

CALIFORNIA LEGISLATURE
2009–10 FIRST EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, December 18, 2008

The Senate met at 9:01 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:

Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa (waives per diem), Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee—38.

Quorum present.

(NOTE: Senator Wyland will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

The great Olympic athlete, Jesse Owens was a man who understood what it meant to have great dreams, but he also understood that dreams and aspirations are not enough. He said: "We all have dreams. But in order to make dreams come into reality, it takes an awful lot of determination, dedication, self-discipline and effort."

May the Holy One find our dreams and aspirations of serving our community to be worthy of blessing, and endow us with the determination, dedication, and self-discipline to make not only our dreams, but also our efforts, become a reality.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 2—An act relating to the Budget Act of 2008.

Bill read third time.

Amendments Adopted

Amendments to AB 2 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 3—An act relating to the Budget Act of 2008.

Bill read third time.

Amendments Adopted

Amendments to AB 3 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 4—An act relating to the Budget Act of 2008.

Bill read third time.

Amendments Adopted

Amendments to AB 4 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 5—An act relating to the Budget Act of 2008.

Bill read third time.

Amendments Adopted

Amendments to AB 5 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 6—An act relating to the Budget Act of 2008.

Bill read third time.



Amendments Adopted

Amendments to AB 6 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 8—An act relating to the Budget Act of 2008.
Bill read third time.

Amendments Adopted

Amendments to AB 8 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 10—An act relating to the Budget Act of 2008.
Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 10 pursuant to Joint Rule 58.

ASSEMBLY MEMBER EVANS

Permission of Rules Committee

Senate Chamber, December 18, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 10.

STEINBERG, Chair

Amendments Adopted

Amendments to AB 10 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 12—An act relating to the Budget Act of 2008.
Bill read third time.

Amendments Adopted

Amendments to AB 12 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Senator Yee Presiding**MOTION TO SUSPEND SENATE RULE 29.3**

Senator Ducheny asked for unanimous consent to suspend Senate Rule 29.3 to permit consideration of AB 2, AB 3, AB 4, AB 5, AB 6, AB 8, AB 10 and AB 12 as amended, in print, and properly before the Senate.

Senator Aanestad requested a roll call.

Roll Call

The roll was called and consent was granted by the following vote:

AYES (26)—Senators Aanestad, Alquist, Benoit, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (11)—Senators Ashburn, Cogdill, Cox, Denham, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, and Walters.



MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 2 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 2 as Amended

Assembly Bill 2—An act to add Sections 6051.9, 6201.9, 6357.6, 7374, 17044, 19136.8, and 60709 to, to add Part 21 (commencing with Section 42001) to, to repeal Chapter 2 (commencing with Section 7360) of Part 2 of, and to repeal Part 31 (commencing with Section 60001) of, Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

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

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 4 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 4 as Amended

Assembly Bill 4—An act to amend Sections 2558.46, 17592.71, 42238.146, 47634.1, and 49452.8 of, to amend, repeal, and add Section 17584.1 of, to add Sections 17070.766, 17592.74, 41207.3, 41509, 52055.60, and 52055.651 to, and to add and repeal Sections 1240.3 and 60422.1 of, the Education Code, to amend Section 36 of, and to repeal Section 33 of, Chapter 757 of, the Statutes of 2008, to amend Items 6110-105-0001, 6110-196-0001, 6110-196-0890, 6110-244-0001, 6110-485, 6110-488, 6360-101-0001, 6870-101-0001, and 6870-295-0001 of, and to add Item 6870-485 to, Section 2.00 of, and to amend Section 12.40 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), relating to education finance, and making an appropriation therefor.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (29)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Cox, DeSaulnier, Ducheny, Florez, Hancock,



Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Wiggins, Wolk, and Wright.

NOES (8)—Senators Correa, Denham, Dutton, Huff, Maldonado, Strickland, Walters, and Yee.

Bill ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 6 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 6 as Amended

Assembly Bill 6—An act to amend Section 16965 of, and to add Section 63048.66 to, the Government Code, and to add Section 42278 to the Vehicle Code, relating to state finances.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (30)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (8)—Senators Correa, Cox, Denham, Dutton, Hollingsworth, Huff, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 8 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 8 as Amended

Assembly Bill 8—An act to amend Sections 14491, 17550.19, and 21653 of the Business and Professions Code, to amend Section 5305 of the Financial Code, to amend Section 421 of the Military and Veterans Code, to amend Sections 154, 155, 337.4, 368, 422.7, 476a, 484b, 484g, 484h, 487, 487b, 487e, 487f, 487h, 496, 498, 500, 502, 537, 537e, 550, 551, 565, 566, 592, 594.4, 641.3, 2932, 2933.1, 2933.2, 2933.3, 2933.5, 2933.6, 3000, 4019, and 4600 of, to amend, renumber, and add Section 2933.4 of, to add Sections 2933.05 and 3060.95, and to repeal Section 2933 of, the Penal Code, to amend Sections 14591 and 41955 of the Public Resources Code, to amend Sections 10851.5 and 42002.4 of the Vehicle Code, and to amend Sections 10980 and 15656 of the Welfare and Institutions Code, relating to the Department of Corrections and Rehabilitation.

