from 2001 to 2002 and project engineer of Vehicle Environmental Engineering from 1996 to 1999. Appointed 01/14/10. Effective 01/14/10.

Member, State Energy Resources Conservation and Development Commission, vice, Julia A. Levin, resigned, term ending 01/06/14.

ERNEST K. CROWDER, is a parole agent with the California Department of Corrections and Rehabilitation since 2000. He previously worked for the California Youth Authority as program specialist from 1999 to 2000, youth correctional counselor from 1998 to 1999 and parole agent from 1997 to 1998. Crowder was a youth counselor for the Chaderjian Youth Correctional Facility from 1987 to 1991 and Preston Youth Correctional Facility from 1991 to 1997. Appointed 12/21/09. Effective 01/15/10.

Member, Corrections Standards Authority, vice, Steven S. Marshall, resigned, term ending 07/01/11.

JOSE C. ORTIZ, previous acting chief deputy director for the Department of Public Health (DPH) since 2009 and deputy director of administration for the DPH since 2008. He was deputy director for the Department of Developmental Services from 2005 to 2008 and chief of the financial management branch for the Department of Health Services from 2001 to 2005. Ortiz was chief fiscal officer for the Department of Information Technology in 2000 and budget manager for the Department of Health Services from 1995 to 1999. Appointed 01/21/10. Effective 01/21/10.

Chief Deputy Director, Operations, California Department of Public Health, vice Stephen W. Kessler, resigned, term ending at the Pleasure of the Governor.

FRED E. WOOD, PH.D., has served at the University of California, Davis as vice chancellor since 2007 and senior lecturer since 1986. Wood previously served as associate vice provost from 2006 to 2007, interim vice provost from 2004 to 2007 and associate dean from 1991 to 2004. He was an instructor at North Idaho College from 1984 to 1986 and Diablo Valley Community College in 1982. Reappointed 12/22/09. Effective 01/21/10.

Member, Student Aid Commission, term ending 10/30/13.

Above appointments referred to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 25, 2010

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 127	AB 139	AB 177
AB 584	AB 658	AB 1378
AB 1399	AB 1436	AB 1586

Assembly Chamber, January 25, 2010

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 104

Assembly Chamber, January 25, 2010

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 122

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 127—An act to amend Section 3111 of, to add Article 2.5 (commencing with Section 3116) to Chapter 8.5 of Division 4 of Title 1 of, and to repeal and add Article 2 (commencing with Section 3113) of Chapter 8.5 of Division 4 of Title 1 of, the Government Code, relating to volunteer service.

Assembly Bill 139—An act to amend Section 25081 of the Government Code, relating to local government.

Assembly Bill 177—An act to amend Sections 14842 and 14842.5 of the Government Code, and to amend Section 999.9 of the Military and Veterans Code, relating to public contracts.

Assembly Bill 584—An act to add and repeal Chapter 8.1 (commencing with Section 1966) of Division 2.5 of the Streets and Highways Code, and to amend Sections 21251 and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Assembly Bill 658—An act to add and repeal Article 14.5 (commencing with Section 18856) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1378—An act to add Section 14013.5 to the Unemployment Insurance Code, relating to workforce investment.



Assembly Bill 1399—An act to add Section 50084.5 to the Government Code, relating to local government.

Assembly Bill 1436—An act to add Section 66020.5 to the Education Code, relating to postsecondary educational institutions.

Assembly Bill 1586—An act to add Section 28767.8 to the Public Utilities Code, relating to transportation.

Assembly Concurrent Resolution 104—Relative to Martin Luther King, Jr. Day.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, January 21, 2010

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

SB 408

SB 442

SB 771

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

KEHOE, Chair

Above measures ordered to second reading.

Date of Hearing, January 21, 2010

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

SB 733

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

KEHOE, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, January 25, 2010

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

AB 289

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

Assembly Bill 289—An act relating to high-speed rail, 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 Appropriations

Date of Hearing, January 21, 2010

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

SB 110

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

KEHOE, Chair

Above measure ordered to second reading.

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

Senate Bill 56—An act to add Article 2.82 (commencing with Section 14087.98) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to health plans.

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

Senate Bill 503—An act to add Section 16794 to the Government Code, relating to general obligation bonds.

