

CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, February 17, 2009

The Senate met at 10:10 a.m.
Hon. Dean Florez, of the 16th 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:

Holy and Loving God, We pray for the well-being of our State, and all who serve it. May the actions of those who lead us be guided with wisdom and compassion, for in their hands is a sacred trust. May the Holy One bring blessings and well being, a sense of peace and security to the lives of all people.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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



IN SENATE

Senate Chamber, Sacramento
Wednesday, February 18, 2009

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

Assembly Bill 3—An act to add Section 99040 to the Government Code, to amend Section 17054 of, to amend, and add Sections 10752 and 10752.1 of, to add Sections 6051.7, 6201.7, 7360.1, 7360.2, 7361.1, 7653.1, 10752.2, 17044, 60050.2, 60050.3, 60050.4, and 60201.4 to, the Revenue and Taxation Code, and to amend Sections 163 and 164 of the Streets and Highways Code, relating to taxation, 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.

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
Thursday, February 19, 2009

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 3)**

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

Urgency Clause

The names of the absentees were called and the urgency clause to AB 3 was refused adoption 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 (12)—Senators Aanestad, Benoit, Denham, Dutton, Harman, Hollingsworth, Huff, Maldonado, Runner, Strickland, Walters, and Wyland.

Motion to Reconsider

Senator Ducheny moved to reconsider the vote whereby the urgency clause to AB 3 was refused adoption.

Roll Call

The roll was called and reconsideration was granted 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 (6)—Senators Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Bill returned to third reading.

Further Consideration of Assembly Bill 3

Assembly Bill 3—An act to add Section 99040 to the Government Code, to amend Section 17054 of, to amend, and add Sections 10752 and 10752.1 of, to add Sections 6051.7, 6201.7, 7360.1, 7360.2, 7361.1, 7653.1, 10752.2, 17044, 60050.2, 60050.3, 60050.4, and 60201.4 to, the Revenue and Taxation Code, and to amend Sections 163 and 164 of the Streets and Highways Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Senator Steinberg moved the adoption of amendments to AB 3.

Amendments read and adopted and the measure ordered printed and to third reading.

RECESS

At 3:42 a.m., on motion of Senator Steinberg the Senate recessed in order to convene in regular session.

REASSEMBLED

At 4:50 a.m., the Senate reconvened.

Hon. Dean Florez, of the 16th District, presiding.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 17, 2009

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

SB 19

SB 20

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

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

Assembly Bill 16—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 16 pursuant to Joint Rule 58.

ASSEMBLY MEMBER EVANS

Permission of Rules Committee

Senate Chamber, February 17, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 16.

STEINBERG, Chair

Amendments Adopted

Amendments to AB 16 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 17—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 17 pursuant to Joint Rule 58.

ASSEMBLY MEMBER EVANS



Permission of Rules Committee

Senate Chamber, February 17, 2009

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 17.

STEINBERG, Chair

Amendments Adopted

Amendments to AB 17 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to third reading.

UNFINISHED BUSINESS**Consideration of Assembly Amendments**

Senate Bill 1—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 1?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Roll Call

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

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Above bill ordered enrolled.

Senate Bill 2—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 0690-102-0001, 0690-102-0214, 0690-102-0597, 0690-113-0001, 0890-001-0001, 1870-012-0214, 2640-101-0046, 2660-302-0042, 2660-302-0890, 3790-001-0001, 3790-001-6051, 4140-011-0121, 4170-101-0001, 4300-101-0001, 5180-111-0001, 5225-101-0001, 6440-001-0001, 6600-001-0001, 6610-001-0001, 6610-002-0001,

8660-011-0470, 8660-011-0471, 8660-011-0483, and 9210-101-0001 of, and to add Items 2180-011-0067, 2660-013-0042, 3560-011-0347, 3680-011-0516, 3790-011-0263, 3910-011-0226, and 8120-013-0268 to, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to amend Section 28.00 of, and to add Sections 3.90, 8.25, and 35.10 to, the Budget Act of 2008, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 2?

