

## CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

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# SENATE DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, May 16, 2011

The Senate met at 12 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, 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, Vargas, Walters, Wolk, Wright, and Yee—38.

Quorum present.

*(NOTE: Senators Strickland and Wyland will be excused this day on personal business.)*



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

*O Great and Glorious God*, Throughout the millennia humanity has turned to you and asked how can we live a life of meaning? Your sacred text teaches us that it is not through acquiring material wealth or social status. No. You have taught us that to live a life of meaning, a life imbued with holiness, we must strive not only to improve our own lot, but the lives of others as well. To care for the poor, the widow and the orphan, to remove stumbling blocks before the blind and create a society governed by fairness and compassion, this you have taught us is the path to meaning and holiness.

May the work of our hands and the meditations of our hearts be ever directed towards creating a better and more just world. May this be God's will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Transportation and Housing**

Senate Chamber, May 16, 2011

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

AB 426

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

DESAULNIER, Chair

**Second Reading of Bills—Author's Amendments**

**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.

Bill read second time.

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

**Committee on Appropriations**

Senate Chamber, May 16, 2011

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

SB 53

SB 410

SB 531

SB 699

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

KEHOE, Chair



**Second Reading of Bills—Author's Amendments**

**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.

**Senate Bill 410**—An act to amend Sections 25620.2 and 25620.15 of the Public Resources Code, and to amend Section 399.8 of the Public Utilities Code, relating to energy.

Bill read second time.

**Senate Bill 531**—An act to amend Section 1524.1 of the Penal Code, relating to search warrants.

Bill read second time.

**Senate Bill 699**—An act to amend Section 51225.3 of the Education Code, relating to pupil instruction.

Bill read second time.

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

**Committee on Governmental Organization**

Senate Chamber, May 16, 2011

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

SB 40

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 40**—An act to add Chapter 5.2 (commencing with Section 19990) to Division 8 of the Business and Professions Code, relating to Internet gambling.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 40 pursuant to Joint Rule 58.

SENATOR CORREA



**Permission of Rules Committee**

Senate Chamber, May 16, 2011

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 40.

STEINBERG, Chair

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

**Committee on Judiciary**

Date of Hearing, May 10, 2011

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

SB 221

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

EVANS, Chair

Above measure ordered to second reading.

Date of Hearing, May 10, 2011

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

SB 150

SB 242

SB 557

SB 592

SB 713

SB 890

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

EVANS, Chair

Above measures ordered to second reading.

**Committee on Environmental Quality**

Date of Hearing, May 9, 2011

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

SB 582

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

SIMITIAN, Chair

Above measure ordered to second reading.

**Committee on Insurance**

Date of Hearing, May 11, 2011

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

SB 131

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

CALDERON, Chair

Above measure ordered to second reading.



**Committee on Judiciary**

Date of Hearing, May 10, 2011

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

SB 63

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 Appropriations**

Senate Chamber, May 16, 2011

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

SB 162

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

KEHOE, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 162**—An act to amend Section 19817 of, and to add Sections 19933 and 19934 to, the Business and Professions Code, relating to gaming.

Bill read second time.

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

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

**Senate Bill 474**—An act to amend Section 2782 of, and to add Section 2782.05 to, the Civil Code, relating to indemnity.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 822**—An act to amend Section 13102 of the Government Code, relating to infrastructure plan.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 276**—An act to amend Section 4108 of the Food and Agricultural Code, relating to expositions and fairs.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 430**—An act to amend Section 273.5 of the Penal Code, relating to strangulation.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill 173**—An act to add Section 687 to the Business and Professions Code, relating to healing arts.

Bill read second time, ordered engrossed, and to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill 911**—An act to amend Section 53411 of, and to add Section 53411.5 to, the Government Code, relating to local agency finance.

Bill read third time and presented by Senator De León.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 931**—An act to amend Sections 3506, 3519, 3543.5, and 3571 of the Government Code, relating to public employee organizations.

Bill read third time and presented by Senator Vargas.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 617**—An act to amend Sections 13401, 13402, 13403, 13404, 13405, 13406, and 13407 of the Government Code, relating to state government.

Bill read third time and presented by Senator Calderon.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 747**—An act to amend Sections 2190.1, 2811.5, 2892.5, 2915, 3524.5, 4517, 4980.54, and 4996.22 of the Business and Professions Code, and to amend Section 1337.3 of the Health and Safety Code, relating to healing arts.

Bill read third time and presented by Senator Kehoe.

