

CALIFORNIA LEGISLATURE

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SENATE DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, April 11, 2011

The Senate met at 1 p.m.
Hon. S. Joseph Simitian, of the 11th 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, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—37.

Quorum present.

(NOTE: Senator Blakeslee will be excused this day on personal business, Senator Calderon will be excused this day due to family illness, and Senator Lieu will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Giani Ranjeet Singh from the Sacramento Sikh Temple:

O Almighty, All Pervading and Eternal God:

To Thee, I pray, O Lord: Thou art my True Master; Thou art my Protector ever, I dwell upon Thee.

Save us all, O Father, from Lust, Anger, Greed, Attachment and Pride; and keep us always attached to Thy Feet. Bless us all with the eyes of the Mind to see you present in all human beings, your own images, and enable us to love you and pay due respect to all without any discrimination on the basis of race, religion, creed, gender and color. May Peace, Accord and harmony prevail in the world in place of unrest, chaos and tyranny.

The California Senate is passing an American Sikh Day Resolution. Senate President pro Tem Darrell Steinberg has been of utmost assistance to the Sikh Community during this painful time when Mr. Surinder Singh was fatally shot.

Almighty God, we ask that You bless Senator Darrell Steinberg and all other California State Senators, give them the strength, and guide them so that they can help the Sikh Community and all other religions during their time of need.

O Almighty God, we beseech Your assistance and blessings. With full faith in You, O God-Guru, we bow before You repeating Nanak's words: "With the glorification of Thy Name, May all human beings prosper with Thy Grace."

"The Khalsa belong to God, and the Victory belongs to God"

"Those who praise God shall be in bliss and happy, and eternal is the timeless Lord"

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

April 8, 2011

To the Senate of the State of California:

I hereby respectfully withdraw from consideration the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

James. C. Shelby

Member, California Gambling Control
Commission

Sincerely,

EDMUND G. BROWN JR., Governor

Above transmitted to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 11, 2011

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

AB 65	AB 194	AB 362	AB 434
AB 80	AB 199	AB 413	AB 946
AB 84	AB 293	AB 807	AB 1305
AB 123	AB 300	AB 426	AB 1392

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 65—An act to amend Sections 9084 and 9086 of the Elections Code, and to amend Sections 88001 and 88002 of the Government Code, relating to elections.

Assembly Bill 80—An act to amend Sections 340, 1000, 1001, and 1202 of the Elections Code, relating to elections.

Assembly Bill 84—An act to amend Sections 331 and 3500 of the Elections Code, relating to elections.

Assembly Bill 123—An act to amend Section 626.8 of the Penal Code, relating to school safety.

Assembly Bill 194—An act to add Section 66025.9 to the Education Code, relating to postsecondary education.

Assembly Bill 199—An act to amend Section 51221.4 of the Education Code, relating to school curriculum.

Assembly Bill 293—An act to amend Section 3019 of the Elections Code, relating to elections.

Assembly Bill 300—An act to repeal and add Chapter 7 (commencing with Section 119300) of Part 15 of Division 104 of the Health and Safety Code, relating to body art.

Assembly Bill 362—An act to amend Sections 8203 and 8600 of the Elections Code, relating to elections.

Assembly Bill 413—An act to add and repeal Section 4001 of the Elections Code, relating to elections.

Assembly Bill 807—An act to amend Section 1808.1 of the Vehicle Code, relating to vehicles.

Assembly Bill 426—An act to amend Section 640 of the Penal Code, and to amend Section 99580 of the Public Utilities Code, relating to transportation.



Assembly Bill 434—An act to amend Section 76104.6 of the Government Code, relating to county penalties.

Assembly Bill 946—An act to amend Section 279 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1305—An act to amend Sections 13050, 13100, 13101, 13151, 13152, 13154, 13200, 13600, 13601, and 13602 of the Probate Code, relating to decedents' estates.

Assembly Bill 1392—An act to amend Section 2851 of the Public Utilities Code, relating to energy.

REPORTS OF STANDING COMMITTEES

Committee on Health

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Health, to which was referred:

SB 866

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 866—An act to add Section 1367.241 to the Health and Safety Code, and to add Section 10123.191 to the Insurance Code, relating to health care coverage.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 431

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

PRICE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 431—An act to amend Sections 4104, 4105, and 4112 of the Business and Professions Code, relating to pharmacies.

