

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 27, 2011

The Senate met at 1 p.m.

Hon. Curren Price, of the 26th District, presiding.

Chief Assistant Secretary Bernadette McNulty 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, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senators Evans and Runner will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Senator Roderick Wright:

Members and guests we are in the throes of a fiscal crisis that is challenging our collective intellect and personal resolve. And as of last week it is even challenging our wallets. While we work through the policy decisions we were elected to make, I would make this request of every senator and staff member: At the end of the day we all represent California. And while we might differ on the approach, none of what we do should be taken personally. I believe we all truly love California and want to see it prosper; we just have dissimilar ways of getting there.

Motivational speaker Dr. Dwayne Dyer raised this idea when he said:

Consider those whom you call your enemies and figure out what they should call you.

You cannot choose sides in a round world. You are either in it, a part of it, or you are off. When you have enemies you are a part of the very things you accuse them of. An enemy opposes your interests or position. An enemy is hostile, unkind or unfriendly. And what are you doing while all of this is going on? If you consider them your enemy how can they approach you to get things clear? You are in the middle of what stands between you and your enemy. It is not what they have done or said, can do or might do. It is **YOU**. It is your thoughts, your judgments, your fear, your condemnation, and if you did not feel guilty you could not attack those you call your enemy. You believe the enemy is wrong, not to be trusted, unworthy of love; you prepare yourself for the defense, projecting onto the enemy the very things you do yourself. When you have an enemy, look at your own hatred, understanding how the hostility disturbs you and ask yourself: Do I really want to attack the very thing I fear?

In the book of New Testament, book of Mark, Jesus was talking to the disciples when John said to him: "Teacher, we saw someone casting out demons in Your name, and we tried to prevent him because he was not following us."

But Jesus said, "Do not hinder him, for there is no one who will perform a miracle in My name and be able to soon afterward speak evil of me."

For he who is not against us is for us.

I pray today that as we deliberate we remember we are not against one another, that we all love California and truly want to see it prosper. There are no enemies here, only servants trying to serve.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 23, 2011

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

ACR 64

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURE

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

Assembly Concurrent Resolution 64—Relative to June Dairy Month in California.

REPORTS OF STANDING COMMITTEES**Committee on Labor and Industrial Relations**

Date of Hearing, June 22, 2011

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

AB 947

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

LIEU, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 27, 2011

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

AB 1194

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1194—An act to amend Sections 116275, 116280, 116565, and 116650 of, and to repeal Section 116282 of, the Health and Safety Code, relating to drinking water.

Bill read second time.

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



Committee on Insurance

Senate Chamber, June 27, 2011

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

AB 228

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 228—An act to amend Section 11780.5 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time.

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

Committee on Health

Senate Chamber, June 27, 2011

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

AB 1083

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1083—An act to amend Sections 1357, 1357.03, 1357.05, 1357.06, 1357.07, 1357.12, and 1357.14 of, and to amend, repeal, and add Sections 1357.15, 1357.50, 1357.51, and 1357.52 of, the Health and Safety Code, and to amend Sections 10700, 10705, 10706, 10707, 10708, 10709, 10714, and 10716 of, and to amend, repeal, and add Sections 10198.6, 10198.7, 10198.9, and 10717 of, the Insurance Code, relating to health care coverage.

Bill read second time.

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

Committee on Public Safety

Date of Hearing, June 21, 2011

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

AB 239



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

HANCOCK, Chair

Above measure ordered to second reading.

Senate Chamber, June 27, 2011

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

AB 665

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 665—An act to amend Section 647 of the Penal Code, relating to disorderly conduct.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, June 27, 2011

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

AB 143

AB 360

AB 687

AB 1407

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

EVANS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 143—An act to amend Section 49076 of the Education Code, relating to pupil records.

Bill read second time.

Assembly Bill 360—An act to add Section 47604.1 to the Education Code, relating to charter schools.

Bill read second time.

Assembly Bill 687—An act to amend Sections 7663, 7664, 7666, 7667, 9003, and 9102 of, and to add Sections 7913, 8623, and 9213 to, the Family Code, to amend Section 102635 of the Health and Safety Code, and to amend Section 396 of, and to add Section 398 to, the Welfare and Institutions Code, relating to adoption.

Bill read second time.



Assembly Bill 1407—An act to amend Section 51.7 of the Civil Code, and to repeal Section 1 of Chapter 1293 of the Statutes of 1976, relating to civil rights.

Bill read second time.

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

Committee on Health

Senate Chamber, June 27, 2011

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

AB 62

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 62—An act to amend Section 14132.275 of the Welfare and Institutions Code, relating to Medi-Cal .

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 27, 2011

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

AB 65

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

Bill read second time.

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

Committee on Rules

Senate Chamber, June 27, 2011

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

AB 492

AB 823



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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 492—An act to amend Section 185036 of the Public Utilities Code, relating to high-speed rail.

Bill read second time.

Assembly Bill 823—An act to add and repeal Chapter 2 (commencing with Section 96050) of Title 15 of the Government Code, relating to children's services.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, June 27, 2011

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

AB 689

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

EVANS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 689—An act to add Article 9 (commencing with Section 10509.910) to Chapter 5 of Part 2 of Division 2 of the Insurance Code, relating to annuity transactions.

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 27, 2011

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

AB 1309

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 1309—An act to add and repeal Section 969.7 of the Streets and Highways Code, relating to public roads.

Bill read second time.

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

Committee on Banking and Financial Institutions

Senate Chamber, June 27, 2011

Mr. President: The Chair of the Committee on Banking and Financial Institutions, to which was referred:

AB 38

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

VARGAS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 38—An act to add Division 18 (commencing with Section 40000) to the Financial Code, relating to banking development districts.