The roll was called.



**CALL OF THE SENATE**

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

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 835**—An act to amend Sections 10506.8 and 10506.9 of the Public Contract Code, relating to public contracts.

Bill read third time and presented by Senator Wolk.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**Senator Kehoe Presiding****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 863**—An act to amend Sections 4903.1, 4903.5, 4904, and 4905 of, and to add Section 4903.05 to, the Labor Code, relating to workers' compensation.

Bill read third time and presented by Senator Lieu.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 29**—An act to amend Sections 21455.5 and 40518 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Simitian.

**Roll Call**

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

**AYES (36)**—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

**NOES (0)**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 349**—An act to amend Sections 22303, 22404, 22851, 22905, 23006, 23100, 23101, 23103, 23104, 23801, 23802, 23851, 23852,



23854, 24001, 24002, 24003, 24102, 24103, 24201.5, 24204, 24205, 24214, 24214.5, 24300.1, 24309, 24600, 25012, 26301, 26302, and 26303 of, to add Sections 22161.3, 22853.5, 26812, and 26813 to, and to repeal Section 26505 of, the Education Code, relating to teachers' retirement.

Bill read third time and presented by Senator Negrete McLeod.

#### **Roll Call**

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

AYES (35)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Harman, Hernandez, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

#### **Senator Simitian Presiding**

**Senate Bill 207**—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Kehoe.

#### **Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

#### **Roll Call**

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

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 386**—An act to add Section 5080.42 to the Public Resources Code, relating to state parks, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Harman.





**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Wolk, and Wright.

NOES (1)—Senator Yee.

**Roll Call**

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

AYES (33)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Wolk, and Wright.

NOES (1)—Senator Yee.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 911)**

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

**Roll Call**

The names of the absentees were called and SB 911 was passed by the following vote:

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 931)**

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

**Roll Call**

The names of the absentees were called and SB 931 was passed by the following vote:

AYES (24)—Senators Alquist, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu,



Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wright, and Yee.

NOES (12)—Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, and Runner.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 617)**

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

**Roll Call**

The names of the absentees were called and SB 617 was passed by the following vote:

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 747)**

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

**Roll Call**

The names of the absentees were called and SB 747 was passed by the following vote:

AYES (25)—Senators Alquist, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (12)—Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, and Runner.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 835)**

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

**Roll Call**

The names of the absentees were called and SB 835 was passed by the following vote:

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 863)**

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

**Roll Call**

The names of the absentees were called and SB 863 was passed by the following vote:

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 684**—An act to add Section 11658.5 to the Insurance Code, relating to workers' compensation insurance.

Bill read third time and presented by Senator Corbett.

**Roll Call**

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

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

NOES (13)—Senators Anderson, Berryhill, Blakeslee, Cannella, Correa, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 10**—An act to amend Section 1050 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Evans.



**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

**Roll Call**

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

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 704**—An act to amend Section 4996.28 of, to amend, add, and repeal Sections 4992.1, 4996.1, 4996.3, and 4996.4 of, to amend, repeal, and add Sections 4980.40, 4980.50, 4984.01, 4984.7, and 4984.72 of, and to add Sections 4980.397, 4980.398, 4980.399, 4992.05, 4992.07, and 4992.09 to, the Business and Professions Code, relating to healing arts.

Bill read third time and presented by Senator Negrete McLeod.

**Roll Call**

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

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 238**—An act to amend Section 18897.93 of the Business and Professions Code, and to add Section 802.5 to the Penal Code, relating to athlete agents.

Bill read third time and presented by Senator De León.

**Roll Call**

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

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 502**—An act to add Section 123366 to the Health and Safety Code, relating to public health.

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 (30)—Senators Alquist, Blakeslee, Calderon, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Gaines, Hancock, Harman, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (6)—Senators Anderson, Berryhill, Dutton, Fuller, Huff, and La Malfa.

Bill ordered transmitted to the Assembly.

**Senate Bill 214**—An act to amend Sections 53395, 53395.3, 53395.4, 53395.5, 53395.6, 53395.7, 53395.10, 53395.11, 53395.12, 53395.14, 53395.19, 53395.20, 53396, 53397.1, and 53397.2 of, and to repeal Sections 53395.21, 53395.22, 53395.23, 53395.24, 53395.25, 53397.4, 53397.5, 53397.6, and 53397.7 of, the Government Code, relating to infrastructure financing districts.

Bill read third time and presented by Senator Wolk.

