

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, February 4, 2010

The Senate met at 9 a.m.

Hon. S. Joseph Simitian, of the 11th District, presiding.

Secretary Greg Schmidt 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, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Cox, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—35.

Quorum present.

(NOTE: Senators Corbett and Florez will be excused this day on legislative business and Senators Correa and Denham will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

American Historian, Carl Becker once wrote on the topic of faith and the frontier. His words apply to the State of California still. He wrote:

“Idealism must always prevail on the frontier, for the frontier, whether geographical or intellectual, offers little hope to those who see things as they are. To venture into the wilderness,” he says, “one must see it, not as it is, but as it will be.”

Even 160 years after we achieved Statehood, Californians still see ourselves on the frontier, or in modern terms, the cutting edge. We are still a land that has yet to realize the fullness of its potential, and we are blessed to have so many Californians who still see our State not as it is, but what it can yet be.

May it be the will of our Creator to imbue our hearts with the power to see beyond what is, and grant us the ability to find a way to create what might be. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

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

SHARON G. AUNGST, Chief, Division of Correctional Health Care Services, Department of Corrections and Rehabilitation.

The President put the question: “Will the Senate advise and consent to the appointment by the Governor?”

CALL OF THE SENATE

Pending the announcement of the vote, Senator Steinberg moved a call of the Senate.

Motion carried.

Consideration of Appointment by the Governor**Division of Question Demanded**

Senator Steinberg demanded that the question be divided and that the confirmation of the appointment of:

MARC A. LUKER, Member, Water Quality Control Board, San Diego Region

be taken up separately.

The President put the question: “Will the Senate advise and consent to the appointment by the Governor?”



Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (32)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Cox, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 96—Relative to Korean-American Day.

Resolution read third time and presented by Senator Yee.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (32)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Cox, DeSaulnier, Ducheny, Dutton, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH—GOVERNOR'S APPOINTMENT**

SHARON G. AUNGST, Chief, Division of Correctional Health Care Services, Department of Corrections and Rehabilitation

On motion of Senator Steinberg further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the appointment was confirmed by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Cox, DeSaulnier, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wolk, Wright, and Yee.

NOES (8)—Senators Aanestad, Cogdill, Ducheny, Dutton, Harman, Hollingsworth, Huff, and Wyland.

RECESS

At 9:22 a.m., the Senate recessed in order to convene in Eighth Extraordinary session.



REASSEMBLED

At 9:29 a.m., the Senate reconvened.

Hon. S. Joseph Simitian, of the 11th District, presiding.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leave of absence for the day due to legislative business: Senators Corbett and Florez.

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

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

At 9:39 a.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 Monday, February 8, 2010.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
February 4, 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

PATRICIA A. LOCK-DAWSON, is planning commissioner for the City of Riverside since 2007 and director of the Santa Ana River Trail and Parkway Partnership for Riverside County Supervisor John Tavaglione since 2005. She has been principal of PLD Consulting since 2003. Previous environmental programs advisor for Riverside County's Executive Office from 2000 to 2006. Lock-Dawson was an ecologist, ecosystem planner and a wildlife biologist for the U.S. Department of Interior's Bureau of Land Management and U.S. Geological Survey from 1994 to 2001. Appointed 01/05/10. Effective 01/13/10.

Member, Board of Behavioral Sciences, Department of Consumer Affairs, term ending 06/01/13.



MARIA “MONA” R. FOSTER, is retired from serving as an associate governmental program analyst for the State Council on Developmental Disabilities from 1981 to 1996. She was an accountant for the California Energy Commission in 1981 and Department of Social Services from 1975 to 1981. Foster was a comptometer operator for the Board of Equalization from 1960 to 1976. Foster is founder of Hui O’Hawaii of Sacramento, co-founder of the Indigenous Pacific Islander Council and the Sacramento Pacific Islander Leadership Forum. Appointed 01/12/10. Effective 01/14/10.

