

CALIFORNIA LEGISLATURE
2007–08 THIRD EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, September 15, 2008

The Senate met at 11:35p.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee—40.

Quorum present.

PRAYER

Prayer was offered by Senator Sheila Kuehl:

Holy God, You created us in Your image and likeness, instilling within us wisdom, understanding and patience. We ask of You this afternoon to look graciously upon our work, to continue to bring us together for the common goal of bettering the lives of those we serve, and to enable us to find satisfaction in all that we accomplish. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 15, 2008

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

AB 36

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time:

Assembly Bill 36—An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, September 15, 2008

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

Req. No. 08-27960 (SB 17)

Has had the same under consideration and finds the same within the purview of the call pursuant to the provisions of Rule 24.

PERATA, Chair

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced and read the first time:

Senate Bill 17: By the Committee on Budget and Fiscal Review—An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

Senate Concurrent Resolution 2: By Senator Perata—Relative to final adjournment of the 2007–08 Third Extraordinary Session of the Legislature.

RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION

The following resolution was offered by Senator Perata:

Resolved, That AB 36 presents a case of urgency as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read and presented by Senator Perata.

Without objection the resolution was adopted.



REQUEST FOR UNANIMOUS CONSENT (AB 36)

Senator Ducheny asked for, and was granted, unanimous consent to take up AB 36 at this time, without reference to file.

Consideration of Assembly Bill 36

Assembly Bill 36—An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

Bill read second time.

Assembly Bill 36—An act to amend Sections 18663 and 19025 of, and to add Sections 19136.1 and 19136.3 to, the Revenue and Taxation Code, and to amend Section 13020 of the Unemployment Code, relating to taxation.

Bill read third time.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

IN SENATE

Senate Chamber, Sacramento
Tuesday, September 16, 2008

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 36)**

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 AB 36 was passed by the following vote:

AYES (21)—Senators Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Migden, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Steinberg, Torlakson, Vincent, Wiggins, and Yee.

NOES (18)—Senators Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Machado, Maldonado, Margett, McClintock, Runner, Simitian, and Wyland.

Bill ordered transmitted to the Assembly.



REQUEST FOR UNANIMOUS CONSENT (SCR 2)

Senator Perata asked for, and was granted, unanimous consent to take up SCR 2 at this time, without reference to file.

Consideration of Senate Concurrent Resolution 2

Senate Concurrent Resolution 2—Relative to final adjournment of the 2007–08 Third Extraordinary Session of the Legislature.

Roll Call

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

AYES (39)—Senators Aanestad, Ackerman, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Vincent, Wiggins, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

ADJOURNMENT

At 12:45 a.m., the President declared the Senate adjourned.

PAULA K. ROSSETTO, Minute Clerk

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