CALIFORNIA LEGISLATURE 2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

NINETY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento Tuesday, June 14, 2011

The Senate met at 4 p.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

Upon invitation of the President, the following prayer was offered by Cantor Julie Steinberg, from the B'Nai Israel:

The men and women of this house are on a difficult and lonely road.

These are extraordinary times and hard decisions have to be made: Decisions that are a heavy burden to mind, conscience and spirit. These are times when often the only unbiased advice, the only solace and comfort comes from family.

As you work to lead California, I pray that you find the strength you need from your families. I pray that having them standing by your side provides you with comfort. I pray that the support they give you helps you to make wise decisions. And I pray that knowing they are there with you enables you to lead California with compassion and foresight.

God bless you all.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill 798—An act to amend Section 6529 of the Government Code, relating to joint exercise of powers.

Bill read second time.

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

Assembly Bill 274—An act to add Section 1028.5 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

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

Assembly Bill 325—An act to add Section 230.5 to the Labor Code, relating to employee rights.

Bill read second time.

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

Assembly Bill 180—An act to add Section 52052.3 to the Education Code, relating to academic performance.

Bill read second time.

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

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Public Safety.

Assembly Bill 1394—An act to amend Sections 15432, 15438, 15438.5, 15439, 15441, 15442, 15446, 15459, 15459.1, 15459.2, 15459.3, and 15459.4 of the Government Code, relating to health facility financing, and making an appropriation therefor.

Bill read second time.

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

Assembly Bill 301—An act to amend Section 14094.3 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

REPORTS OF STANDING COMMITTEES

Committee on Business, Professions and Economic Development

Date of Hearing, June 13, 2011

Madam President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 655

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

PRICE, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 13, 2011

Madam President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 619 AB 1279 AB 1410

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

PRICE, Chair

Above measures ordered to second reading.

Date of Hearing, June 13, 2011

Madam President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 214 AB 377

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

PRICE, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Transportation and Housing

Senate Chamber, June 14, 2011

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

AB 930

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

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

Committee on Elections and Constitutional Amendments

Senate Chamber, June 14, 2011

Madam President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

AB 420

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

CORREA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 420—An act to add Section 21003 to the Elections Code, relating to redistricting.

Bill read second time.

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

Committee on Public Employment and Retirement

Date of Hearing, June 13, 2011

Madam President: The Committee on Public Employment and Retirement, to which was referred:

AB 782

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

NEGRETE McLEOD, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 13, 2011

Madam President: The Committee on Public Employment and Retirement, to which was referred:

AB 1151

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

NEGRETE McLEOD, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 13, 2011

Madam President: The Committee on Public Employment and Retirement, to which were referred:

AB 1042 AB 1101 AB 1395

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

NEGRETE McLEOD, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Transportation and Housing

Senate Chamber, June 14, 2011

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

AB 716

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 716—An act to amend Section 369i of the Penal Code, and to amend Sections 99171 and 99172 of, and to amend and repeal Section 102122 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 Public Safety

Date of Hearing, June 14, 2011

Madam President: The Committee on Public Safety, to which were referred:

AB 12 AB 332 AB 886

AB 1026 AB 1281

Reports the same back with the recommendation: Do pass.

HANCOCK, Chair

Above bills ordered to second reading.

Date of Hearing, June 14, 2011

Madam President: The Committee on Public Safety, to which was referred:

SJR 7

Reports the same back with the recommendation: Be adopted.

HANCOCK, Chair

Above resolution ordered to third reading.

Date of Hearing, June 14, 2011

Madam President: The Committee on Public Safety, to which were referred:

AB 708 AB 1081 AB 1358

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

HANCOCK, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Business, Professions and Economic Development

Senate Chamber, June 14, 2011

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

AB 878

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

Assembly Bill 878—An act to amend Section 7125 of the Business and Professions Code, relating to contractors.

Bill read second time.

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

Committee on Elections and Constitutional Amendments

Senate Chamber, June 14, 2011

Madam President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

AB 1241

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

CORREA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1241—An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Committee on Governmental Organization

Date of Hearing, June 14, 2011

Madam President: The Committee on Governmental Organization, to which were referred:

AB 167

AB 270

AB 363

AB 1419

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

WRIGHT, Chair

Above measures ordered to second reading.