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

Senate Bill 654—An act to add Section 10609.45 to the Welfare and Institutions Code, relating to human services.

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

Senate Bill 675—An act to add Part 70 (commencing with Section 102000) to Division 14 of Title 3 of the Education Code, relating to energy job training.

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

Senate Bill 798—An act to amend Section 8484.8 of the Education Code, relating to before and after school programs.

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

Senate Bill 810—An act to add Division 114 (commencing with Section 140000) to the Health and Safety Code, relating to health care coverage.

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

Senate Bill 812—An act to amend Section 65583 of the Government Code, relating to housing.

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

Senate Bill 21—An act to add Section 5523 to the Fish and Game Code, relating to fishing.

Bill read second time.

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



Senate Bill 228—An act to add Section 42357.5 to the Public Resources Code, relating to plastic bags.

Bill read second time.

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

Senate Bill 376—An act to add Section 21090.2 to, and to add Chapter 3.5 (commencing with Section 25250) to Division 15 of, the Public Resources Code, relating to energy.

Bill read second time.

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

Senate Bill 390—An act to amend Sections 42023.1, 42023.2, 42023.3, 42023.5, and 42023.6 of, and to amend, add, and repeal Section 42023.4 of, the Public Resources Code, relating to solid waste, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 808—An act to amend Sections 12986 and 12987.5 of the Water Code, relating to water projects, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Senate Bill 26—An act to amend Section 48652 of the Public Resources Code, relating to recycling.

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

Senate Bill 518—An act to add Section 2117.5 to the Streets and Highways Code, and to amend Section 22508 of, and to add Division 19 (commencing with Section 43000) to, the Vehicle Code, relating to vehicles.

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

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Kehoe moved that **AB 1576** be placed on the inactive file.

Motion carried.



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

Senate Bill 525—An act to add Section 4576 to the Penal Code, relating to correctional facilities.

Bill read third time and presented by Senator Padilla.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 438—An act to amend Sections 48907 and 48950 of the Education Code, relating to education.

Bill read third time and presented by Senator Yee.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 677—An act to add Section 236.3 to the Penal Code, relating to human trafficking.

Bill read third time and presented by Senator Yee.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 270—An act to amend Sections 1280.15 and 130251 of the Health and Safety Code, relating to public health.

Bill read third time and presented by Senator Oropeza.



Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ashburn, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 732—An act to amend Section 1324.23 of the Health and Safety Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Oropeza.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 203—An act to amend Section 311 of the Penal Code, relating to child pornography.

Bill read third time and presented by Senator Harman.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senate Bill 613—An act to add Section 36447.15 to the Water Code, relating to water districts.

Bill read third time and presented by Senator Harman.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 22—An act to amend Section 25256.1 of the Health and Safety Code, relating to hazardous materials.

Bill read third time and presented by Senator Simitian.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (14)—Senators Aanestad, Ashburn, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 454—An act to amend Sections 65863.10, 65863.11, and 65863.13 of the Government Code, relating to land use.

Bill read third time and presented by Senator Lowenthal.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 189—An act to amend Sections 7034, 7071.5, 7071.10, 7159, 7159.1, 7159.5, 7159.14, 7164, 8513, and 17577.5 of the Business and Professions Code, to amend Sections 1917.166, 1917.615, 3059, 3060, 3319, 3320, and 3321 of, to add Part 6 (commencing with Section 8000) to Division 4 of, to repeal Chapter 8 (commencing with Section 3081.1) of



Title 14 of Part 4 of Division 3 of, and to repeal Title 15 (commencing with Section 3082) of Part 4 of Division 3 of, the Civil Code, to amend Sections 86, 410.42, 708.760, 1203.61, 1281.5, and 1800 of the Code of Civil Procedure, to amend Sections 17307.5 and 81133.5 of the Education Code, to amend Sections 7480, 14975, 15820.105, 27287, 66499.2, and 66499.7 of, and to repeal Section 27361.9 of, the Government Code, to amend Sections 5463, 16017.5, 19825, and 34218 of the Health and Safety Code, to amend Section 11751.82 of the Insurance Code, to amend Section 218.5 of the Labor Code, to amend Sections 4107.7, 7103, 10222, 10822, 20104, 20134, 20461, 20496, 20682.5, 20688.4, 20813, 20815.3, 20991, 21061, 21071, 21081, 21091, 21101, 21111, 21121, 21131, 21141, 21151, 21161, 21171, 21181, 21196, 21212, 21231, 21241, 21251, 21261, 21271, 21311, 21321, 21331, 21341, 21351, 21361, 21371, 21381, 21391, 21401, 21411, 21421, 21431, 21441, 21451, 21461, 21491, 21501, 21511, 21521, 21531, 21541, 21572, 21581, 21591, 21601, 21622, and 21631 of, the Public Contract Code, and to amend Section 136.5 of the Streets and Highways Code, relating to mechanics liens.