#### Roll Call

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

AYES (24)—Senators Alquist, Calderon, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (13)—Senators Anderson, Berryhill, Blakeslee, Cannella, Correa, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 621**—An act to amend Section 10291.5 of, and to add Section 10116.2 to, the Insurance Code, relating to insurance.

Bill read third time and presented by Senator Calderon.



**Roll Call**

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

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 250**—An act to amend Section 21086 of the Public Resources Code, relating to environmental quality.

Bill read third time and presented by Senator Rubio.

**Roll Call**

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

AYES (35)—Senators Alquist, 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, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (1)—Senator Anderson.

Bill ordered transmitted to the Assembly.

**Senate Bill 801**—An act to amend Section 87500 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time and presented by Senator Kehoe.

**Roll Call**

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

AYES (37)—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, Vargas, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**CONSENT CALENDAR**

**Senate Bill 146**—An act to amend Sections 25, 27, 29, 32, 801, 801.1, 802, 805, 809, 4990.20, and 4999.120 of, and to add Article 7 (commencing with Section 4999.123) to Chapter 16 of Division 2 of, the Business and Professions Code, to amend Sections 43.7, 43.8, 43.93, and 43.95 of the Civil Code, to amend Section 13401.5 of the Corporations



Code, to amend Section 66085 of the Education Code, to amend Sections 795, 1010, 1014, and 1157 of the Evidence Code, to amend Sections 3202, 6924, and 6929 of the Family Code, to amend Sections 1277, 1348.8, 1367.26, 1373, 1373.8, 1373.95, 123105, 123115, and 124260 of the Health and Safety Code, to amend Sections 10133.55, 10176, 10176.7, 10177, and 10177.8 of the Insurance Code, to amend Section 11165.7 of the Penal Code, and to amend Sections 4514, 5256.1, 5328, 5328.04, 5696.5, 5751, 5751.2, and 15610.37 of the Welfare and Institutions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 224**—An act to amend Section 10295 of the Public Contract Code, relating to public contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 274**—An act to amend Sections 4980.10 and 4999.47 of, and to add Sections 4989.13, 4991.1, and 4999.13 to, the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 346**—An act to amend Section 23399.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 374**—An act to amend Section 19854 of the Business and Professions Code, relating to gambling.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 768**—An act to amend Section 25611.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 769**—An act to amend Section 4800 of the Fish and Game Code, relating to mountain lions, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 805**—An act to amend Section 6018.3 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 937**—An act to amend Sections 23800 and 25503.56 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 939**—An act to amend Sections 8880.4 and 12419.5 of the Government Code, relating to the California State Lottery.

Bill read third time, passed, 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 Consent Calendar passed by the following vote:

**AYES (37)**—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, Vargas, Wolk, Wright, and Yee.

**NOES (0)**—None.

#### **REQUEST TO BE ADDED TO ROLL CALL**

May 16, 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:

SB 502—Aye

DARRELL STEINBERG, President pro Tempore

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

The following Senators were granted leaves of absence for the day due to personal business: Senators Strickland and Wyland.

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

At 2:05 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 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 Tuesday, May 17, 2011.

Motion carried.





**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 16, 2011

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

SB 151

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered enrolled.

Assembly Chamber, May 16, 2011

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

AB 144	AB 446	AB 486	AB 1391
AB 217	AB 485	AB 713	AB 1404
AB 312	AB 604	AB 733	AB 1422
AB 345	AB 887	AB 892	AB 1423
AB 346	AB 930	AB 1023	

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 144**—An act to amend Sections 7574.14 and 7582.2 of the Business and Professions Code, and to amend Sections 626.9, 16520, 16750, 16850, 17510, 25595, 25605, 26100, and 29805 of, to add Sections 16950, 17040, 17295, and 25590 to, and to add Chapter 6 (commencing with Section 26350) to Division 5 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

**Assembly Bill 217**—An act to amend Section 6404.5 of the Labor Code, relating to occupational safety and health.

**Assembly Bill 312**—An act to amend Section 51.7 of the Civil Code, relating to civil rights.

**Assembly Bill 345**—An act to amend Section 21400 of the Vehicle Code, relating to vehicles.

**Assembly Bill 346**—An act to add Section 12289 to the Elections Code, relating to polling places.

**Assembly Bill 446**—An act to add Section 237 to the Welfare and Institutions Code, relating to juveniles.

**Assembly Bill 485**—An act to amend Sections 53395.1 and 53395.19 of, and to add Sections 53395.7.5 and 65460.2.5 to, the Government Code, relating to local planning.