Bill read second time.

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



Committee on Judiciary

Date of Hearing, April 5, 2011

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

SB 182

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

EVANS, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Rules, to which were referred:

SB 274

SB 908

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 Bill 274—An act to amend Section 4999.54 of the Business and Professions Code, relating to healing arts.

Bill read second time.

Senate Bill 908—An act to amend Section 366.26 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

SB 923

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

LIEU, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 923—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

Bill read second time.

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



Committee on Budget and Fiscal Review

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which were referred:

AB 94

AB 117

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

LENO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 94—An act to amend Sections 1240.3, 2550, 2558.46, 8201, 8208, 8263.1, 8263.4, 8354, 8357, 8447, 8499, 14041.5, 14041.6, 17070.766, 17463.7, 17584.1, 17587, 17592.71, 33128.3, 41203.1, 42238.146, 42605, 42606, 45023.1, 45023.4, 46201.2, 52124.3, 60200.7, 69432.7, 69432.9, 69433.6, 76243, 76300, 84043, and 84321.6 of, to amend and renumber Section 60422.1 of, to add Sections 8263.2, 14041.65, 41204.3, 69433.2, and 84321.7 to, and to repeal and add Section 41204.2 of, the Education Code, to amend Section 11323.2 of the Welfare and Institutions Code, and to amend Items 6110-161-0001, 6110-485, and 6110-488 of Section 2.00 of the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.

Bill read second time.

Assembly Bill 117—An act relating to the Budget Act of 2011.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Date of Hearing, April 5, 2011

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 454

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

PADILLA, Chair

Above measure ordered to second reading.

Date of Hearing, April 5, 2011

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 3

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

PADILLA, Chair

Above measure ordered to second reading.

Committee on Human Services

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Human Services, to which was referred:

SB 472

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

LIU, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 472—An act to add Section 95016.5 to the Government Code, relating to children's services.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 5, 2011

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

SB 837

Reports the same back with the recommendation: Do pass as amended, and be placed on the Consent Calendar.

EVANS, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 11, 2011

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

SB 652

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 Bill 652—An act relating to redevelopment.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 652 pursuant to Joint Rule 58.

SENATOR STEINBERG



Permission of Rules Committee

Senate Chamber, April 11, 2011

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 652.

STEINBERG, Chair

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

Committee on Governance and Finance

Date of Hearing, April 6, 2011

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 536

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

WOLK, Chair

Above measure ordered to second reading.

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Governance and Finance, to which was referred:

SB 907

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

WOLK, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 907—An act to add Title 18.2 (commencing with Section 99090) to the Government Code, relating to infrastructure financing and development.

Bill read second time.

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

Committee on Rules

Senate Chamber, April 11, 2011

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

ACR 4

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

Assembly Concurrent Resolution 4—Relative to California Holocaust Memorial Week.

Resolution read second time.

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

Committee on Judiciary

Date of Hearing, April 5, 2011

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

SB 337

SB 561

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

EVANS, Chair

Above measures ordered to second reading.

Committee on Elections and Constitutional Amendments

Date of Hearing, April 5, 2011

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SB 801

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CORREA, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, April 11, 2011

Mr. President: The Chair of the Committee on Governmental Organization, to which was referred:

SB 732

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

WRIGHT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 732—An act to amend Section 19607 of the Business and Professions Code, relating to satellite wagering.

Bill read second time.

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



Committee on Governance and Finance

Date of Hearing, April 6, 2011

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 469

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Environmental Quality.

WOLK, Chair

Above measure ordered to second reading.

Committee on Appropriations

Date of Hearing, April 11, 2011

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

SB 206

SB 234

SB 508

SB 580

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.

Date of Hearing, April 11, 2011

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

SB 16

SB 178

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

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, April 7, 2011

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

SB 24

SB 88

SB 290

SB 590

SB 32

SB 183

SB 341

SB 621

SB 38

SB 199

SB 419

SB 720

SB 39

SB 205

SB 451

SB 792

SB 56

SB 225

SB 461

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, April 7, 2011

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

SB 105

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

KEHOE, Chair

Above measure ordered to second reading.

Senate Chamber, April 7, 2011

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

SB 226

SB 303

SB 518

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and to Consent Calendar.