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (8)—Senators Aanestad, Denham, Dutton, Runner, Strickland, Walters, Wyland, and Yee.

Roll Call

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

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

NOES (8)—Senators Aanestad, Denham, Dutton, Runner, Strickland, Walters, Wyland, and Yee.

Above bill ordered enrolled.

Senate Bill 4—An act to amend Sections 2558.46, 14041.5, 17592.71, 41203.1, 42238, 42238.146, 52124, and 60119 of, to amend, repeal, and add Section 17584.1 of, to add Sections 14041.6, 17070.766, 17592.74, 41207.3, 42238.49, 42605, 52124.3, and 92612.5 to, and to add and repeal Sections 1240.3 and 60422.1 of, the Education Code, to amend Items 6110-196-0001, 6110-234-0001, 6110-488, 6870-101-0001, and 6870-295-0001 of, to add Items 6110-111-0046 and 6110-111-3116 to, and to repeal Item 6110-111-0001 of, Section 2.00 of, and to add Section 12.42 to, and to repeal Sections 12.40 and 35.80 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to amend Sections 34, 35, and 37 of, and to repeal Section 33 of, Chapter 757 of the Statutes of



2008, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

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

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, and Wright.

NOES (11)—Senators Aanestad, Cedillo, Corbett, Correa, Denham, Dutton, Negrete McLeod, Romero, Strickland, Wyland, and Yee.

Roll Call

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

AYES (27)—Senators Alquist, Ashburn, Benoit, Calderon, Cogdill, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Runner, Simitian, Steinberg, Walters, Wiggins, Wolk, and Wright.

NOES (11)—Senators Aanestad, Cedillo, Corbett, Correa, Denham, Dutton, Negrete McLeod, Romero, Strickland, Wyland, and Yee.

Above bill ordered enrolled.

Senate Bill 6—An act to amend Sections 4639.5, 4640.6, 11453, 12201, 12305.1, and 12306.1 of, and to add Sections 11450.02 and 12200.019 to, and to add and repeal Section 12200.018 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

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

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (28)—Senators Alquist, Benoit, Calderon, Cogdill, Corbett, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Wyland.

NOES (10)—Senators Aanestad, Cedillo, Correa, Denham, Dutton, Liu, Maldonado, Negrete McLeod, Walters, and Yee.



Roll Call

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

AYES (28)—Senators Alquist, Benoit, Calderon, Cogdill, Corbett, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Oropeza, Padilla, Pavley, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, and Wyland.

NOES (10)—Senators Aanestad, Cedillo, Correa, Denham, Dutton, Liu, Maldonado, Negrete McLeod, Walters, and Yee.

Above bill ordered enrolled.

Senate Bill 7—An act to amend Section 16965 of, and to add Section 63048.66 to, the Government Code, to amend Sections 99312, 99312.7, and 99315 of the Public Utilities Code, and to amend Sections 7102 and 7104.2 of the Revenue and Taxation Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

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

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 8—An act to amend Section 41204.1 of the Education Code, to amend Sections 13312, 17561, 29552, 30061, and 30070 of, to amend, repeal, and add Section 19853 of, and to add Sections 17255, 19844.1, 29553, and 99030 to, the Government Code, to add Section 33333.13 to the Health and Safety Code, to amend Sections 13848.2, 13848.4, and 13848.6 of, and to add Section 13812 to, the Penal Code, to add Sections 97.80 and 20623 to the Revenue and Taxation Code, to amend Sections 2104, 2105, 2106, and 2107 of the Streets and Highways Code, to amend Sections 14041.1, 15153, and 18221 of, to add Section 18220.1 to, and to repeal and add Section 18220 of, the Welfare and Institutions Code, and to amend Section 6 of Chapter 213 of the Statutes of 2000, relating to state and local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 8?



Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (11)—Senators Aanestad, Corbett, Cox, Denham, Dutton, Harman, Hollingsworth, Runner, Strickland, Walters, and Wyland.

