

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, February 25, 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, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee—36.

Quorum present.

(NOTE: Senator Calderon will be excused this day on legislative business and Senators Harman and Wiggins will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

The noted American poet and college professor, Mark Van Doren, had this to say about his life's work:

Whenever I have been afraid that my work was so personal that no one could understand it, everybody *did* understand it. When I tried to speak for others, they didn't know what I was talking about.

When we speak from our hearts, we can cross boundaries created by language, culture, age and experience and find universal truths that resonate with others. But when we presume to know what others think or feel or need, our judgement can become clouded by arrogance. It is only by first knowing ourselves that we can then begin to know and understand others.

May we have the wisdom to look into our hearts and understand what we see, and may this insight enable us to infuse our life's work with honesty, integrity and thoughtfulness. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, February 24, 2010

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

Banking, Finance and Insurance—SB 1105, SB 1137.

Budget and Fiscal Review—SB 1020.

Business, Professions and Economic Development—SB 1043, SB 1050, SB 1106, SB 1123.

Education—SB 1059, SB 1122, SB 1126, SB 1135, SB 1136, SB 1148, SB 1161.

Elections, Reapportionment and Constitutional Amendments—SB 1102, SB 1140.

Energy, Utilities and Communications—SB 1040, SB 1097.

Environmental Quality—SB 1033, SB 1052, SB 1100, SB 1120.

Food and Agriculture—SB 1085.

Governmental Organization—SB 1044, SB 1068, SB 1072, SB 1079, SB 1090, SB 1096, SB 1101, SB 1108, SB 1125, SB 1160.

Health—SB 1063, SB 1064, SB 1083, SB 1088, SB 1095, SB 1104, SB 1109.

Judiciary—SB 1030, SB 1038, SB 1041, SB 1117, SB 1149, SB 1151.



Labor and Industrial Relations—SB 1121.

Local Government—SB 1019, SB 1023, SB 1039, SB 1042, SB 1048, SB 1070, SB 1092.

Natural Resources and Water—SB 1058, SB 1103, SB 1124, SB 1142.

Public Employment and Retirement—SB 1139.

Public Safety—SB 1025, SB 1032, SB 1037, SB 1049, SB 1055, SB 1060, SB 1062, SB 1066, SB 1067, SB 1078, SB 1080, SB 1087, SB 1115.

Revenue and Taxation—SB 1028, SB 1036, SB 1053, SB 1056, SB 1065, SB 1073, SB 1074, SB 1076, SB 1086, SB 1133.

Rules—SB 1021, SB 1022, SB 1024, SB 1026, SB 1027, SB 1031, SB 1045, SB 1047, SB 1071, SB 1077, SB 1081, SB 1082, SB 1089, SB 1091, SB 1093, SB 1110, SB 1112, SB 1113, SB 1118, SB 1119, SB 1127, SB 1130, SB 1132, SB 1134, SB 1143, SB 1144, SB 1145, SB 1147, SB 1152, SB 1153, SB 1154, SB 1158, SB 1159; SCA 28.

Transportation and Housing—SB 1054, SB 1061, SB 1128, SB 1156.

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

Business, Professions and Economic Development—AB 1235, AB 1558.

Public Safety—AB 1443.

Transportation and Housing—AB 787.

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

Banking, Finance and Insurance and Business, Professions and Economic Development—SB 1155.

Banking, Finance and Insurance and Judiciary—SB 1146.

Business, Professions and Economic Development and Judiciary—SB 1069, SB 1094, SB 1098, SB 1111.

Business, Professions and Economic Development and Rules—SB 1084, SB 1150.

Education and Health—SB 1051.

Education and Judiciary—SB 1046.

Education and Public Safety—SB 1116.

Education and Rules—SB 1157.

Food and Agriculture and Environmental Quality—SB 1107, SB 1138.



Governmental Organization and Appropriations—SB 1131.

Health and Business, Professions and Economic Development—
SB 1029.

Human Services and Education—SB 1099.

Health and Human Services—SB 1129.

Local Government and Judiciary—SB 1035.

Natural Resources and Water and Public Safety—SB 1034.

Public Safety and Elections, Reapportionment and Constitutional
Amendments—SCA 27.

Transportation and Housing and Environmental Quality—SB 1114.

Veterans Affairs and Education—SB 1075.

Veterans Affairs and Rules—SB 1057.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Kehoe moved that **SCA 12** be placed on the inactive file.
Motion carried.

RECESS

At 9:07 a.m., the Senate recessed in order to convene in eighth extraordinary session.

REASSEMBLED

At 9:14 a.m., the Senate reconvened.

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

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Joint Resolution 21—Relative to the Port Chicago disaster.
Resolution read third time and presented by Senator Wright.

Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



LEAVES OF ABSENCE

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

The following Senators were given leaves of absence for the day on personal business: Harman and Wiggins.

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

At 9:28 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, March 1, 2010.

Motion carried.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1502** was withdrawn from the Committee on Transportation and Housing and re-referred to the Committee on Rules.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Cox requested that when the Senate adjourns this day it do so in memory of Carl Scholberg of Sierraville and Joe-Ann Buczkowske of Alleghanny.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Ronnie Yang Shih, Carol Ann Kent, Peter Yagi, Richard "Sonny" Estante, Sheila V. Freese, Weldon Wallace West, M.D., Virginia L. Yoakum, Earleen Frances Black, and James D. Moon of Stockton.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 1, 2010.

PAULA K. ROSSETTO, Minute Clerk

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