KEHOE, Chair

Above measures ordered to second reading.

Committee on Health

Date of Hearing, April 6, 2011

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

SB 408

SB 695

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

HERNANDEZ, Chair

Above measures ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURE

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

Senate Concurrent Resolution 37: By Senator Anderson—Relative to the U.S. Border Patrol Agent Robert Rosas Memorial Highway.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 499—An act to add Section 33690.6 to the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 412—An act to amend Section 580e of the Code of Civil Procedure, relating to mortgages.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.



Senate Bill 6—An act to amend Sections 10176 and 11345.4 of, and to add Sections 10177.3 and 11345.7 to, the Business and Professions Code, and to amend Section 1090.5 of the Civil Code, relating to real estate.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Business, Professions and Economic Development.

Senate Bill 53—An act to amend Sections 10079, 10156.2, 10176, 10177, 10237, and 10238 of, to add Sections 10080.9, 10088, 10141.6, and 10236.7 to, to repeal Section 10239.4 of, and to repeal Article 6 (commencing with Section 10237) and Article 6.5 (commencing with Section 10239) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, and to add Section 1808.51 to the Vehicle Code, relating to real estate licensees.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Business, Professions and Economic Development.

Senate Bill 450—An act to amend Sections 33080.1, 33080.2, 33080.8, 33334.2, 33334.3, 33334.4, 33334.12, 33334.16, 33413, 33413.5, 33487, and 33490 of, to add Sections 33080.9, 33080.10, 33080.11, 33080.12, 33506, and 50464.5 to, and to add Article 13 (commencing with Section 33460) to Chapter 4 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 567—An act to repeal Chapter 5.8 (commencing with Section 42359) of, and to repeal and add Chapter 5.7 (commencing with Section 42355) of, Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10(c), **AB 96** was re-referred to the Committee on Rules.



—JOINT RULE 62(a) SUSPENDED

Senator Leno asked for unanimous consent to suspend Joint Rule 62(a) for the purpose of allowing the Committee on Budget and Fiscal Review to meet and hear AB 117 and AB 94 today without four days notice in the Daily File.

Unanimous consent was withheld.

Roll Call

The roll was called and Joint Rule 62(a) was suspended by the following vote:

AYES (23)—Senators Alquist, Corbett, Correa, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (14)—Senators Anderson, Berryhill, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, Walters, and Wyland.

REPORTS OF STANDING COMMITTEES**Committee on Budget and Fiscal Review**

Date of Hearing, April 11, 2011

Mr. President: The Committee on Budget and Fiscal Review, to which was referred:

AB 117

Reports the same back with the recommendation: Do pass.

LENO, Chair

Above bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT (AB 117)

Senator Leno asked for, and was granted, unanimous consent to take up AB 117 at this time, without reference to file.

Consideration of Assembly Bill 117

Assembly Bill 117—An act to amend Section 115215 of the Health and Safety Code, to amend Sections 113, 114, 186.22, 186.26, 186.33, 298.2, 299.5, 598c, 598d, 666, 3000.09, and 3001 of the Penal Code, and to amend Section 1710.5 of the Welfare and Institutions Code, relating to criminal justice realignment, making an appropriation therefor, to take effect immediately, bill related to the budget.

Roll Call

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

AYES (22)—Senators Alquist, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod,



Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (13)—Senators Anderson, Berryhill, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill 381—An act to amend Section 48204 of the Education Code, relating to school attendance.

Bill read third time and presented by Senator Pavley.

Roll Call

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

AYES (37)—Senators Alquist, Anderson, Berryhill, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 441—An act to repeal Section 13305 of the Elections Code, relating to elections.

Bill read third time and presented by Senator Vargas.

Roll Call

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

AYES (30)—Senators Alquist, Berryhill, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Gaines, Hancock, Harman, Hernandez, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (7)—Senators Anderson, Fuller, Huff, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 111—An act to add Section 51.15 to the Civil Code, relating to civil rights.

Bill read third time and presented by Senator Yee.



Roll Call

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

AYES (21)—Senators Alquist, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (14)—Senators Anderson, Berryhill, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 25—Relative to arts education.

Resolution read third time and presented by Senator Gaines.