Date of Hearing, June 14, 2011

Madam President: The Committee on Governmental Organization, to which were referred:

AB 981

AB 1272

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

WRIGHT, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 14, 2011

Madam President: The Committee on Governmental Organization, to which were referred:

AB 342

AB 623

AB 1417

AB 1418

AB 1420

AB 1421

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

WRIGHT, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing, June 7, 2011

Madam President: The Committee on Public Safety, to which was referred:

AB 177

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

HANCOCK, Chair

Above measure ordered to second reading.

Senate Chamber, June 14, 2011

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

AB 809

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

HANCOCK, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 809—An act to amend Section 21628.2 of the Business and Professions Code, to amend Sections 17000, 26600, 26610, 26615, 26805, 26820, 26840, 26845, 26850, 26865, 26890, 26905, 26955, 26960, 26965, 27050, 27060, 27065, 27130, 27400, 27410, 27415, 27540, 27560, 27565, 27590, 27600, 27610, 27615, 27655, 27660, 27665, 27730, 27860, 27875, 27880, 27920, 28000, 28060, 28100, 28160, 28170, 28180, 28210, 28215, 28220, 28230, 28240, 28245, 28400, 28410, 28415, 30105, 30150, 30160, 30165, 31705, 31715, 31720, 31735, 33850, 33860, 33865, 34355, 34365, and 34370 of, to amend and repeal Sections 27110, 27710, 27870, 27915, 27965, 28165, 31775, 31795, and 33890 of, to amend, repeal, and add Section 11106 of, and to add Section 27966 to, the Penal Code, relating to firearms.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, June 14, 2011

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 136 AB 306 AB 644

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

PADILLA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 136—An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

Assembly Bill 306—An act to add and repeal Section 25325 of the Public Resources Code, relating to energy.

Bill read second time.

Assembly Bill 644—An act to add Chapter 6.2 (commencing with Section 25560) to Division 15 of the Public Resources Code, relating to energy.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, June 14, 2011

Madam President: The Committee on Natural Resources and Water, to which were referred:

AB 275

AB 591

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

PAVLEY. Chair

Above measures re-referred to the Committee on Environmental Quality.

Date of Hearing, June 14, 2011

Madam President: The Committee on Natural Resources and Water, to which were referred:

AB 384

AB 1414

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

PAVLEY, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Transportation and Housing

Senate Chamber, June 14, 2011

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

AB 650

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 650—An act to add Article 10 (commencing with Section 99440) to Chapter 4 of Part 11 of Division 10 of the Public Utilities Code, relating to transportation, and making an appropriation therefor.

Bill read second time.

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

Senate Chamber, June 14, 2011

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

SCR 30

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

Senate Concurrent Resolution 30—Relative to the CHP Officer Dan N. Benavides Memorial Highway.

Resolution read second time.

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

Committee on Education

Date of Hearing, June 8, 2011

Madam President: The Committee on Education, to which was referred: AB 288

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, June 14, 2011

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

AB 1102

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

Assembly Bill 1102—An act to amend Sections 8544.5, 8545, 8546.5, and 8548.9 of, and to repeal Section 12430 of, and to repeal Article 2

(commencing with Section 10520) of Chapter 4 of Part 2 of Division 2 of Title 2 of, the Government Code, relating to the State Auditor.

Bill read second time.

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

Committee on Health

Date of Hearing, June 8, 2011

Madam President: The Committee on Health, to which was referred: AB 1014

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

HERNANDEZ, Chair

Above measure ordered to second reading.

Committee on Insurance

Senate Chamber, June 14, 2011

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

AB 1416

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

CALDERON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1416—An act to amend Sections 33.5, 137, 713, 769.55, 769.82, 778.4, 827.8, 1625, 1625.5, 1625.55, 1627, 1635, 1649.5, 1661, 1662, 1665, 1675, 1676, 1679, 1686, 1693, 1704, 1705, 1707.51, 1707.7, 1712.5, 1725, 1728, 1729.5, 1730.5, 1730.6, 1735, 1735.5, 1747, 1749, 1749.2, 1749.33, 1749.4, 1749.8, 1749.85, 1750, 1750.5, 1751, 1751.3, 1755, 1757.2, 1758.2, 1758.3, 1758.87, 1758.98, 1765.3, 10236.1, 10785, 11623, 11691, 12815, and 12938 of, and to repeal Section 1680 of, the Insurance Code, relating to insurance.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, June 14, 2011

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

AB 320

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

SIMITIAN, Chair

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Second Reading of Bills-Author's Amendments

Assembly Bill 320—An act to amend Sections 21108, 21152, and 21167.6.5 of the Public Resources Code, relating to the environment.

