

CALIFORNIA LEGISLATURE
2009–10 FIFTH EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

TENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, December 17, 2009

The Senate met at 3:01 p.m.
Hon. Dean Florez, of the 16th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

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

Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Dutton, Florez, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—35.

Quorum present.

(NOTE: Senators Alquist, Ducheny, Hancock, and Pavley will be excused this day on personal business.)



PRAYER

Upon invitation of the President, the following prayer was offered by Rev. Georgia Prescott, Center for Spiritual Awareness:

I invite you to turn your attention now to that one Presence by many names: God, Allah, I AM, Sacred Grandmother Tree, Divine Intelligence, Omnipresent Love.

It is in this moment of turning our attention to this Universal Power for Good that the connection is made, and when the connection is made, corrections will come. Corrections needed to meet the growing needs of Californians young and old, those born here and those who came here for a better life. May each Senator here today feel the blessing of the one.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Education**

Date of Hearing, December 17, 2009

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

SB 4

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ROMERO, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing, December 17, 2009

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

SB 4

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

KEHOE, Chair

Above measure ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT (SB 4)

Senator Steinberg asked for, and was granted, unanimous consent to take up SB 4 at this time, without reference to file.

Consideration of Senate Bill 4

Senate Bill 4—An act relating to public schools.

RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION

The following resolution was offered by Senator Steinberg:

Resolved, That SB 4 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, considered engrossed, and placed upon its passage.

Resolution read and presented by Senator Steinberg.

Roll Call

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

AYES (28)—Senators Ashburn, Calderon, Cedillo, Cogdill, Corbett, Cox, Denham, DeSaulnier, Florez, Harman, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Consideration of Senate Bill 4

Senate Bill 4—An act relating to public schools.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Senate Bill 4—An act to amend Sections 52052.5, 60601, 60603, 60604, 60605.6, 60606, 60640, 60643, 60643.1, and 60900 of, to add Sections 10601.6, 10802.5, 10807, 44227.2, 60604.5, 60605.7, 60605.8, and 60605.9 to, to add Article 10 (commencing with Section 48350) to Chapter 2 of Part 27 of Division 4 of Title 2 of, and to add Chapter 18 (commencing with Section 53100) to Part 28 of Division 4 of Title 2 of, the Education Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to public schools.

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 (21)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Cox, Denham, Florez, Harman, Huff, Liu, Lowenthal, Maldonado, Padilla, Price, Romero, Runner, Simitian, Steinberg, Strickland, and Wyland.

NOES (7)—Senators Corbett, DeSaulnier, Leno, Negrete McLeod, Wolk, Wright, and Yee.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 2—An act to amend Section 1798.24 of the Civil Code, and to amend Sections 10802 and 49076 of, to add Section 49079.5 to, and to add and repeal Section 49079.6 of, the Education Code, relating to pupil data.

Bill presented by Senator Simitian.

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



Roll Call

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

AYES (28)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, DeSaulnier, Florez, Harman, Huff, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Price, Romero, Runner, Simitian, Steinberg, Strickland, Wolk, Wright, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

SENATE COMMITTEE ROLL CALLS**Committee on Education**

SB 4—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Huff, Liu, Maldonado, Padilla, Romero, Simitian, and Wyland.

NOES (0)—None.

Date of Hearing: 12/17/2009

Romero (Chair)

Committee on Appropriations

SB 4—Do pass as amended

AYES (8)—Senators Cox, Denham, Kehoe, Leno, Oropeza, Price, Runner, and Wyland.

NOES (3)—Senators Corbett, Wolk, and Yee.

Date of Hearing: 12/17/2009

Kehoe (Chair)

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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