Member, Board of Behavioral Sciences, Department of Consumer Affairs, vice, D’Karla D. Leach, term expired, term ending 06/01/13.

SAMARA ASHLEY, has served as director of government affairs for the Port of Long Beach since 2007. She was an account executive for Cerrell Associates from 2004 to 2007, district field representative for Senator Betty Karnette from 2002 to 2004 and social service director and case manager for California Care Center from 1999 to 2002. She is a member of the Harbor Association of Industry and Commerce, Women’s Transportation Seminar and American Association of Port Authorities. Appointed 01/13/10. Effective 01/21/10.

Member, Board of Behavioral Sciences, Department of Consumer Affairs, vice, Karen M. Royce, term expired, term ending 06/01/13.

MICHAEL G. WEBB, is a self-employed marriage and family psychotherapist, speaker and trainer since 1997. Previously, Webb was a marriage and family therapist intern for Christyn Nelson from 1994 to 1997 and La Vie from 1991 to 1993. He was director of Olive Crest Treatment Centers from 1989 to 1995. Webb is a member of the California Association of Marriage and Family Therapists. Appointed 01/15/10. Effective 01/22/10.

Member, Board of Behavioral Sciences, Department of Consumer Affairs, vice, Ian N. Russ, Ph.D., term expired, term ending 06/01/13.

TRUC G. TRAN, is owner and manager of Happy Nails and Spa of Costa Mesa since 2005. Previously, Tran was manager of Happy Nails and Spa of Newport Coast from 2002 to 2005, nail technician for Happy Nails and Spa of Rancho Santa Margarita from 2001 to 2002 and travel agent for Travel World from 1990 to 2001. Appointed 01/04/10. Effective 01/22/10.

Member, State Board of Barbering and Cosmetology, vice, Jerry R. Tyler, term expired, term ending 01/01/11.



DEEDEE K. CROSSETT, is president and founder of the San Francisco Institute of Esthetics and Cosmetology since 2001. Previous spa consultant for Villagio Inn and Spa in 2003 and the Ritz-Carlton, San Francisco Hotel in 2002. Crossett was a consultant, esthetician and sales associate for Nob Hill Spa from 2000 to 2002 and esthetician trainer for Babor in 2001. Crossett is a member of the South Market Business Association, American Association of Cosmetology Schools and Skin Incorporated's Editorial Advisory Committee. Reappointed 01/12/10. Effective 01/22/10.

Member, State Board of Barbering and Cosmetology, term ending 01/01/13.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, February 3, 2010

The Committee on Rules has referred the following measures to committee:

Education—AB 1374, AB 1436.

Governmental Organization—AB 127.

Health—SB 882.

Human Services—SB 886, SB 891.

Judiciary—AB 229, AB 634, AB 761, AB 967; SB 885.

Local Government—AB 133, AB 139, AB 1399; SB 894.

Natural Resources and Water—SB 889.

Public Safety—AB 1532, AB 1586.

Revenue and Taxation—AB 230, AB 347, AB 658.

Rules—AB 1420; SB 883, SB 884, SB 887, SB 888, SB 890, SB 892, SB 893, SB 895, SB 896, SB 897.

Transportation and Housing—AB 584.

The Committee on Rules has re-referred the following measures to committees:

Banking, Finance and Insurance—AB 1011.

Business, Professions and Economic Development—SCR 63.

Elections, Reapportionment and Constitutional Amendments—AB 1531.

Environmental Quality—AB 983, AB 1416.

Governmental Organization—AB 142, AB 1558.



Health—AB 718.

Labor and Industrial Relations—AB 179, AB 569.

Public Employment and Retirement—AB 1215.

Public Safety—AB 1395.

Revenue and Taxation—AB 810, AB 1554; SJR 20.

Transportation and Housing—AB 602.

The Committee on Rules has referred the following measures to two committees:

Environmental Quality and Natural Resources and Water—AB 234.