Bill read second time.

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

UNANIMOUS CONSENT FOR RECONSIDERATION Motion to Reconsider (AB 98)

Senator Leno moved to reconsider the vote whereby AB 98 passed.

Roll Call

The roll was called and reconsideration was granted by the following vote:

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

NOES (0)—None.

Measure ordered returned to third reading.

Motion to Reconsider (AB 114)

Senator Leno moved to reconsider the vote whereby AB 114 passed.

Roll Call

The roll was called and reconsideration was granted by the following vote:

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

NOES (0)—None.

Measure ordered returned to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill 98—An act to amend and supplement the Budget Act of 2011 by amending Items 0250-101-0932, 0250-111-0001, 0520-001-0044, 0502-001-9730, 0520-011-0890, 0530-001-0001, 0530-001-0890, 0530-001-9732, 0530-017-3163, 0540-001-0005, 0540-001-0140, 0540-001-0890, 0540-001-6029, 0540-001-6031, 0555-001-0890, 0552-001-0001, 0555-001-0044, 0690-001-0001, 0690-102-0001. 0690-102-0241. 0690-112-0001. 0820-001-0001. 0840-001-0001, 0840-001-0970, 0845-001-0217, 0845-101-0217,

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6110-001-0001. 6110-001-0890. 6110-101-0231. 6110-102-0890. 6110-112-0890, 6110-113-0001, 6110-113-0890, 6110-119-0890, 6110-125-0890, 6110-134-0890, 6110-136-0890, 6110-137-0890, 6110-156-0890, 6110-161-0001, 6110-161-0890, 6110-166-0001, 6110-193-0890, 6110-166-0890, 6110-170-0001, 6110-180-0890, 6110-195-0890, 6110-196-0001. 6110-196-0890, 6110-197-0890, 6110-199-0890, 6110-201-0890. 6110-203-0001, 6110-211-0001. 6110-212-0001, 6110-240-0890, 6110-485, 6110-488, 6360-001-0408, 6440-001-0001, 6440-001-0234, 6440-001-8054, 6610-401, 6870-111-0001, 7980-101-0001, 6870-295-0001, 6870-101-0001, 7980-101-0784, 7980-101-0890, 7100-001-0869, 7100-001-0870, 7100-002-0001. 7100-011-0588. 8380-001-0001. 8570-001-0001. 8570-001-0111, 8570-001-0516, 8570-004-0001, 8570-101-0001, 8660-001-0462, 8660-001-0890, 8660-001-3089, 8830-001-0001, 8840-001-0001. 8860-001-0001, 8860-001-6065, 8860-001-9740, 8880-001-9737, 8860-011-0494, 8860-011-0797, 8860-011-0988, 8880-001-9740. 8885-295-0001, 8940-001-0001, 8880-011-0001, 9800-001-0001. 8955-001-0001. 9300-101-0001. 9620-001-0001. 9800-001-0494, and 9800-001-0988 of, by adding Items 0250-490, 0250-491, 0520-001-0918, 0540-490, 0540-495, 0820-003-0001. 0820-011-0001. 0820-011-0378, 0911-001-0001, 1730-001-8064, 1730-001-8065, 1730-001-8066, 1730-001-8067, 1760-490, 1760-491, 2240-490, 2400-001-0890, 2660-304-6064, 2660-490, 2665-304-0890, 2665-304-6043, 2665-305-0890, 2665-305-6043, 2720-491, 2740-490, 2740-495. 3110-101-0140. 3110-101-0516. 3125-301-0262. 3125-301-6031. 3125-301-0286, 3125-301-0890, 3125-301-6029, 3125-492, 3125-490, 3125-491, 3125-493, 3125-494, 3125-495. 3480-491. 3125-496. 3340-492. 3480-492, 3500-404. 3500-405. 3540-301-0668, 3540-494, 3600-301-3103, 3600-301-6051, 3600-491, 3640-493. 3720-001-0565, 3790-103-6029, 3790-401. 3640-492. 3790-493, 3790-494, 3790-497, 3810-496, 3825-301-6031, 3825-490, 3850-496, 3860-490, 3860-491, 3860-492, 3860-493. 3860-495, 3875-001-0140, 3940-490, 3940-491, 3940-492, 3940-496, 3960-001-0456, 4265-111-6051, 4265-401, 4265-491, 4300-491. 4440-103-0001, 5180-495, 5225-006-0001, 5225-007-0001, 5225-401, 6110-001-3170, 6110-490, 6110-492, 6440-301-0668, 6440-302-0668, 6440-492, 6440-493, 6440-494, 6610-301-0668, 6610-301-6028, 6610-492, 6610-493, 6610-495, 6870-301-6049, 6870-491, 6870-492, 7100-001-0871, 7100-012-0890, 8380-496, 8570-491, 8955-011-8048, and 8955-301-3013 to, and by repealing Items 1730-001-8022, 1730-001-8053, 0520-001-0890. 0820-003-3086, 1730-001-8055, 1730-001-8056, 3790-101-6029, 3790-102-6029, 3860-101-6051, 6110-103-0890, 8570-011-0191. 3860-001-0744. 8570-102-0001. 8570-111-0001. 8570-403. 8570-101-0191. 9860-301-0001 of, Section 2.00 of, and by amending Sections 3.60, 3.90, 3.91, 8.88, 12.00, 12.32, 17.00, 26.00, 28.50, 35.50, 39.00, 99.00, and 99.50 of, and by adding Sections 3.93 and 25.05 to, that act, relating to the State Budget, making an appropriation therefor, to take effect immediately, Budget Bill.

