

CALIFORNIA LEGISLATURE  
2009–10 FIFTH EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, January 6, 2010

The Senate met at 2:57 p.m.  
Hon. S. Joseph Simitian, of the 11th 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, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee—36.

Quorum present.

*(NOTE: Senator Harman will be excused this day on legislative business, Senator Hancock will be excused this day on personal business, and Senator Wiggins will be excused this day due to illness.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Senator Mark Leno:

The New Year brings with it the promises of spring: renewal, regeneration, rejuvenation and hope. Hope for a brighter day, for the cessation of hunger and starvation, for an end to senseless violence, for a more just and equitable world, for a world at peace.

Help us, ever patient creator and giver of life, to be proactive agents in the realization of our hopes. Remind us daily that the purpose of the miracle of life is to share the many blessing you have provided us. Instill in us, as your stewards, the courage, tenacity and selflessness of preceding generations so that we can bequeath a healthy and sustainable planet to those who follow us.

Baruch atah adonoi, eloheynu melech ha'olam, she'che'heyanu, v'keyamanu v'hegeyanu la'zeman ha'zeh.

Blessed are you, Creator of the Universe, who has given us life, sustained us and brought us to this time and place.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Education**

January 6, 2010

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

SB 1

SB 4

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

ROMERO, Chair

Above measures referred to the Committee on Appropriations.

**Committee on Appropriations**

January 6, 2010

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

SB 1

SB 4

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

KEHOE, Chair

Above measures ordered to unfinished business.



**REQUEST FOR UNANIMOUS CONSENT (SB 1)**

Senator Steinberg asked for, and was granted, unanimous consent to take up SB 1 at this time, without reference to file.

**Consideration of Senate Bill 1****Consideration of Assembly Amendments**

**Senate Bill 1**—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, 49079.7, 44227.2, 60604.5, 60605.7, 60605.8, and 60605.9 to, 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.

Measure presented by Senator Steinberg.

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

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**REQUEST FOR UNANIMOUS CONSENT (SB 4)**

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

**Consideration of Senate Bill 4****Consideration of Assembly Amendments**

**Senate Bill 4**—An act to add Article 10 (commencing with Section 48350) to Chapter 2 of Part 27 of Division 4 of Title 2 of, and to add Article 3 (commencing with Section 53300) to Chapter 18 of Part 28 of Division 4 of Title 2 of, the Education Code, relating to public schools.

Measure presented by Senator Romero.

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

**Roll Call**

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

AYES (23)—Senators Aanestad, Alquist, Calderon, Cedillo, Cogdill, Cox, Denham, Dutton, Florez, Hollingsworth, Huff, Kehoe, Maldonado, Oropeza, Padilla, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, and Wyland.

NOES (11)—Senators Corbett, Correa, DeSaulnier, Ducheny, Leno, Lowenthal, Negrete McLeod, Pavley, Wolk, Wright, and Yee.

Above measure ordered enrolled.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 1)**

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

**Roll Call**

The names of the absentees were called and SB 1 was passed by the following vote:

AYES (27)—Senators Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, Dutton, Florez, Hollingsworth, Huff, Kehoe, Lowenthal, Maldonado, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, and Wyland.

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

Above bill ordered enrolled.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measure was introduced and read first time:

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

**REQUEST FOR UNANIMOUS CONSENT (SCR 2)**

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

**Consideration of Senate Concurrent Resolution 2**

**Senate Concurrent Resolution 2**—Relative to final adjournment of the 2009–10 Fifth Extraordinary Session of the Legislature.

**Roll Call**

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

AYES (32)—Senators Aanestad, Ashburn, Calderon, Cogdill, Corbett, Correa, Cox, DeSaulnier, Ducheny, Dutton, Florez, Hollingsworth, Huff, Kehoe, Leno, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

**SENATE COMMITTEE ROLL CALLS****Committee on Appropriations**

**SB 1**—That the Assembly amendments be concurred in and the measure re-referred to Committee on Appropriations.

AYES (9)—Senators Cox, Denham, Kehoe, Leno, Oropeza, Price, Runner, Walters, and Wyland.

NOES (2)—Senators Corbett and Yee.



**SB 4**—That the Assembly amendments be concurred in and the measure re-referred to Committee on Appropriations

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

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

Date of Hearing: 1/6/2010

Kehoe (Chair)

#### **Committee on Education**

**SB 1**—That the Assembly amendments be concurred in

AYES (6)—Senators Huff, Liu, Padilla, Romero, Simitian, and Wyland.

NOES (0)—None.

**SB 4**—That the Assembly amendments be concurred in

AYES (6)—Senators Huff, Maldonado, Padilla, Romero, Simitian, and Wyland.

NOES (1)—Senator Liu.

Date of Hearing: 1/6/2010

Romero (Chair)

#### **LEAVES OF ABSENCE FOR THE DAY**

The following Senator was granted leave of absence for the day due to legislative business: Senator Harman.

The following Senator was granted leave of absence for the day due to personal business: Senator Hancock.

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

#### **ADJOURNMENT**

At 3:33 p.m., the President declared the Fifth Extraordinary Session adjourned.

PAULA K. ROSSETTO, Minute Clerk

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