Governmental Organization and Veterans Affairs—AB 177.

Judiciary and Appropriations—AB 939.

Labor and Industrial Relations and Veterans Affairs—AB 1378.

Natural Resources and Water and Environmental Quality—AB 471, AB 752.

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 947: By Senator Wiggins—An act to amend Section 69.9 of the Military and Veterans Code, relating to veterans.

Senate Bill 948: By Senator Wyland (Principal coauthor: Senator Denham)—An act relating to state property.

Senate Bill 949: By Senator Oropeza—An act to amend Sections 21 and 21100 of the Vehicle Code, relating to vehicles.

Senate Bill 950: By Senator Wiggins—An act to amend Section 1035.7 of the Military and Veterans Code, relating to veterans.

Senate Bill 951: By Senator Correa—An act to amend Sections 18400.1, 18400.3, 18424, and 18502 of the Health and Safety Code, relating to mobilehomes.

Senate Bill 952: By Senator Wyland—An act to amend Sections 6051.7, 6201.7, 10752.2, 17041, 17054, 17062, and 18663 of, and to amend and repeal Sections 10752 and 10752.1 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Senate Bill 953: By Senator Walters—An act to amend Section 2397 of the Business and Professions Code, relating to healing arts.

Senate Bill 954: By Senator Harman (Coauthor: Senator Dutton) (Coauthor: Assembly Member Smyth)—An act to amend Sections 22,



102.3, 473, 473.15, 473.16, 473.2, 473.3, 473.4, 473.5, 473.6, 474, 474.1, 474.2, 474.3, 474.4, 1620.1, 1632.5, 1634.2, 1638.1, 1638.7, 4001.5, 4200.1, 4200.3, 4934.2, 5000, 5811, 6704.1, 7000.5, 7303.2, 9882, 18824, and 18882 of, to amend the heading of Division 1.2 (commencing with Section 473) of, and to add Chapter 3 (commencing with Section 474.5) to Division 1.2 of, the Business and Professions Code, and to amend Sections 9148.52 and 9148.8 of the Government Code, relating to legislative procedure.

Senate Bill 955: By Senator Huff—An act to amend Section 17210 of the Education Code, relating to school facilities.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 88** was withdrawn from Committee and placed on the unfinished business file; and

AB 510 was withdrawn from Committee and placed on second reading file.

LETTERS OF TRANSMITTAL

The following transmittals were ordered printed in the Journal:

A supplemental report dated: December 28, 2009, relating to the Requirement from the 2002 & 2006 Budget Acts Annual Report on Sales and Use Tax Audit and Collection Activities for FY 2008–09, was received from the Board of Equalization and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 11, 2010, relating to the Streamlined Capital Outlay Projects Funded from the Capital Outlay Bond Funds, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 8, 2010, relating to the Design Build Contracts, was received from the Office of the Legislative Analyst and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 11, 2010, relating to the Safe at Home 2009 Annual Report, was received from the Office of the Secretary of State and transmitted to the Committee on Judiciary.

An agency report dated: January 5, 2010, relating to the Project Initiation Documents work for the High Speed Rail Authority, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 13, 2010, relating to the Activities of the Division of Occupational Safety and Health, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.



An annual report dated: January 13, 2010, relating to the Division of Apprenticeship Standards, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: January 15, 2010, relating to the Nonsubstantive Reorganization of Deadly Weapon Statutes, was received from the Commission on Law Revision Commission and transmitted to the Committee on Judiciary.

An annual report dated: December 23, 2009, relating to the Level of Participation of Small Businesses, Socially and Economically Disadvantaged Businesses in all Contracts Awarded, was received from the Department of California Lottery and transmitted to the Committee on Governmental Organization.

An agency report dated: December 31, 2009, relating to the Investment holdings in Companies with Business Operations in Sudan, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

A biennial report dated: January 7, 2010, relating to the Twelfth Biennial Statewide Survey of California Students in Grades 7, 9 and 11 2007–2008, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 5, 2010, relating to the 2008–2009 Motor Vehicle Theft Prevention Act, was received from the Department of California Highway Patrol and transmitted to the Committee on Banking, Finance and Insurance.