**Assembly Bill 604**—An act to amend Sections 121349, 121349.1, 121349.2, and 121349.3 of the Health and Safety Code, relating to public health.

**Assembly Bill 887**—An act to amend Section 51 of the Civil Code, to amend Sections 200, 210.2, 210.7, 220, 32228, 47605.6, 51007, 66260.6, 66260.7, and 66270 of the Education Code, to amend Sections 12920, 12921, 12926, 12930, 12931, 12935, 12940, 12944, 12949, 12955, 12955.8, 12956.1, and 12956.2 of the Government Code, to amend Sections 676.10, 10140, 10140.2, and 12693.28 of the Insurance Code, to amend Section 3600 of the Labor Code, and to amend Sections 186.21, 422.56, 422.85, 3053.4, and 11410 of the Penal Code, relating to gender.

**Assembly Bill 930**—An act to amend Section 18921 of the Health and Safety Code, relating to the California Building Standards Commission.

**Assembly Bill 486**—An act to add Section 53069.35 to the Government Code, relating to graffiti abatement.

**Assembly Bill 713**—An act to amend Sections 409.3 and 409.5 of the Military and Veterans Code, relating to military service.

**Assembly Bill 733**—An act to amend Sections 49076 and 49076.5 of the Education Code, relating to pupil records.

**Assembly Bill 892**—An act to amend Section 820.1 of the Streets and Highways Code, relating to transportation.

**Assembly Bill 1023**—An act to amend Sections 114, 809, 901, 3501, 3769.3, 4207, 6140.38, 6322.1, 7056, 7065, 7068.1, 7071, 7155, 8030.4, 19164, 19481.5, 19501, 19532.2, 19604.5, 19605.73, 19614.5, 23358.2, 23368.1, 23378.1, 25608, and 25658 of, and to repeal Sections 6731.1, 6731.2, 8726.1, and 8761.1 of, the Business and Professions Code, to amend Sections 798.23.5, 799.1, 1195, and 3344.1 of the Civil Code, to amend Sections 170.9, 630.01, 630.08, 877, 1010.6, and 1094.5 of the Code of Civil Procedure, to amend Sections 10400, 10404, 14501, 14502, and 14504 of, and to amend the heading of Part 9 (commencing with Section 10400) of Division 2 of Title 1 of, the Corporations Code, to amend Sections 1630, 12001.6, 17250.30, 37222, 41203, 41204, 41320.1, 41326, 41500, 44237, 45330, 51223.3, 51913, 66152, 66739.6, 67365, 68074, 89090, 92630, and 99221.5 of, and to repeal Sections 37222.10, 37222.11, 37222.12, 37222.13, and 37222.14 of, the Education Code, to amend Sections 332.5, 337, 2151, 3103.5, 6950, 7110, 8002.5, 8121, 10735, 12108, 13207, and 13208 of the Elections Code, to amend Section 1390 of the Evidence Code, to amend Sections 4326, 5616, and 6228 of the Family Code, to amend Sections 1805, 1822, 14315, 17345.1, 22349.1, 22352, and 22355 of the Financial Code, to amend Sections 2250, 2942, and 6612 of the Fish and Game Code, to amend Sections 481, 11504, 13184, 79691, and 79702 of the Food and Agricultural Code, to amend Sections 831.7, 901, 912.5, 935.9, 3254.5, 6585, 7513.87, 7514, 11019.5, 12517, 12627,