Bill read third time.

Amendments Adopted

Amendments to AB 98 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 114—An act to amend Sections 2558.46, 8201, 8208, 8263.2, 8263.4, 8447, 8499, 14041.6, 42238.146, 56139, 56325, 69432.7, and 84321.6 of, to amend and renumber Section 60422.3 of, to amend and repeal Section 56331 of, to add Section 41207.41 to, to add Article 14.7 (commencing with Section 8310) to Chapter 2 of Part 6 of Division 1 of Title 1 of, and to repeal and add Section 42606 of, the Education Code, to amend Sections 7572, 7582, 7585, 12440.1, and 17581.5 of, to amend and repeal Sections 7572.5, 7572.55, 7576, 7576.2, 7576.3, 7576.5, 7586.5, 7586.6, and 7586.7 of, and to repeal Section 7588 of, the Government Code, and to amend Sections 5651 and 11323.2 of, to amend and repeal Sections 5701.3 and 5701.6 of, to add and repeal Section 18356.1 of, and to repeal Chapter 6 (commencing with Section 18350) of Part 6 of Division 9 of, the Welfare and Institutions Code, relating to education finance, making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time.

Amendments Adopted

Amendments to AB 114 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 9** and **AJR 7** were withdrawn from Committee and placed on today's Special Consent Calendar.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Leno moved to suspend Senate Rule 29.3 to permit consideration of AB 98 and AB 114 and that the same be considered properly before the Senate.

Objection raised.

Roll Call

The roll was called and the motion carried by the following vote:

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

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

RECESS

At 4:08 p.m., the Senate recessed in order to convene the First Extraordinary Session.

REASSEMBLED

At 4:09 p.m., the Senate reconvened.

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

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 9—Relative to Centennial Ronald Reagan Day.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 7—Relative to the Armenian Genocide.

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

(NOTE: See Consent Calendar Roll Call)

Roll Call

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

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

NOES (0)—None.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 4:15 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 6 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 6 p.m., the Senate will adjourn until Wednesday, June 15, 2011.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 16, 2011

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

SB 104

Above measure ordered enrolled.

Assembly Chamber, June 13, 2011

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 56

E. DOTSON WILSON, Chief Clerk of the Assembly

INTRODUCTION AND FIRST READING OF SENATE MEASURE

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

Senate Constitutional Amendment 12: By Senator Blakeslee—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 10 and 12 of Article IV thereof, relating to government finance.

FIRST READING OF ASSEMBLY MEASURE

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 56—Relative to the American flag.