Bill read third time and presented by Senator Ducheny.



Roll Call

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

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

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, and Walters.

Bill ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 10 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 10 as Amended

Assembly Bill 10—An act to amend Sections 15819.40, 15819.402, 15819.403, 15819.404, 15819.41, 15819.412, 15819.414, 15819.417, 15820.903, 15820.911, and 15820.913 of, and to add Sections 15820.904 and 15820.914 to, the Government Code, to amend Section 7021 of the Penal Code, and to amend Sections 1970, 1971, 1972, 1973, and 1975 of, and to add Section 1977 to, the Welfare and Institutions Code, relating to correctional facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Ducheny.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Ducheny, Dutton, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (4)—Senators Cogdill, Denham, Hollingsworth, and Strickland.

Roll Call

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

AYES (33)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Corbett, Correa, Cox, DeSaulnier, Ducheny, Dutton, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (4)—Senators Cogdill, Denham, Hollingsworth, and Strickland.

Bill ordered transmitted to the Assembly.



MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 12 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 12 as Amended

Assembly Bill 12—An act to amend Sections 19002 and 19355 of the Revenue and Taxation Code, and to amend Sections 2118, 13000, 13010, 13021, 13022, 13052, and 13052.5 of, and to add Sections 13020.1 and 13050.1 to, the Unemployment Insurance Code, relating to taxation.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 3 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 3 as Amended

Assembly Bill 3—An act to amend Section 129880 of the Health and Safety Code, relating to hospital buildings.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

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

NOES (1)—Senator Yee.

Bill ordered transmitted to the Assembly.



MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 5 as amended, in print, and properly before the Senate.

Motion carried

Consideration of Assembly Bill 5 as Amended

Assembly Bill 5—An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (27)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, Ducheny, Florez, Harman, Hollingsworth, Kehoe, Liu, Maldonado, Negrete McLeod, Oropeza, Padilla, Romero, Runner, Steinberg, Strickland, Wiggins, Wolk, and Wright.

NOES (10)—Senators Corbett, DeSaulnier, Hancock, Huff, Leno, Lowenthal, Pavley, Simitian, Walters, and Yee.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 7

Assembly Bill 7—An act relating to the Budget Act of 2008.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 7 pursuant to Joint Rule 58.

ASSEMBLY MEMBER EVANS

Permission of Rules Committee

Senate Chamber, December 18, 2008

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 7.

STEINBERG, Chair

Motion to Amend

Senator Ducheny moved the adoption of amendments to AB 7.

Amendments read.

Senator Aanestad requested a roll call.

Roll Call

The roll was called and the amendments were adopted by the following vote:

AYES (33)—Senators Aanestad, Alquist, Benoit, Calderon, Cedillo, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, and Yee.

NOES (0)—None.



MOTION TO SUSPEND SENATE RULE 29.3

Senator Ducheny moved to suspend Senate Rule 29.3 to permit consideration of AB 7 as amended, in print, and properly before the Senate.

Senator Aanestad requested a roll call.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (30)—Senators Aanestad, Alquist, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Yee.

NOES (6)—Senators Ashburn, Cox, Denham, Hollingsworth, Huff, and Walters.

Consideration of Assembly Bill 7 as Amended

Assembly Bill 7—An act to amend and supplement the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) by adding Sections 20.00, 20.50, 20.60, 20.65, 20.70, 20.75, and 20.80 to that act, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Ducheny.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (37)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Roll Call

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

AYES (37)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, December 18, 2008

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

SB 3	SB 4	SB 5	SB 7
SB 6	SB 9	SB 11	

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, December 18, 2008

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

ACR 1

Assembly Chamber, December 18, 2008

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

AB 2	AB 3	AB 4
AB 5	AB 6	AB 7
AB 8	AB 10	AB 12

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURE

The following measure was read the first time:

Assembly Concurrent Resolution 1—Relative to final adjournment of the 2009–10 First Extraordinary Session of the Legislature.

**REQUEST FOR UNANIMOUS CONSENT
CONCURRENCE IN ASSEMBLY AMENDMENTS
WITHOUT REFERENCE TO FILE**

Senator Ducheny requested unanimous consent that SB 3, SB 5, SB 7, SB 9, SB 11, SB 4, and SB 6 be taken up without reference to file, for purpose of consideration of Assembly amendments.

Senator Aanestad requested a roll call.

Roll Call

The roll was called and consent was granted by the following vote:

AYES (21)—Senators Aanestad, Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Yee.

NOES (12)—Senators Ashburn, Benoit, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Runner, Strickland, and Walters.



