

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, February 24, 2011

The Senate met at 9 a.m.

Hon. Christine Kehoe, of the 39th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary Zachary L. Twilla reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.

The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE

ROLL CALL

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

Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—40.

Quorum present.



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

William Shakespeare, a man who understood the power of words, wrote:

“My words fly up, my thoughts remain below:
Words without thoughts never to heaven go.”

Words in and of themselves have no inherent power. Whether in prayer or in conversation, if our words lack truth or ring hollow, they do not reach the heavens.

Our words are only as meaningful as the thoughts they reflect. Both the spoken and the written word are two of the most powerful gifts that humankind possesses. The communicated word can be used to build up or tear down society, to spread enlightenment or to enforce darkness.

May the Holy One of Blessing inspire us to raise our voices in the service of others and to express our hearts most noble endeavors. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 8** and **ACR 11** were withdrawn from Committee and placed on today’s Special Consent Calendar.

RECESS

At 9:08 a.m., on motion of Senator Kehoe the Senate recessed in order to convene in the First Extraordinary session.

REASSEMBLED

At 10:20 a.m., the Senate reconvened.

Hon. Christine Kehoe, of the 39th District, presiding.

SPECIAL RECOGNITION

Senator Steinberg asked that the Senate recognize and honor Nette Sabelhaus on her many years of service to the Senate.

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 8—Relative to American Heart Month and Wear Red Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 11—Relative to the Lunar New Year 4709 celebration.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Consent Calendar Roll Call

The roll was called and the above measures on the Special Consent Calendar were adopted by the following vote:

AYES (40)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 10:42 a.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Simitian moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, February 28, 2011.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, February 23, 2011

The Committee on Rules has referred the following measures to committee:

Agriculture—SB 249, SB 276.

Business, Professions and Economic Development—SB 306, SB 363, SB 376, SB 380, SB 431.

Education—SB 266, SB 268, SB 275, SB 280, SB 281, SB 282, SB 283, SB 295, SB 300, SB 302, SB 355, SB 361, SB 381, SB 402, SB 433, SB 451, SB 452, SB 461.

Elections and Constitutional Amendments—SB 304, SB 327, SB 334, SB 348, SB 397, SB 415, SB 441, SB 448.

Energy, Utilities and Communications—SB 343, SB 370, SB 372, SB 379, SB 383, SB 410, SB 440.

Environmental Quality—SB 246, SB 419, SB 456.

Governance and Finance—SB 244, SB 286, SB 288, SB 331, SB 342, SB 357, SB 358, SB 364, SB 395, SB 449, SB 464.



Governmental Organization—SB 305, SB 339, SB 340, SB 346, SB 374, SB 416.

Health—SB 253, SB 255, SB 256, SB 278, SB 303, SB 336, SB 359, SB 408, SB 442.

Human Services—SB 309, SB 320, SB 368, SB 417, SB 465.

Judiciary—SB 254, SB 261, SB 273, SB 277, SB 279, SB 284, SB 287, SB 293, SB 323, SB 326, SB 328, SB 332, SB 337, SB 375, SB 377, SB 405, SB 424, SB 435, SB 445, SB 458.

Labor and Industrial Relations—SB 316, SB 319, SB 367, SB 378, SB 389, SB 432, SB 438, SB 457.

Natural Resources and Water—SB 250, SB 317, SB 369, SB 455.

Public Employment and Retirement—SB 259, SB 270, SB 318, SB 322, SB 349, SB 350, SB 373.

Public Safety—SB 247, SB 248, SB 285, SB 291, SB 296, SB 308, SB 313, SB 329, SB 387, SB 390, SB 404, SB 406, SB 420, SB 425, SB 427, SB 428, SB 430.

Rules—SB 243, SB 245, SB 257, SB 258, SB 262, SB 265, SB 267, SB 269, SB 271, SB 272, SB 274, SB 289, SB 292, SB 294, SB 297, SB 298, SB 307, SB 310, SB 311, SB 312, SB 314, SB 321, SB 324, SB 325, SB 333, SB 335, SB 338, SB 344, SB 345, SB 347, SB 351, SB 352, SB 354, SB 356, SB 360, SB 362, SB 371, SB 384, SB 385, SB 386, SB 388, SB 391, SB 392, SB 393, SB 398, SB 399, SB 403, SB 409, SB 413, SB 414, SB 418, SB 421, SB 423, SB 426, SB 429, SB 434, SB 436, SB 437, SB 443, SB 446, SB 453, SB 459, SB 460, SB 462, SB 463.

Transportation and Housing—SB 290, SB 301, SB 341, SB 444, SB 447, SB 450.

The Committee on Rules has re-referred the following measure to committee:

Natural Resources and Water—SB 16.

The Committee on Rules has referred the following measures to two committees:

Banking and Financial Institutions and Judiciary—SB 365, SB 412.

Business, Professions and Economic Development and Public Safety—SB 260.

Education and Environmental Quality—SB 394.



Energy, Utilities and Communications and Judiciary—SB 454.

Environmental Quality and Energy, Utilities and Communications—SB 422.

Governmental Organization and Environmental Quality—SB 353, SB 401.

Governmental Organization and Judiciary—SB 252.

Governmental Organization and Rules—SB 366, SB 396, SB 400.

Health and Public Safety—SB 315, SB 411.

Health and Governance and Finance—SB 330.

Human Services and Judiciary—SB 382.

Judiciary and Appropriations—SB 264.

Labor and Industrial Relations and Judiciary—SB 299.

Labor and Industrial Relations and Public Safety—SB 407.

Natural Resources and Water and Environmental Quality—SB 263.

Public Employment and Retirement and Elections and Constitutional Amendments—SB 439.

Transportation and Housing and Rules—SB 251.

Senate Chamber, February 24, 2011

Madam President: The Chair of the Committee on Rules, to which was referred:

SCR 8

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Senate Concurrent Resolution 8—Relative to Sunshine Week.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 17: By Senator La Malfa—Relative to Prostate Cancer Awareness Month.



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

Senate Resolution 8—Relative to Peace Corps Month.

Resolution read third time.

Amendments Adopted

Amendments to SR 8 proposed by Senator Padilla were read and adopted and the measure ordered printed, engrossed, and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator De León requested that when the Senate adjourns this day it do so in memory of Ferenec “Frank” Veres of Los Angeles.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Graham Jameson of Rancho Cucamonga.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Roy Inman of Auburn.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Walter Freeman of Oceanside.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Simitian, the Senate adjourned pursuant to the Senators’ requests until 2 p.m., Monday, February 28, 2011.

PAULA K. ROSSETTO, Minute Clerk

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