

CALIFORNIA LEGISLATURE
2009–10 SECOND EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Saturday, February 14, 2009

The Senate met at 9:43 p.m.
Hon. Leland Y. Yee, of the 8th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zach Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
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, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—39.

Quorum present.



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

The Bible teaches that when the Israelites stood at the shore of the sea with Pharaoh's army at their back, they felt trapped, looking forward or backward, they were unable to see a way out of their troubles.

But in a show of faith, Moses put his staff in the water and began to lead his people through the water towards the other side. The faith they had in what they could not see was rewarded by the waters opening up, revealing a path they could not have imagined just moments before.

We pray to the Holy One, the Creator of us all, to continue to provide paths forward, to guide us on our way, and to open up opportunities for peace and prosperity for all people.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**UNANIMOUS CONSENT REQUESTED TO SUSPEND
SENATE RULE 29.3 AND JOINT RULE 10.5**

Senator Florez requested unanimous consent to suspend Senate Rule 29.3 and Joint Rule 10.5 to permit consideration of SB 3, SB 4, SB 5, SB 7, SB 8, SB 9, SB 10, SB 11, and SB 12, as amended, in print, and properly before the Senate.

Senator Aanestad objected.

Roll Call

The roll was called and the motion failed 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 (13)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Florez moved to suspend Senate Rule 29.3 to permit consideration of SB 3, SB 4, SB 5, SB 7, SB 8, SB 9, SB 10, SB 11, and SB 12, as amended, in print, and properly before the Senate.

Senator Cogdill objected.

Roll Call

The roll was called and the motion carried 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 (13)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

MOTION TO RE-REFER TO COMMITTEE

Senator Ducheny moved that **SB 3, SB 4, SB 5, SB 7, SB 8, SB 9, SB 10, SB 11, and SB 12** be re-referred to the Committee on Budget and Fiscal Review.

Motion carried.

RECESS

At 9:49 p.m., on motion of Senator Ducheny the Senate recessed in order to convene the Committee on Budget and Fiscal Review.

REASSEMBLED

At 9:53 p.m., the Senate reconvened.

Hon. Leland Yee, of the 8th District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Budget and Fiscal Review

Date of Hearing, February 14, 2009

Mr. President: The Committee on Budget and Fiscal Review, to which were referred:

SB 3	SB 4	SB 5
SB 7	SB 8	SB 9
SB 10	SB 11	SB 12

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

DUCHENY, Chair

Above measures ordered to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

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

Bill read third time.

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

Senate Bill 11—An act relating to the Budget Act of 2008.

Bill read third time.

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



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

Bill read third time.

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

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

Bill read third time.

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

Senate Bill 10—An act relating to the Budget Act of 2008.

Bill read third time.

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

Senate Bill 8—An act relating to the Budget Act of 2008.

Bill read third time.

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

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

Bill read third time.

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

Senate Bill 12—An act relating to the Budget Act of 2008.

Bill read third time.

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

Senate Bill 9—An act relating to the Budget Act of 2008.

Bill read third time.

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

THIRD READING OF SENATE BILLS

Senate Bill 3—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

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, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (1)—Senator Yee.

Bill ordered transmitted to the Assembly.

Senate Bill 4—An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.

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, Correa, Cox, Denham, DeSaulnier, Florez, Harman, Hollingsworth, Huff, Kehoe, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, and Wyland.

NOES (4)—Senators Hancock, Leno, Wiggins, and Yee.

Bill ordered transmitted to the Assembly.

Senate Bill 5—An act to amend Section 511 of the Labor Code, relating to employment.

Bill read third time and presented by Senator Cogdill.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 7—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

Bill read third time and presented by Senator Corbett.

Roll Call

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

AYES (24)—Senators Alquist, Ashburn, Cedillo, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal,



Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Yee.

NOES (15)—Senators Aanestad, Benoit, Calderon, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, Wright, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 9—An act to amend Sections 17250.30 and 81704 of the Education Code, to amend Section 6531 of the Government Code, to amend Section 1771.5 of, to amend and repeal Sections 1771.7 and 1771.8 of, to add Sections 1771.3, 1771.55, 1771.75 and 1771.85 to, and to repeal and add Section 1771.9 of, the Labor Code, to amend Sections 20133, 20175.2, 20193, 20209.7, 20209.24, and 20919.3 of the Public Contract Code, and to add Section 8007 to the Water Code, relating to public works, and making an appropriation therefor.