Consideration of Senate Bill 3
Concurrence in Assembly Amendments
Without Reference to File

Senate Bill 3—An act to amend Items 3910-004-0226, 3910-004-0281, and 3910-007-0387 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), and to amend Items 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0690-102-0001, 0690-102-0597, 0690-113-0001, 1870-012-0214, 2640-101-0046, 2740-001-0044, 2740-001-0064, 3790-001-0001, 3790-001-6051, 4300-101-0001, 5180-111-0001, 5225-001-0001, 5225-002-0001, 5225-101-0001, 6440-001-0001, 6600-001-0001, 6610-001-0001, 6610-002-0001, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9100-101-0001, and 9210-101-0001 of, to add Items 0250-012-0159 and 2660-013-0042 to, and to repeal Item 0690-102-0214 of, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to add Section 3.90 to the Budget Act of 2008, relating to the support of state government, and making an appropriation therefor.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 3?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wolk, and Wright.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Yee.

Above measure ordered enrolled.

Consideration of Senate Bill 5
Concurrence in Assembly Amendments
Without Reference to File

Senate Bill 5—An act to amend Sections 4639.5, 4640.6, 11453, 12201, and 12201.05 of the Welfare and Institutions Code, relating to human services.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 5?



Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (33)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Cox, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, and Wright.

NOES (5)—Senators Correa, Denham, Maldonado, Negrete McLeod, and Yee.

Above measure ordered enrolled.

**Consideration of Senate Bill 7
Concurrence in Assembly Amendments
Without Reference to File**

Senate Bill 7—An act to amend Sections 69766 and 89722 of, and to add Section 90082 to, the Education Code, to amend Section 17311 of the Family Code, amend Sections 16140, 16310, 16428.15, 17302, 17303, 17310, 17311, 22910, 30051, 30061, and 30070 of, and to add Section 29553 to, the Government Code, to amend Sections 50740, 50782, 116760.30, and 129215 of the Health and Safety Code, to amend Sections 8613 and 48027 of the Public Resources Code, to amend Section 11003 of the Revenue and Taxation Code, to amend Sections 822, 1611, and 3001 of the Unemployment Insurance Code, to amend Section 9250 of the Vehicle Code, and to amend Sections 14163, 16809, and 18221 of, to add Section 5778.3 to, and to repeal and add Section 18220 of, the Welfare and Institutions Code, relating to state and local government, and making an appropriation therefor.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 7?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wolk, and Wright.

NOES (16)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Yee.

Above measure ordered enrolled.



**Consideration of Senate Bill 9
Concurrence in Assembly Amendments
Without Reference to File**

Senate Bill 9—An act to add Section 7203.3 to the Revenue and Taxation Code, relating to local government finance.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 9?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

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

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

Above measure ordered enrolled.

**Consideration of Senate Bill 11
Concurrence in Assembly Amendments
Without Reference to File**

Senate Bill 11—An act to add Part 4.5 (commencing with Section 9601) to, and to add Part 32 (commencing with Section 61001) to Division 2 of, the Revenue and Taxation Code, and to add Section 2100.1 to the Streets and Highways Code, relating to fuel, and making an appropriation therefor.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 11?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Oropeza, Padilla, Pavley, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, and Walters.

Above measure ordered enrolled.



Consideration of Senate Bill 4
Concurrence in Assembly Amendments
Without Reference to File

Senate Bill 4—An act to amend Section 11011 of the Government Code, and to add Section 21080.15 to the Public Resources Code, relating to environmental quality.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 4?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (35)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, and Wright.

NOES (2)—Senators Negrete McLeod and Yee.

Above measure ordered enrolled.

Consideration of Senate Bill 6
Concurrence in Assembly Amendments
Without Reference to File

Senate Bill 6—An act to amend Section 29530 of the Government Code, and to add Section 7203.25 to the Revenue and Taxation Code, relating to local government finance.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 6?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

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

NOES (15)—Senators Aanestad, Ashburn, Benoit, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, and Walters.

Above measure ordered enrolled.



REQUEST FOR UNANIMOUS CONSENT (ACR 1)

Senator Steinberg asked for, and was granted, unanimous consent to take up ACR 1 at this time, without reference to file.

Consideration of Assembly Concurrent Resolution 1

Assembly Concurrent Resolution 1—Relative to final adjournment of the 2009–10 First Extraordinary Session of the Legislature.

Measure presented by Senator Steinberg.

Roll Call

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

AYES (37)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

LEAVES OF ABSENCE FOR THE DAY

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

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

At 3:30 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 3:31 p.m., the Senate will adjourn.

Motion carried.

SENATE JOURNALS APPROVED

Without objection, the Senate Journals for the 2009–2010 First Extraordinary Session of the Senate shall be approved as corrected by the Minute Clerk.

ADJOURNMENT SINE DIE

Pursuant to provisions ACR 1, the 2009–2010 First Extraordinary Session of the Senate adjourned *sine die* at 12 midnight.

PAULA K. ROSSETTO, Minute Clerk

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