Bill read third time and presented by Senator Lowenthal.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 694—An act to amend Section 22043 of the Public Contract Code, relating to public contracts.

Bill read third time and presented by Senator Correa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 414—An act to amend Sections 31520.1, 31520.2, 31520.3, and 31520.5 of, to add Section 31523.1 to, and to repeal and add Section 31523 of, the Government Code, relating to county retirement.

Bill read third time and presented by Senator Correa.



Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (13)—Senators Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 356—An act to amend Sections 11350 and 11350.3 of the Government Code, relating to regulations.

Bill read third time and presented by Senator Wright.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Hancock and Wiggins.

Bill ordered transmitted to the Assembly.

Senate Bill 580—An act to amend Sections 3751, 4061, 4063, and 17422 of the Family Code, relating to child support.

Bill read third time and presented by Senator Wright.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Florez and Maldonado.

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



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

At 3:27 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, January 26, 2010.

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 891: By Senator Liu—An act to amend Section 12309 of the Welfare and Institutions Code, relating to In-Home Supportive Services.

Senate Bill 892: By Senator Alquist—An act to amend Section 1558 of the Health and Safety Code, relating to health and care facilities.

Senate Bill 893: By Senator Harman—An act to amend Section 8121 of the Probate Code, relating to decedent's estates.

Senate Bill 894: By the Committee on Local Government (Senators Cox (Chair), Aanestad, Kehoe, Price, and Wiggins)—An act to add Section 17624.5 to the Education Code, to amend Sections 23110, 23124, 31010.5, 31479.1, 34873, 34875, 34900, 34901, 36508, 36511, 36515, 36516.1, 36516.5, 36804, 36811, 65063.7, 65920, 66000.5, and 66031 of, and to add Sections 56103.5, 65107, 65801, and 66499.38 to, the Government Code, to amend Sections 33080.2, 40225, 40326, and 117065 of, and to add Section 33501.9 to, the Health and Safety Code, to amend Sections 20142, 20405, and 20688.6 of, and to add Sections 20614 and 20998 to, the Public Contract Code, to add Section 21167.9 to the Public Resources Code, to add Section 21670.6 to the Public Utilities Code, and to amend Section 35424 of the Water Code, relating to local government.

Senate Bill 895: By Senator Huff—An act to amend Section 13353 of the Vehicle Code, relating to vehicles.

Senate Bill 896: By Senator Cox—An act to amend Section 56011 of the Government Code, relating to local government.

Senate Bill 897: By Senator Cox—An act to amend Section 66452 of the Government Code, relating to land use.

Senate Joint Resolution 20: By Senator Alquist—Relative to taxation.



REQUEST FOR UNANIMOUS CONSENT (SB 31)

Senator Pavley asked for, and was granted, unanimous consent that SB 31 be taken from the inactive file and taken up at this time.

Consideration of Senate Bill 31

Senate Bill 31—An act to amend Sections 38505 and 38597 of the Health and Safety Code, relating to air pollution.

Bill read second time.

Motion to Amend

Amendments to SB 31 proposed by Senator Pavley were read and adopted and the measure ordered printed, engrossed, and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Padilla requested that when the Senate adjourns this day it do so in memory of Carol Ann Blad of Van Nuys.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Melinda Melendez of Sacramento.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Patricia Habel of Sacramento.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Linda Carol Bellingham, Florence Freestone Austin, Betty Jo Bramlett, Connie J. Conger, Joan Roberta Coulter, John E. Cyr, Frank A. Trucco, and Catherine Jane Campbell of Stockton.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, January 26, 2010.

PAULA K. ROSSETTO, Minute Clerk

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