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

NOES (4)—Senators Dutton, Hollingsworth, Walters, and Wiggins.

Bill ordered transmitted to the Assembly.

Senate Bill 11—An act to add Sections 68220, 68221, and 68222 to the Government Code, relating to judges.

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 (32)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Maldonado, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (6)—Senators Correa, Dutton, Hollingsworth, Huff, Negrete McLeod, and Yee.

Bill ordered transmitted to the Assembly.

Senate Bill 10—An act to add Section 1936.015 to the Civil Code, relating to vehicle license fees.

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

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 12—An act to amend Sections 68085.45, 70371.5, and 70372 of, and to add Sections 70371.7 and 70371.8 to, the Government Code, relating to court facilities, and making an appropriation therefor.

Bill read third time and presented by Senator Steinberg.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 14, 2009

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

AB 3	AB 4	AB 5
AB 7	AB 8	

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 3—An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.

Assembly Bill 4—An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.

Assembly Bill 5—An act to amend Section 511 of the Labor Code, relating to employment.



Assembly Bill 7—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

Assembly Bill 8—An act to amend Section 11011 of the Government Code, to add Section 43018.2 to the Health and Safety Code, to add and repeal Sections 21080.41 and 21080.42 of the Public Resources Code, and to add Section 130240.5 to the Public Utilities Code, relating to state government.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, February 14, 2009

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

Rules—AB 5, AB 7, AB 8.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 5**, **AB 7**, and **AB 8** were withdrawn from the Committee on Rules and placed on second reading file.

RECESS

At 11:19 p.m., on motion of Senator Yee the Senate recessed in order to convene the third extraordinary session.

IN SENATE

Senate Chamber, Sacramento
Sunday, February 15, 2009

REASSEMBLED

At 9:40 a.m., the Senate reconvened.

Hon. Leland Yee, of the 8th District, presiding.



CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS

Assembly Bill 5—An act to amend Section 511 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 7—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

Bill read second time and ordered to third reading.

Assembly Bill 8—An act to amend Section 11011 of the Government Code, to add Section 43018.2 to the Health and Safety Code, to add and repeal Sections 21080.41 and 21080.42 of the Public Resources Code, and to add Section 130240.5 to the Public Utilities Code, relating to state government.

Bill read second time and ordered to third reading.

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

Senate Bill 8—An act to amend Section 11011 of the Government Code, to add Section 43018.2 to the Health and Safety Code, to add and repeal Sections 21080.41 and 21080.42 of the Public Resources Code, and to add Section 130240.5 to the Public Utilities Code, relating to state government.

Bill read third time and presented by Senator Ducheny.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

REQUEST FOR UNANIMOUS CONSENT (AB 8)

Senator Denham asked for, and was granted, unanimous consent to take up AB 8 at this time, without reference to file.

Consideration of Assembly Bill 8

Assembly Bill 8—An act to amend Section 11011 of the Government Code, to add Section 43018.2 to the Health and Safety Code, to add and repeal Sections 21080.41 and 21080.42 of the Public Resources Code, and to add Section 130240.5 to the Public Utilities Code, relating to state government.

The roll was called.



CALL OF THE SENATE

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

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 8)**

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

Roll Call

The names of the absentees were called and SB 8 was refused passage by the following vote:

AYES (18)—Senators Aanestad, Ashburn, Benoit, Calderon, Cogdill, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

NOES (19)—Senators Alquist, Cedillo, Corbett, DeSaulnier, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Wiggins, Wolk, Wright, and Yee.

REQUEST FOR UNANIMOUS CONSENT (AB 5)

Senator Cogdill asked for, and was granted, unanimous consent to take up AB 5 at this time, without reference to file.

Consideration of Assembly Bill 5

Assembly Bill 5—An act to amend Section 511 of the Labor Code, relating to employment.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

REQUEST FOR UNANIMOUS CONSENT (AB 7)

Senator Corbett asked for, and was granted, unanimous consent to take up AB 7 at this time, without reference to file.