An agency report dated: January 12, 2010, relating to the Statistical Report, was received from the Board of Behavioral Sciences and transmitted to the Committee on Business, Professions and Economic Development.

An annual report dated: January 19, 2010, relating to the 2009 Annual Report, was received from the Board of Transportation Commission and transmitted to the Committee on Transportation and Housing.

An annual report dated: January 4, 2010, relating to the Arbitration Proceedings, was received from the California State Bar and transmitted to the Committee on Judiciary.

An annual report dated: January 4, 2010, relating to the Discrimination Complaint Activity in the State Civil Service, 2007, was received from the Personnel Board and transmitted to the Committee on Public Employment and Retirement.



An annual report dated: January 4, 2010, relating to the Census for Employees in the State Civil Service, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: December 14, 2009, relating to the 2009 10 Mid Year Budget Proposals (First Reading), was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: December 21, 2009, relating to the Prescription Drugs: Labeling Requirements, was received from the Board of Pharmacy and transmitted to the Committee on Health.

A quarterly report dated: February 2, 2010, relating to the Financial Statements ending September 30, 2009, was received from the Department of California Lottery and transmitted to the Committee on Governmental Organization.

A quarterly report dated: December 21, 2009, relating to the Financial Statements ending September 30, 2009, was received from the State Lottery and transmitted to the Committee on Governmental Organization.

An annual report dated: December 31, 2009, relating to the State Treasurer's Target Business Enterprise Program, was received from the Office of the State Treasurer and transmitted to the Committee on Governmental Organization.

An annual report dated: December 29, 2009, relating to the Federal Carryover, was received from the Department of Education and transmitted to the Committee on Education.

A biennial report dated: December 30, 2009, relating to the Review of the Systems of Internal Control, was received from the Office of First 5 California and transmitted to the Committee on Local Government.

An agency report dated: January 4, 2010, relating to the Specific Investments and Holdings, 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: December 31, 2009, relating to the Student Voter Registration Efforts Carried Out Over the Past Calendar Year, 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 20, 2009, relating to the AB 12 4x, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: December 30, 2009, relating to the Number of Complaints Alleging Violations of the Business and Professions Code, was received from the California State Bar and transmitted to the Committee on Judiciary.

An annual report dated: December 14, 2009, relating to the Railroad Safety Activity, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An annual report dated: November 30, 2009, relating to the Caregiver Resource Center System, was received from the Department of Mental Health and transmitted to the Committee on Health.

An agency report dated: December 31, 2009, relating to the Investment holdings in Companies with Business Operations in Sudan, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: December 31, 2009, relating to the Investment Holdings in Companies with Business Operations in Iran, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: December 30, 2009, relating to the Financial Integrity and State Manager's Accountability, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: January 26, 2010, relating to the Use of Waste Tires, FY 2008 09, was received from the Department of Transportation and transmitted to the Committee on Environmental Quality.

An agency report dated: January 12, 2010, relating to the Child Welfare Services/Case Management System, was received from the Department of Social Services and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 11, 2010, relating to the Budget Act of 2009 Control Language, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 25, 2010, relating to the Progress Report, 2009, was received from the Metropolitan Water District of Southern California and transmitted to the Committee on Natural Resources and Water.

A quarterly report dated: January 7, 2010, relating to the 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 agency report dated: January 12, 2010, relating to the Regulations Enacted by the Board of Trustees in 2009, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 7, 2010, relating to the Implementation of Budget Reductions, FY 2008 09 and 2009 10, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 12, 2010, relating to the Trial Court Interpreters Program Expenditures Fiscal Year 2008 09, was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: December 17, 2009, relating to the Review of Systems of Internal Control, was received from the State and Consumer Services Agency and transmitted to the Committee on Local Government.