Roll Call

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

AYES (27)—Senators Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (11)—Senators Aanestad, Corbett, Cox, Denham, Dutton, Harman, Hollingsworth, Runner, Strickland, Walters, and Wyland.

Above bill ordered enrolled.

Senate Bill 10—An act to amend Sections 5891 and 5892 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 10?

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (2)—Senators Aanestad and Correa.

Roll Call

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

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

NOES (2)—Senators Aanestad and Correa.

Above bill ordered enrolled.



Senate Bill 14—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 presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 14?

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (6)—Senators Aanestad, Calderon, Correa, Denham, Hollingsworth, and Strickland.

Roll Call

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

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

NOES (6)—Senators Aanestad, Calderon, Correa, Denham, Hollingsworth, and Strickland.

Above bill ordered enrolled.

Senate Bill 15—An act to amend Sections 17039.2, 23036.2, 23101, 25120, and 25135 of, to amend, repeal, and add Section 25136 of, to add Sections 6902.5, 17053.85, 19136.8, 23685, and 25128.5 to, and to add and repeal Sections 17053.80 and 23623 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 15?

Roll Call

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

AYES (30)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cogdill, Corbett, Correa, Cox, Denham, Florez, Harman, Hollingsworth,



Huff, Kehoe, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, and Wyland.

NOES (7)—Senators DeSaulnier, Ducheny, Hancock, Leno, Negrete McLeod, Romero, and Yee.

Above bill ordered enrolled.

UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (ACA 1)

Without objection, unanimous consent was granted that the action be rescinded whereby ACA 1 failed adoption, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Constitutional Amendment 1

Assembly Constitutional Amendment 1—A resolution directing the Secretary of State to withdraw from the consideration of the people of the State of California Senate Constitutional Amendment No. 30 (Resolution Chapter 167 of the Statutes of 2008) and further directing the Secretary of State to make amendments in Senate Constitutional Amendment No. 13 (Resolution Chapter 144 of the Statutes of 2008).

Resolution read third time and presented by Senator Ducheny.

Roll Call

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

AYES (30)—Senators Aanestad, Alquist, Ashburn, Benoit, Calderon, Cedillo, Cogdill, Cox, Denham, DeSaulnier, Ducheny, Florez, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Strickland, Wiggins, Wolk, and Wyland.

NOES (8)—Senators Corbett, Correa, Dutton, Hancock, Negrete McLeod, Runner, Wright, and Yee.

Resolution ordered transmitted to the Assembly

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8.3 to Article XVI thereof, relating to education finance.

Resolution read third time and presented by Senator Steinberg.

Roll Call

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

AYES (28)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Denham, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (10)—Senators Aanestad, Benoit, Cox, Dutton, Harman, Hollingsworth, Runner, Strickland, Walters, and Wyland.

Resolution ordered transmitted to the Assembly.



Assembly Bill 16—An act relating to the Budget Act of 2008.

Bill read third time and presented by Senator Ducheny.

SENATE RULE 29.3 AND JOINT RULE 10.5 SUSPENDED

Without objection, Senate Rule 29.3 and Joint Rule 10.5 were suspended to permit consideration of AB 16 at this time, as amended, in print, and properly before the Senate.

Further Consideration of Assembly Bill 16

Assembly Bill 16—An act to add and repeal Section 99030 of the Government Code, relating to state finance, and declaring the urgency thereof, to take effect immediately.

Bill read.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Wright.

NOES (11)—Senators Aanestad, Benoit, Correa, Denham, Hollingsworth, Huff, Runner, Strickland, Walters, Wyland, and Yee.

Roll Call

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

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Cox, DeSaulnier, Ducheny, Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, and Wright.

NOES (11)—Senators Aanestad, Benoit, Correa, Denham, Hollingsworth, Huff, Runner, Strickland, Walters, Wyland, and Yee.

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 17

Assembly Bill 17—An act relating to the Budget Act of 2008.