Roll Call

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

AYES (37)—Senators Alquist, Anderson, Berryhill, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES**Committee on Budget and Fiscal Review**

Date of Hearing, April 11, 2011

Mr. President: The Committee on Budget and Fiscal Review, to which was referred:

AB 94

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

LENO, Chair

Above measure ordered to third reading.

BILL READ THIRD TIME (AB 94)

Assembly Bill 94—An act to amend Section 15820.917 of, and to add Section 15820.910 to, the Government Code, relating to criminal justice realignment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.

Bill read third time.

The amendments proposed by the Committee on Budget and Fiscal Review were read and adopted and the measure ordered printed, and to third reading.



REQUEST FOR UNANIMOUS CONSENT (AB 94)

Senator Leno asked for, and was granted, unanimous consent to take up AB 94 at this time, without reference to file.

Consideration of Assembly Bill 94

Assembly Bill 94—An act to amend Section 15820.917 of, and to add Section 15820.910 to, the Government Code, relating to criminal justice realignment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Roll Call

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

AYES (22)—Senators Alquist, Corbett, Correa, De León, DeSaulnier, Evans, Gaines, Hancock, Hernandez, Kehoe, Leno, Liu, Lowenthal, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wright, and Yee.

NOES (9)—Senators Anderson, Dutton, Emmerson, Harman, Huff, La Malfa, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

April 11, 2011

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

ACR 25—Aye

DARRELL STEINBERG, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

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

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

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

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

At 3:44 p.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate stand in recess until the hour of 4 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 4 p.m., the Senate will adjourn until Tuesday, April 12, 2011.

Motion carried.



MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SB 646** and **SB 774** were withdrawn from Committee and placed on second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations****SB 16—Do pass as amended**

AYES (5)—Senators Alquist, Kehoe, Pavley, Price, and Steinberg.

NOES (3)—Senators Emmerson, Runner, and Walters.

SB 28—Do pass as amended

AYES (5)—Senators Alquist, Kehoe, Pavley, Price, and Steinberg.

NOES (1)—Senator Walters.

SB 178—Do pass as amended

AYES (5)—Senators Alquist, Kehoe, Pavley, Price, and Steinberg.

NOES (3)—Senators Emmerson, Runner, and Walters.

SB 206—Do pass

AYES (6)—Senators Emmerson, Kehoe, Pavley, Price, Runner, and Walters.

NOES (0)—None.

SB 234—Do pass

AYES (5)—Senators Alquist, Kehoe, Pavley, Price, and Steinberg.

NOES (3)—Senators Emmerson, Runner, and Walters.

SB 508—Do pass

AYES (5)—Senators Alquist, Kehoe, Pavley, Price, and Steinberg.

NOES (3)—Senators Emmerson, Runner, and Walters.

SB 578—Do pass as amended

AYES (8)—Senators Alquist, Emmerson, Kehoe, Pavley, Price, Runner, Steinberg, and Walters.

NOES (0)—None.

SB 580—Do pass

AYES (5)—Senators Alquist, Kehoe, Pavley, Price, and Steinberg.

NOES (3)—Senators Emmerson, Runner, and Walters.

Date of Hearing: 4/11/2011

Kehoe (Chair)

Committee on Budget and Fiscal Review**AB 94—Do pass as amended**

AYES (10)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Rubio, Simitian, and Wright.

NOES (4)—Senators Anderson, Emmerson, Huff, and La Malfa.

AB 117—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Rubio, Simitian, Wolk, and Wright.

NOES (5)—Senators Anderson, Emmerson, Fuller, Huff, and La Malfa.

Date of Hearing: 4/11/2011

Leno (Chair)



REQUESTS TO ADJOURN IN MEMORIAM

Senator Correa requested that when the Senate adjourns this day it do so in memory of Mrs. Patricia Royce of Stanton.

Senator Kehoe requested that when the Senate adjourns this day it do so in memory of Phyllis Kraus.

Senators Padilla, De León, and Strickland requested that when the Senate adjourns this day it do so in memory of Kam Kuwata of Los Angeles.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Dianne Kelley and Surinder Singh of Sacramento.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Dennis “Denny” J. Daleiden of Lake Shastina.

ADJOURNMENT

At 4 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Tuesday, April 12, 2011.

PAULA K. ROSSETTO, Minute Clerk

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