14661.1, 15439, 19829.7, 20037.14, 21369.2, 22874.1, 56853.6, 63049.67, 66484, 72011, 76000.10, 100521 of, to repeal Sections 7480 and 11544 of, to repeal the heading of Article 10 (commencing with former Section 58300) of Chapter 1 of Division 1 of Title 6 of, and to amend and renumber Sections 7514 and 18929.96 of, the Government Code, to amend Section 1150 of the Harbors and Navigation Code, to amend Sections 1357.51, 1365, 1367.002, 1385.01, 1399.834, 1399.835, 1506, 1777, 1788, 1793.90, 1797.172, 1797.217, 8016, 11364, 16500, 25214.2, 25214.3, 25250.50, 25250.54, 25250.56, 25996, 33331.4, 33334.25, 33420.1, 33684, 41999, 44272.3, 44559.11, 50843.5, 51058.5, 102247, 103605, 103625, 115113, 120335, 120955, 121025, and 124982 of the Health and Safety Code, to amend Sections 557.5, 787.1, 1063.75, 10112.2, 10112.3, 10112.4, 10113.95, 10120.3, 10181, 10713, 10959, 10960, 12389, and 12739.53 of the Insurance Code, to amend Sections 1509, 1695, and 1771.3 of the Labor Code, to amend Section 987.58 of the Military and Veterans Code, to amend Sections 166, 171d, 326.3, 330.1, 381, 597y, 602, 626.95, 647.7, 653.56, 829.5, 830.8, 833.5, 903.4, 1201.3, 1203.066, 4852.03, 4852.17, 4854, 5023.2, 6030, 6228, 11180, 12022, 12022.5, 12022.7, 12022.85, 16880, 25105, 25650, 26020, 26175, 29010, 29065, 29115, 29142, 29510, 29615, 29855, 30105, 31315, 31910, and 32105 of, and to repeal Section 594 of, the Penal Code, to amend Sections 16062 and 21355 of the Probate Code, to amend Sections 2203, 6802, 6804, 6808, 10295.2, 20133, and 20193 of, and to amend the heading of Article 32 (commencing with Section 20520) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, to amend Sections 667, 4186, 4512.5, 4590, 5073.5, 6308, 6362, 7555, 14574, 29735, 32330, 41800, 44820, and 71560 of the Public Resources Code, to amend Sections 345.5, 2827, 2851, 8381, and 100351 of the Public Utilities Code, to amend Sections 69.5, 7104, 17561, 18639, 19141, 19191, 19192, 19194, 23153, 23663, 23685, 24422, and 24875 of, and to repeal Section 24875.5 of, the Revenue and Taxation Code, to amend Sections 143, 182.2, and 1188 of, and repeal Sections 5898.15 and 5898.23 of, the Streets and Highways Code, to amend Sections 1088.5, 1269, 1269.1, 1755, 1757, 3011, 3701, and 15002 of the Unemployment Insurance Code, to amend Sections 5007, 11205.4, 12509, 12804.9, 12804.11, 13352, 13557, 29004, 34515, 40305.5, and 41501 of the Vehicle Code, to amend Sections 1126, 12986, 13385, 85031, 85034, and 85230 of the Water Code, to amend Sections 366.24, 4360, 4695.2, 5778, 10850.4, 11327.5, 11453, 12201, 12301.06, 12305.87, 14043.1, 14132.275, 14165.50, 14166.20, 14167.352, 14167.354, 14182, 14182.1, 15657.5, 15910, 15910.2, 15911, 18293, 18951, and 18987.7 of the Welfare and Institutions Code, to amend Section 2 of Chapter 166 of the Statutes of 2009, to amend Section 1 of Chapter 191 of the Statutes of 2010, to amend Section 2 of Chapter 251 of the Statutes of 2010, to amend Section 1 of Chapter 321 of the Statutes of 2010, to amend Section 2 of Chapter 377 of the Statutes of 2010, to amend Section 3 of Chapter 431 of the Statutes of 2010, to amend Section 2 of Chapter 716



of the Statutes of 2010, and to amend Section 173 of Chapter 717 of the Statutes of 2010, relating to the maintenance of the codes.

**Assembly Bill 1391**—An act to amend Section 2827 of the Public Utilities Code, relating to electricity.

**Assembly Bill 1404**—An act to amend Section 6213 of the Business and Professions Code, relating to attorneys.

**Assembly Bill 1422**—An act to amend Sections 69.5, 1150, 1154, 2821, and 5303 of the Revenue and Taxation Code, relating to taxation.

**Assembly Bill 1423**—An act to amend Sections 6353, 6356.5, 6356.6, and 6358.5 of, the Revenue and Taxation Code, relating to taxation.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Environmental Quality**

Date of Hearing, May 9, 2011

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

SB 932

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

SIMITIAN, Chair

Above measure ordered to second reading.

##### **Committee on Education**

Date of Hearing, May 11, 2011

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

SB 821

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

LOWENTHAL, Chair

Above measure ordered to second reading.

##### **Committee on Governance and Finance**

Date of Hearing, May 11, 2011

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

SB 314

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

WOLK, Chair

Above measure ordered to second reading.

Date of Hearing, May 11, 2011

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

SB 530

SB 686



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 measures ordered to second reading.

### **Committee on Appropriations**

Senate Chamber, May 16, 2011

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

SB 914

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

KEHOE, Chair

### **Second Reading of Bills—Author's Amendments**

**Senate Bill 914**—An act to add Section 1542.5 to the Penal Code, relating to search warrants.

Bill read second time.