REPORTS OF STANDING COMMITTEES **Committee on Education**

Date of Hearing, June 8, 2011

Madam President: The Committee on Education, to which were referred:

AB 176 AB 1085

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

LOWENTHAL, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Senate Chamber, June 14, 2011

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 45

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

PADILLA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 45—An act to amend Sections 5384.1 and 5384.5 of the Public Utilities Code, and to amend Section 23229.1 of, and to add Section 40000.20 to, the Vehicle Code, relating to charter-party carriers of passengers.

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, June 14, 2011

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

AB 536

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

Assembly Bill 536—An act to add Section 2027.1 to the Business and Professions Code, relating to physicians and surgeons.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, June 14, 2011

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

AB 849

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 849—An act to amend Section 18941.7 of the Health and Safety Code, relating to water.

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

Senate Chamber, June 14, 2011

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

AB 911

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

Assembly Bill 911—An act to amend Sections 20070 and 20081 of, and to add Sections 20070.4, 20070.5, and 20082 to, the Health and Safety Code, relating to police protection districts.

Bill read second time.

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

Committee on Education

Senate Chamber, June 14, 2011

Madam President: The Chair of the Committee on Education, to which were referred:

AB 2

AB 9

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2—An act to amend Section 66903 of, to add Chapter 12.5 (commencing with Section 67050) and Chapter 12.7 (commencing with Section 67070) to Part 40 of Division 5 of Title 3 of, to repeal Sections 66742 and 66743 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

Bill read second time.

Assembly Bill 9—An act to amend Sections 234, 234.1, 234.2, and 234.3 of, and to add Sections 234.4 and 234.5 to, the Education Code, relating to pupil rights.

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, June 14, 2011

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

AB 469

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

Assembly Bill 469—An act to amend Sections 98, 226, 240, 243, and 1174 of, and to add Sections 1194.3, 1197.2, 1206, and 2811 to, the Labor Code, relating to employment.

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, June 14, 2011

Madam President: The Committee on Judiciary, to which were referred:

AB 126 AB 929 AB 997

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

EVANS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 14, 2011

Madam President: The Committee on Judiciary, to which were referred:

AB 887 AB 1155

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

EVANS, Chair

Above measures re-referred to the Committee on Rules.

Date of Hearing, June 14, 2011

Madam President: The Committee on Judiciary, to which were referred:

AB 173 AB 499 AB 559 AB 588 AB 1067 AB 1349

Reports the same back with the recommendation: Do pass.

EVANS, Chair

Above bills ordered to second reading.

Committee on Governance and Finance

Senate Chamber, June 14, 2011

Madam President: The Chair of the Committee on Governance and Finance, to which were referred:

AB 129 AB 253 AB 34

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

Assembly Bill 129—An act to amend Section 53069.4 of the Government Code, relating to local government.

Bill read second time.

Assembly Bill 253—An act to amend Section 52891 and 53892.2 of, and to add Sections 53891.2 and 53891.3 to, the Government Code, relating to local agencies.

Bill read second time.

Assembly Bill 343—An act to add Section 33330.5 to the Health and Safety Code, relating to redevelopment.

Bill read second time.

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

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SR 17** was withdrawn from Committee and placed on Third Reading.

SENATE COMMITTEE ROLL CALLS

Committee on Business, Professions and Economic Development SJR 4—Do pass

AYES (4)—Senators Emmerson, Price, Walters, and Wyland.

NOES (2)—Senators Corbett and Vargas.

Failed passage

SJR 4—Reconsideration granted

AYES (9)—Senators Corbett, Correa, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 214—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Corbett, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 377—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Corbett, Correa, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 619—Do pass, to Consent Calendar

AYES (8)—Senators Corbett, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 655—Do pass and re-refer to Committee on Judiciary

AYES (9)—Senators Corbett, Correa, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 783—Do pass

AYES (3)—Senators Correa, Vargas, and Wyland.

NOES (2)—Senators Price and Walters.

Failed passage

AB 783—Reconsideration granted

AYES (9)—Senators Corbett, Correa, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 1279—Do pass, to Consent Calendar

AYES (8)—Senators Corbett, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

AB 1410—Do pass, to Consent Calendar

AYES (8)—Senators Corbett, Emmerson, Hernandez, Negrete McLeod, Price, Vargas, Walters, and Wyland.