Consideration of Assembly Bill 7

Assembly Bill 7—An act to amend, repeal, and add Section 2924 of, and to add and repeal Sections 2923.52, 2923.53, 2923.54, and 2923.55 of, the Civil Code, relating to residential mortgage loans.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 15, 2009

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

SB 3	SB 4	SB 7
SB 9	SB 10	SB 11

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered enrolled.

RECESS

At 10:05 a.m., on motion of Senator Ducheny the Senate recessed in order to convene in third extraordinary session.

REASSEMBLED

At 1:48 p.m., the Senate reconvened.

Hon. Leland Yee, of the 8th District, presiding.

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

Senate Bill 15—An act relating to the Budget Act of 2008.

Bill read third time.

Amendments Adopted

Amendments to SB 15 proposed by Senator Ashburn were read and adopted and the measure ordered printed, engrossed, and to third reading.

MOTION TO SUSPEND SENATE AND JOINT RULE

Senator Ashburn moved to suspend Senate Rule 29.3 to permit consideration of SB 15 at this time, as amended, in print, and properly before the Senate.

Senator Cogdill objected.

Roll Call

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

AYES (31)—Senators Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, and Yee.

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

Consideration of Senate Bill 15 as amended

Senate Bill 15—An act to add and repeal Section 17059 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time and presented by Senator Ashburn.



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, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, and Wyland.

NOES (1)—Senator Yee.

Bill ordered transmitted to the Assembly.

RECESS

At 1:57 p.m., on motion of Senator Yee the Senate recessed in order to convene the third extraordinary session.

REASSEMBLED

At 8:21 p.m., the Senate reconvened.

Hon. Leland Yee, of the 8th District, presiding.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 5)**

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

Roll Call

The names of the absentees were called and SB 5 passed by the following vote:

AYES (34)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, and Wyland.

NOES (2)—Senators Cedillo and Yee.

Motion to Reconsider (SB 5)

Senator Florez moved to reconsider the vote whereby SB 5 passed with a favorable vote.

Roll Call

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

AYES (39)—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, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Measure ordered returned to third reading.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 8)**

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

Roll Call

The names of the absentees were called and AB 8 passed by the following vote:

AYES (24)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Huff, Kehoe, Liu, Maldonado, Negrete McLeod, Padilla, Runner, Strickland, Walters, and Wolk.

NOES (11)—Senators Corbett, Hancock, Leno, Lowenthal, Oropeza, Pavley, Romero, Simitian, Wiggins, Wright, and Yee.

Motion to Reconsider (AB 8)

Senator Florez moved to reconsider the vote whereby AB 8 passed with a favorable vote.

Roll Call

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

AYES (39)—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, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Measure ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 5)**

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

Roll Call

The names of the absentees were called and AB 5 passed by the following vote:

AYES (29)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Correa, Cox, Denham, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Runner, Simitian, Strickland, Walters, Wiggins, Wolk, and Wyland.

NOES (6)—Senators Cedillo, Corbett, DeSaulnier, Romero, Wright, and Yee.



Motion to Reconsider (AB 5)

Senator Florez moved to reconsider the vote whereby AB 5 passed with a favorable vote.

Roll Call

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

AYES (39)—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, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Measure ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 7)**

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

Roll Call

The names of the absentees were called and AB 7 was passed by the following vote:

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

NOES (15)—Senators Aanestad, Benoit, Calderon, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, Wright, and Wyland.

Motion to Reconsider (AB 7)

Senator Florez moved to reconsider the vote whereby AB 7 passed with a favorable vote.

Roll Call

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

AYES (39)—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, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Measure ordered returned to third reading.



SENATE COMMITTEE ROLL CALLS
Committee on Budget and Fiscal Review

SB 3—Do pass as amended

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

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

SB 4—Do pass as amended

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

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

SB 5—Do pass as amended

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

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

SB 7—Do pass as amended

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

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

SB 8—Do pass as amended

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

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

SB 9—Do pass as amended

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

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

SB 10—Do pass as amended

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

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



SB 11—Do pass as amended

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

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

SB 12—Do pass as amended

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

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

Date of Hearing: 2/14/2009

Ducheny (Chair)

ADJOURNMENT

At 8:21 p.m., the President declared the Senate adjourned on call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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