Bill read third time and presented by Senator Ducheny.

SENATE RULE 29.3 AND JOINT RULE 10.5 SUSPENDED

Without objection, Senate Rule 29.3 and Joint Rule 10.5 were suspended to permit consideration of AB 17 at this time, as amended, in print, and properly before the Senate.

Further Consideration of Assembly Bill 17

Assembly Bill 17—An act to amend Sections 130105 and 130150 of the Health and Safety Code, to amend Section 30131.4 of, and to add Section 30131.45 to, the Revenue and Taxation Code, relating to children, and declaring the urgency thereof, to take effect immediately.

Bill read.



Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 3—An act to add Section 99040 to the Government Code, to amend Section 17054 of, to amend, and add Sections 10752 and 10752.1 of, to add Sections 6051.7, 6201.7, 7360.1, 7360.2, 7361.1, 7653.1, 10752.2, 17044, 60050.2, 60050.3, 60050.4, and 60201.4 to, the Revenue and Taxation Code, and to amend Sections 163 and 164 of the Streets and Highways Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Ducheny.

SENATE RULE 29.3 AND JOINT RULE 10.5 SUSPENDED

Without objection, Senate Rule 29.3 and Joint Rule 10.5 were suspended to permit consideration of AB 3 at this time, as amended, in print, and properly before the Senate.

Further Consideration of Assembly Bill 3

Assembly Bill 3—An act to add Section 99040 to the Government Code, to amend Sections 17041, 17054, and 17062 of, to amend and add Sections 10752 and 10752.1 of, and to add Sections 6051.7, 6201.7, and 10752.2 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read.



Urgency Clause

Urgency Clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Roll Call

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

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

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

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

Urgency Clause

The names of the absentees were called and the urgency clause to SB 7 was adopted by the following vote:

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Roll Call

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

AYES (27)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

NOES (12)—Senators Aanestad, Benoit, Cox, Denham, Dutton, Harman, Hollingsworth, Huff, Runner, Strickland, Walters, and Wyland.

Above bill ordered enrolled.



REQUEST FOR UNANIMOUS CONSENT (SB 19)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 19 at this time, without reference to file.

Consideration of Assembly Amendments (SB 19)

Senate Bill 19—An act calling an election, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 19?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Ducheny, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Roll Call

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

AYES (31)—Senators Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, DeSaulnier, Ducheny, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Romero, Runner, Simitian, Steinberg, Strickland, Wiggins, Wolk, Wright, Wyland, and Yee.

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

Above measure ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (SB 20)

Senator Ducheny asked for, and was granted, unanimous consent to take up SB 20 at this time, without reference to file.

Consideration of Assembly Amendments

Senate Bill 20—An act to amend and supplement the Budget Act of 2009 by amending Item 0840-001-0001 of Section 2.00 of that act, relating to the State Budget, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Ducheny.

The question being: Shall the Senate concur in the Assembly amendments to SB 20?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Ashburn, Benoit, Calderon, Cogdill, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Harman, Hollingsworth,



Huff, Kehoe, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Runner, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (9)—Senators Aanestad, Alquist, Cedillo, Hancock, Leno, Liu, Negrete McLeod, Romero, and Wiggins.

Roll Call

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

AYES (27)—Senators Ashburn, Benoit, Calderon, Cogdill, Correa, Cox, Denham, DeSaulnier, Ducheny, Florez, Harman, Hollingsworth, Huff, Kehoe, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Runner, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (9)—Senators Aanestad, Alquist, Cedillo, Hancock, Leno, Liu, Negrete McLeod, Romero, and Wiggins.

Above measure ordered enrolled.

INTRODUCTION AND FIRST READING OF SENATE MEASURE

The following measure was introduced:

Senate Concurrent Resolution 2: By Senator Steinberg—Relative to final adjournment of the 2009–10 Third Extraordinary Session of the Legislature.

ADJOURNMENT

At 6:12 a.m., the President declared the Senate adjourned upon call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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