NOES (0)—None.

Date of Hearing: 6/13/2011

Price (Chair)

Committee on Governmental Organization

AB 167—Do pass, to Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 270—Do pass, to Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 342—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 363—Do pass, to Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 623—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 907—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Corbett, De León, Evans, Padilla, Wright, and Yee.

NOES (5)—Senators Anderson, Calderon, Cannella, Strickland, and Wyland. Failed passage

AB 907—Reconsideration granted

AYES (11)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 981—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 1272—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 1417—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 1418—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 1419—Do pass, to Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 1420—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

AB 1421—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Anderson, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wright, Wyland, and Yee.

NOES (0)—None.

Date of Hearing: 6/14/2011

Wright (Chair)

Committee on Natural Resources and Water

AB 42—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Cannella, Evans, Fuller, Kehoe, La Malfa, Padilla, Pavley, Simitian, and Wolk.

NOES (0)—None.

AB 275—Do pass and re-refer to Committee on Environmental Quality

AYES (9)—Senators Cannella, Evans, Fuller, Kehoe, La Malfa, Padilla, Pavley, Simitian, and Wolk.

NOES (0)—None.

AB 337—Do pass as amended and re-refer to Committee on Rules

AYES (6)—Senators Evans, Kehoe, Padilla, Pavley, Simitian, and Wolk.

NOES (3)—Senators Cannella, Fuller, and La Malfa.

AB 384—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Cannella, Evans, Fuller, Kehoe, La Malfa, Padilla, Pavley, Simitian, and Wolk.

NOES (0)—None.

AB 566—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Cannella, Evans, Fuller, Kehoe, La Malfa, Padilla, Pavley, Simitian, and Wolk.

NOES (0)—None.

AB 591—Do pass and re-refer to Committee on Environmental Quality

AYES (5)—Senators Evans, Kehoe, Padilla, Pavley, and Wolk.

NOES (3)—Senators Cannella, Fuller, and La Malfa.

AB 606—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Cannella, Evans, Fuller, Kehoe, La Malfa, Padilla, Pavley, Simitian, and Wolk.

NOES (0)—None.

AB 1414—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Cannella, Evans, Fuller, Kehoe, La Malfa, Padilla, Pavley, Simitian, and Wolk.

NOES (0)—None.

Date of Hearing: 6/14/2011

Pavley (Chair)

Committee on Public Employment and Retirement

AB 782—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Gaines, Negrete McLeod, Padilla, Vargas, and Walters.

NOES (0)—None.

AB 1042—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Gaines, Negrete McLeod, Padilla, Vargas, and Walters.

NOES (0)—None.

AB 1101—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Negrete McLeod, Padilla, and Vargas.

NOES (2)—Senators Gaines and Walters.

AB 1151—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Gaines, Negrete McLeod, Padilla, Vargas, and Walters.

NOES (0)—None.

AB 1395—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Gaines, Negrete McLeod, Padilla, Vargas, and Walters.

NOES (0)—None.

Date of Hearing: 6/13/2011

Negrete McLeod (Chair)

Committee on Public Safety

SJR 7—Be adopted

AYES (5)—Senators Calderon, Hancock, Liu, Price, and Steinberg.

NOES (2)—Senators Anderson and Harman.

AB 12—Do pass

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

AB 332—Do pass

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

AB 547—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

AB 708—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

AB 886—Do pass

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

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AB 1026—Do pass

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

AB 1081—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Calderon, Hancock, Liu, Price, and Steinberg.

NOES (2)—Senators Anderson and Harman.

AB 1281—Do pass

AYES (7)—Senators Anderson, Calderon, Hancock, Harman, Liu, Price, and Steinberg.

NOES (0)—None.

AB 1358—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Anderson, Hancock, Liu, Price, and Steinberg.

NOES (0)—None.

Date of Hearing: 6/14/2011

Hancock (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Lt. Vince Perez of the San Francisco Fire Department and resident of Concord.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Vicki Chimbole of Palmdale.

Senators Wolk and Liu requested that when the Senate adjourns this day it do so in memory of Helen Stork of Pasadena.

ADJOURNMENT

At 6 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 10 a.m., Wednesday, June 15, 2011.

PAULA K. ROSSETTO, Minute Clerk