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

### **MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

May 16, 2011

*To the Members of the California Senate:*

Senate Bill 151, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill 151 as an emergency measure.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered transmitted to the Governor.

### **REPORTS OF STANDING COMMITTEES**

#### **Committee on Rules**

Senate Chamber, May 16, 2011

Mr. President: The Committee on Rules has examined:

SB 151

And reports that the same has been correctly enrolled, and presented to the Governor on the 16th day of May, 2011, at 3:30 p.m.

STEINBERG, Chair



**MEASURE RE-REFERRED TO COMMITTEE**

Without objection **SB 173** was re-referred to the Committee on Rules.

**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 383** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

**SB 764** was withdrawn from the Committee on Health and re-referred to the Committee on Rules; and

**SB 893** was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Rules.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 336**—An act to add and repeal Section 1257.10 of the Health and Safety Code, relating to health facilities.

Bill read third time.

**Amendments Adopted**

Amendments to SB 336 proposed by Senator Lieu were read and adopted and the measure ordered printed, engrossed, and to second reading.

**Senate Bill 917**—An act to amend Section 597 of, and to add Section 597.4 to, the Penal Code, relating to animals.

Bill read third time.

**Amendments Adopted**

Amendments to SB 917 proposed by Senator Lieu were read and adopted and the measure ordered printed, engrossed, and to second reading.

**Senate Bill 458**—An act to amend Section 580e of the Code of Civil Procedure, relating to mortgages, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to SB 458 proposed by Senator Corbett were read and adopted and the measure ordered printed, engrossed, and to second reading.

**LETTERS OF TRANSMITTAL**

The following letters of transmittal were ordered printed in the Journal:

An annual report dated: March 21, 2011, relating to the AB 519 Evaluation Report: Year two, was received from the Department of Education and transmitted to the Committee on Education.



An annual report dated: March 25, 2011, relating to the 2009 Annual Legislative Report, was received from the Department of Board of Commissioners for the Bays of San Francisco, San Pablo and Suisun and transmitted to the Committee on Governmental Organization.

An agency report dated: April 1, 2011, relating to the Project Initiation Document Pilot Reimbursement Program Baseline Report, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 24, 2011, relating to the Unlawfully Uninsured Employment Enforcement Program, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: March 6, 2011, relating to the Property Tax Apportionments for 2010, was received from the Office of the State Controller and transmitted to the Committee on Governance and Finance.

An annual report dated: March 18, 2011, relating to the Financial Assistance Programs 2009–10, was received from the Business, Transportation and Housing Agency and transmitted to the Committee on Governmental Organization.

An agency report dated: April 1, 2011, relating to the MOU Fiscal Analysis Bargaining Units 9 and 10, was received from the Office of the Legislative Analyst and transmitted to the Committee on Public Safety.

An agency report dated: April 1, 2011, relating to the Preliminary Plans for Southern California Facilities, was received from the California State Bar and transmitted to the Committee on Judiciary.

An agency report dated: April 1, 2011, relating to the Information Technology Improvement Update, was received from the California State Bar and transmitted to the Committee on Judiciary.

An audit report dated: April 24, 2011, relating to the Employment Development Department, was received from the California State Auditor and transmitted to the Committee on Rules.

A biennial report dated: March 29, 2011, relating to the 27th Biennial Report and Summary, was received from the Department of Boating and Waterways and transmitted to the Committee on Transportation and Housing.

An annual report dated: March 31, 2011, relating to the DNA Fund 2010, was received from the County of Tulare and transmitted to the Committee on Public Safety.





An annual report dated: April 1, 2011, relating to the DNA Fund 2010, was received from the County of Trinity and transmitted to the Committee on Public Safety.

An annual report dated: April 7, 2011, relating to the EMS Fund 2009–10, was received from the County of San Diego and transmitted to the Committee on Health.

An audit report dated: April 20, 2011, relating to the Commission on Teacher Credentialing, was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: March 23, 2011, relating to the Notification of Data Used in First Principal Apportionment FY 2010–11, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: April 4, 2011, relating to the Adult Education End of Year Progress, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 4, 2011, relating to the 21st Century Community Learning Centers Program Allocations, Expenditures, and Carryover Funds, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 4, 2011, relating to the Standardized Testing and Reporting Program, was received from the Department of Education and transmitted to the Committee on Education.