An agency report dated: January 29, 2010, relating to the 2009 Progress on Securing Sources of Water in Dry Years, was received from the San Francisco Public Utilities Commission and transmitted to the Committee on Natural Resources and Water.

An agency report dated: January 7, 2010, relating to the Counties Property Tax Assessments, was received from the Board of Equalization and transmitted to the Committee on Revenue and Taxation.

An agency report dated: January 15, 2010, relating to the Maintenance of the Codes, was received from the Legislative Counsel and transmitted to the Committee on Judiciary.

An annual report dated: January 22, 2010, relating to the FY 2008–09 Court Facilities Trust Fund Expenditures, was received from the Judicial Council of California and transmitted to the Committee on Judiciary.

An agency report dated: January 7, 2010, relating to the Data Regarding Inmate Population, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: January 28, 2010, relating to the Operations of the Uniform Commercial Code Section of the Business Programs Divisions, was received from the Office of the Secretary of State and transmitted to the Committee on Judiciary.

A quarterly report dated: January 25, 2010, relating to the Backlogged Lifer Parole Hearings, was received from the Board of Board of Parole Hearings and transmitted to the Committee on Budget and Fiscal Review.



An annual report dated: January 19, 2010, relating to the Kapiloff Land Bank, was received from the State Lands Commission and transmitted to the Committee on Natural Resources and Water.

An annual report dated: January 8, 2010, relating to the Second Annual State Video Franchise Holder Employment, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An annual report dated: January 28, 2010, relating to the Timely Resolution of Formal Proceedings, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: January 20, 2010, relating to the 2010 OAL Determination no. 1 (S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: January 20, 2010, relating to the 2010 OAL Determination no. 2 (S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An audit report dated: January 28, 2010, relating to the Post Secondary Educational Institutions, was received from the California State Auditor and transmitted to the Committee on Rules.

A quarterly report dated: January 15, 2010, relating to the Project Resourcing and Schedule Management System, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 8, 2010, relating to the Workload Justification FY 2010–11, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: February 1, 2010, relating to the 2009 Integrated Energy Policy Report, was received from the Commission on Energy Commission and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: January 26, 2010, relating to the Development of Nonmotorized Transportation Facilities, FY 2008–09, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

A quarterly report dated: January 26, 2010, relating to the Third Quarter 2009 Non Toll Seismic Retrofit Program, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.



An annual report dated: January 28, 2010, relating to the 2008 09 Annual Report, was received from the Office of First 5 California and transmitted to the Committee on Local Government.

An agency report dated: January 27, 2010, relating to the Alternative Protest Process, was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 25, 2010, relating to the Overpayment Recovery Plan, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: January 19, 2010, relating to the Categorical Program Funding Requests for New Schools 2008–09 and 2009–10, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: January 29, 2010, relating to the Effects of Synthetic Turf and Natural Turf, was received from the Department of Resources Recycling and Recovery and transmitted to the Committee on Environmental Quality.

An agency report dated: January 25, 2010, relating to the Performance Data FY 2008–09, was received from the Department of Rehabilitation and transmitted to the Committee on Human Services.

An agency report dated: January 5, 2010, relating to the Approved Mandate Claims, was received from the Commission on State Mandates and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: December 30, 2009, relating to the Bureau of Medi-Cal Fraud and Elder Abuse Quarterly Statistical Report, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

REQUESTS TO ADJOURN IN MEMORIAM

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Pfc. Scott Garland Barnett, Patrick Eugene Dolan, and Daniel Joseph Burrie of Concord, Anthony M. Carnemolla of Alamo, Lester Rodney of Walnut Creek, Joshua Ellison of El Sobrante, Charles Edgle Smith of Antioch, and Jason Cox of Danville.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of LaVerne Wetch of Santa Rosa.



ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, February 8, 2010.

PAULA K. ROSSETTO, Minute Clerk

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