

CALIFORNIA LEGISLATURE
2009–10 THIRD EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, July 6, 2009

The Senate met at 1:40 p.m.
Hon. S. Joseph Simitian, of the 11th District, presiding.
Chief Assistant Secretary David Valverde 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, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senator Oropeza will be excused this day due to family illness and Senator Cogdill will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Rev. Michael Moran, Senior Minister, Spiritual Life Center:

This weekend the nation celebrated our 233rd birthday. The American dream was set in motion, the freedom seed was planted into the fertile soil of this young nation's soul.

Langston Hughes, the brilliant American poet and author wrote a poem called "Freedoms Plow" which offered hope that even though this great experiment called American Democracy was not perfect yet, it was in process. Let me share just a few lines from "Freedoms Plow".

America is a dream.

The poet says it was promises.

The people say it is promises—that will come true.

The people do not always say things out loud,

Nor write them down on paper.

The people often hold

Great thoughts in their deepest hearts

And sometimes only blunderingly express them,

Haltingly and stumblingly say them

And faultingly put them into practice.

The people do not always understand each other,

But there is, somewhere there,

Always the trying to understand,

And the trying to say,

"You are a man. Together we are building our land."

America!

Land created in common.

Dream nourished in common.

Keep your hand on the plow! Hold on!

If the house is not yet finished,

Don't be discouraged builder!

If the fight is not yet won,

Do not be weary, soldier!

The plan and pattern is here,

Woven from the beginning

Into the warp and woof of America!

My dear brothers and sisters, entrusted with the good will of those who elected you, we believe in you, and pray that you will be guided to rebuild trust and bring order back to the great State of California.

May the God of Order and Peace be with each of you chosen to guide the destiny of our great state's citizens and industry. May the God of Wisdom and Understanding imbue you with the humility to listen to reason, and the courage to act in the best interest for all concerned. May you work in harmony with one another, as you blaze a new road to a bright



future for all our people. We have faith in you and ask this in the name and through the power of All that is Good, Sacred and Holy.

Om Shanti, Shalom, Salam, Peace.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 47, AB 48, AB 49, AB 50, AB 51, AB 52, AB 53, AB 54, AB 55, and AB 56** were withdrawn from Committee and given their second reading upon being withdrawn and placed on file.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 47—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 48—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 49—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 50—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 51—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 52—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 53—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 54—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 55—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

Assembly Bill 56—An act relating to the Budget Act of 2009.

Bill read second time and ordered to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill 40—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 41—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 42—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 43—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete



McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 44—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 45—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 46—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.



Senate Bill 47—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 48—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 49—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 50—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 51—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 52—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 53—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete



McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senate Bill 54—An act relating to the Budget Act of 2009.

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, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wiggins, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

RECESS

At 1:47 p.m., the Senate recessed in order to convene in Fourth Extraordinary session.

REASSEMBLED

At 3:30 p.m., the Senate reconvened.

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

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to family illness: Senator Oropeza.

The following Senator was granted leave of absence for the day due to illness: Senator Cogdill.

ADJOURNMENT

At 3:30 p.m., the President declared the Senate adjourned on call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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