A supplemental report dated: March 30, 2011, relating to the Supplemental Reporting Language, was received from the Department of Veterans Affairs and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 8, 2011, relating to the Transmittal of Third Annual DIVCA Employment Report, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An annual report dated: April 6, 2011, relating to Homicide in California, 2009, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 8, 2011, relating to the Status of Housing Elements in California, 2010, was received from the Department of Housing and Community Development and transmitted to the Committee on Transportation and Housing.





A supplemental report dated: April 4, 2011, relating to the Transmittal of Public Utilities Commission Report on Renewables Portfolio Standard, was received from the Commission on Public Utilities and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: March 30, 2011, relating to the Electric and Gas Utility Cost Report, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: April 6, 2011, relating to the Large Venue and Event Waste Reduction, Recycling, and Composting Programs, was received from the Department of Resources Recycling and Recovery and transmitted to the Committee on Environmental Quality.

An agency report dated: April 7, 2011, relating to the Recommendations to Addressing Financial Assurance, Post Closure Maintenance, and Corrective Action at Closed Landfills, was received from the Department of Resources Recycling and Recovery and transmitted to the Committee on Environmental Quality.

A supplemental report dated: April 6, 2011, relating to the Options to Increase Waste Tire Diversion Rates, was received from the Department of Resources Recycling and Recovery and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: April 18, 2011, relating to the Supplemental Security Income/State Supplementary Program, was received from the Department of Social Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 22, 2011, relating to the Sustainable Communities Grant and Loan Program, was received from the Department of Pollution Control Financing Authority and transmitted to the Committee on Environmental Quality.

An annual report dated: April 22, 2011, relating to the Erosion of Purchasing Power of State Teachers' Retirement Allowances, was received from the Teachers' Retirement System and transmitted to the Committee on Education.

A quarterly report dated: April 13, 2011, relating to the Bureau of Medi-Cal Fraud and Elder Abuse Statistical Report, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.



An agency report dated: April 13, 2011, relating to Firearms Used in the Commission of Crimes, 2010, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 15, 2011, relating to the EMS Fund 2009–10, was received from the County of San Bernardino and transmitted to the Committee on Health.

An annual report dated: April 11, 2011, relating to the EMS Fund 2009–10, was received from the County of Contra Costa and transmitted to the Committee on Health.

An annual report dated: April 27, 2011, relating to the EMS Fund 2009–10, was received from the County of Plumas and transmitted to the Committee on Health.

An annual report dated: April 14, 2011, relating to the EMS Fund 2009–10, was received from the County of Tulare and transmitted to the Committee on Health.

An annual report dated: April 14, 2011, relating to the EMS Fund 2008–09, was received from the County of Merced and transmitted to the Committee on Health.

An annual report dated: March 30, 2011, relating to the DNA Fund 2010, was received from the County of Alameda and transmitted to the Committee on Public Safety.

An annual report dated: April 1, 2011, relating to the DNA Fund 2010, was received from the County of Inyo and transmitted to the Committee on Public Safety.

An annual report dated: March 30, 2011, relating to the DNA Fund 2010, was received from the County of Ventura and transmitted to the Committee on Public Safety.

An annual report dated: April 1, 2011, relating to the DNA Fund 2010, was received from the County of Monterey and transmitted to the Committee on Public Safety.

An annual report dated: April 7, 2011, relating to the DNA Fund 2010, was received from the County of Sonoma and transmitted to the Committee on Public Safety.

A quarterly report dated: April 14, 2011, relating to the Backlogged Lifer Parole Hearings, January 2011 through March 2011, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.



A quarterly report dated: April 1, 2011, relating to the Efforts to Transfer Foreign Born Inmates to their Countries of Origin, January 1, 2011 through March 31, 2011, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 12, 2011, relating to the Proposed Campus Physical Master Plan Revisions and Mitigation Agreements for Off Campus Impacts, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: April 1, 2011, relating to the Status of all California National Guard Armories, was received from the Military Department and transmitted to the Committee on Veterans Affairs.

An annual report dated: February 28, 2011, relating to the 2010 Annual Report on the State of the Workers' Compensation System, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

An annual report dated: March 31, 2011, relating to the Public Interest Energy Research 2010 Annual Report, was received from the Commission on Energy Commission and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: March 28, 2011, relating to the San Diego Hospice 2010 Pilot Project, was received from the County of San Diego and transmitted to the Committee on Health.

A Title Summary Report 11 0001 dated: April 4, 2011, relating to the Election Day Holiday. Initiative Statute., was received from the Department of Justice and transmitted to the Committee on Rules.

An agency report dated: April 6, 2011, relating to the 2011 OAL Determination No. 6(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

A quarterly report dated: April 12, 2011, relating to the Performance Analysis for the Period Ending on December 31, 2010, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

A quarterly report dated: March 18, 2011, relating to the Budget Act of 2010 Control Language through Second Quarter of FY 2010–11, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.



An agency report dated: March 18, 2011, relating to the FY 2011–12 Budget Proposals (First Reading), was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 11, 2011, relating to the Pierce's Disease Control Program, was received from the Department of Food and Agriculture and transmitted to the Committee on Food and Agriculture.

An agency report dated: April 6, 2011, relating to the Use of Motor Vehicle Fuel Account (Boating) and the Harbors and Watercraft Revolving Fund for FY 2009–10, was received from the Department of Natural Resources Agency and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 1, 2011, relating to the Inland Wetlands Conservation Program, was received from the Department of Natural Resources Agency and transmitted to the Committee on Natural Resources and Water.

An agency report dated: April 1, 2011, relating to the Oak Woodlands Conservation Act, was received from the Department of Natural Resources Agency and transmitted to the Committee on Natural Resources and Water.

An annual report dated: April 1, 2011, relating to the Youthful Offender Block Grant Program, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Public Safety.

An agency report dated: April 14, 2011, relating to the Analysis of Tax Credit Investments, was received from the Office of the Legislative Analyst and transmitted to the Committee on Governance and Finance.

An agency report dated: April 14, 2011, relating to the Analysis of Tax Credit Investments, was received from the Office of the Legislative Analyst and transmitted to the Committee on Governance and Finance.

An agency report dated: April 26, 2011, relating to the Incompetent to Stand Trial Commitments Exceeding the 10 Day Limit, was received from the Department of Mental Health and transmitted to the Committee on Health.

A supplemental report dated: April 28, 2011, relating to the Employment and Training Programs for Veterans, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 27, 2011, relating to the Actions to Limit Utility Cost and Rate Increases, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.



An agency report dated: May 25, 2011, relating to the Advanced Services Fund, was received from the Commission on Public Utilities and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: April 28, 2011, relating to the California Department of Transportation, was received from the California State Auditor and transmitted to the Committee on Rules.

A quarterly report dated: April 26, 2011, relating to the California High School Exit Exam Litigation First and Second Quarter FY 2010–11, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: May 5, 2011, relating to the Kindergarten and Grades One through Three Class Size Reduction Program FY 2010–11, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: April 29, 2011, relating to the Assembly Bill 1X (Chapter 4, Statutes of 2001), was received from the Department of Water Resources and transmitted to the Committee on Natural Resources and Water.

An annual report dated: April 26, 2011, relating to the Special Fund Expenditures for FY 2009–10, was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 21, 2011, relating to Teacher Supply in California 2009–2010, was received from the Commission on Teacher Credentialing and transmitted to the Committee on Education.

An annual report dated: April 25, 2011, relating to the DNA Fund 2010, was received from the County of Yolo and transmitted to the Committee on Public Safety.

An agency report dated: April 25, 2011, relating to the Acceptance of the June 30, 2010 Actuarial Valuation of the Judges' Retirement System, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: April 25, 2011, relating to the 2011–12 Proposed Budget, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: April 27, 2011, relating to the Game Refuges, was received from the Department of Fish and Game and transmitted to the Committee on Natural Resources and Water.



An annual report dated: April 15, 2011, relating to the EMS Fund 2009–10, was received from the County of Los Angeles and transmitted to the Committee on Health.

An agency report dated: April 21, 2011, relating to the Center for Health Care Quality Licensing and Certification, was received from the Department of Public Health and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: May 5, 2011, relating to the Clean Fuels Program, was received from the South Coast Air Quality Management District and transmitted to the Committee on Environmental Quality.

An annual report dated: May 2, 2011, relating to the Discipline Report, was received from the California State Bar and transmitted to the Committee on Judiciary.

#### **REQUEST TO ADJOURN IN MEMORIAM**

Senator Correa requested that when the Senate adjourns this day it do so in memory of Son Thanh Luu of Westminster.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Frances Davie and Wayne Muller of Pacific Palisades, Bob Blake of Chatsworth, and Martin B. Berman of Beverly Hills.

#### **ADJOURNMENT**

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 17, 2011.

PAULA K. ROSSETTO, Minute Clerk

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