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 27, 2011

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

AB 1121

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 1121—An act to amend Sections 30525, 30801, and 30804.5 of, and to add Sections 30503.5 and 30505 to, the Food and Agricultural Code, and to amend Section 38792 of the Government Code, relating to dog licensing.

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 ASSEMBLY BILLS**

Assembly Bill 1426—An act to amend Section 11629.79 of, and to repeal Section 1758.994 of, the Insurance Code, relating to insurance.

Bill read second time and ordered to Consent Calendar.



Assembly Bill 469—An act to amend Sections 98, 226, 240, 243, and 1174 of, and to add Sections 200.5, 1194.3, 1197.2, 1206, and 2811 to, the Labor Code, relating to employment.

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 Judiciary.

Assembly Bill 973—An act to amend Section 68106 of, and to add Section 68511.7 to, the Government Code, relating to courts.

Bill read second time.

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

Assembly Bill 720—An act to amend Sections 22031 and 22032 of the Public Contract Code, relating to public contracts.

Bill read second time.

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

Assembly Bill 810—An act to repeal Section 26806 of, and to repeal and add Section 69894.5 of, the Government Code, relating to courts.

Bill read second time.

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

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, 425.17, 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.

Bill read second time and ordered to third reading.

Assembly Bill 943—An act to amend Sections 22013, 22014, and 22034 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Select Committee on Workforce Development, School Environment and Student Wellness to meet on June 30, 2011, without four days notice in the Daily File.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Emmerson moved that **AB 309** be placed on the inactive file.

Senator DeSaulnier moved that **AB 481** be placed on the inactive file.

Motions carried.

RECESS

At 1:04 p.m., the Senate recessed in order to convene in First Extraordinary session.

REASSEMBLED

At 1:11 p.m., the Senate reconvened.

Hon. Curren Price, of the 26th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 373—An act to amend Section 31484.9 of the Government Code, relating to county employees' retirement.

Bill presented by Senator DeSaulnier.

The question being: Shall the Senate concur in the Assembly amendments to SB 373?

Roll Call

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

AYES (37)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley,



Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, and Wyland.

NOES (0)—None.

Above bill ordered enrolled.

Senate Concurrent Resolution 44—Relative to Foster Care Month.

Resolution presented by Senator Liu.

The question being: Shall the Senate concur in the Assembly amendments to SCR 44?

Roll Call

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

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

NOES (0)—None.

Above resolution ordered enrolled.

Senate Bill 150—An act to amend Sections 1368 and 1373 of, and to add Section 1360.2 to, the Civil Code, relating to common interest developments.

Bill presented by Senator Correa.

The question being: Shall the Senate concur in the Assembly amendments to SB 150?

Roll Call

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

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

NOES (0)—None.

Above bill ordered enrolled.

CONSENT CALENDAR

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

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

(NOTE: See Consent Calendar Roll Call)



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

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 222—An act to amend Sections 221.1, 492, 4171, 31108, 31752, and 77067 of the Food and Agricultural Code, relating to agriculture.

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

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Assembly Bill 454—An act to amend Sections 527.6, 527.8, and 527.85 of the Code of Civil Procedure, to amend Section 6345 of the Family Code, and to amend Sections 213.5 and 15657.03 of the Welfare and Institutions Code, relating to protective orders.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1305—An act to amend Sections 7620, 7660, 13050, 13100, 13101, 13151, 13152, 13154, 13200, 13600, 13601, and 13602 of the Probate Code, relating to decedents' estates.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 741—An act to amend Section 5464 of, and to add Section 5465 to, the Health and Safety Code, relating to wastewater.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 23—An act to add Section 54952.3 to the Government Code, relating to local government.

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

(NOTE: See Consent Calendar Roll Call)

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 12—An act to add Section 261.9 to the Penal Code, relating to human trafficking.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Bill 332—An act to amend Section 368 of the Penal Code, relating to elder abuse.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 886—An act to amend Section 679.02 of the Penal Code, relating to victim's rights.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1281—An act to amend Section 3043.25 of the Penal Code, relating to parole.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 588—An act to amend Section 1946.7 of the Civil Code, relating to tenancy.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1067—An act to amend Section 1008 of the Code of Civil Procedure, relating to civil procedure.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1222—An act to amend Sections 50904, 50905, and 50909 of the Health and Safety Code, relating to housing.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 349—An act to amend Section 35401.7 of the Vehicle Code, relating to vehicles.

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, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, and Wyland.

NOES (0)—None.



THIRD READING OF SENATE BILLS

Senate Joint Resolution 7—Relative to large capacity ammunition magazines.

Resolution read third time and presented by Senator Padilla.

Roll Call

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

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

NOES (15)—Senators Anderson, Berryhill, Cannella, Correa, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Rubio, Strickland, Walters, and Wyland.

Resolution ordered transmitted to the Assembly.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to illness: Senators Evans and Runner.

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

At 1:30 p.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate stand in recess until the hour of 4:30 a.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 4:30 a.m., the Senate will adjourn until Tuesday, June 28, 2011.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

June 27, 2011

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business June 27, 2011, the nomination of the following appointees heretofore submitted and now before your honorable body for confirmation.

Robert G. Doyle Commissioner, Board of Parole
Hearings

Arthur L. Anderson, Jr. Commissioner, Board of Parole
Hearings

Sincerely,

EDMUND G. BROWN JR., Governor

Above transmitted to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 27, 2011

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

SB 221

SB 278

Above measures ordered enrolled.

Assembly Chamber, June 27, 2011

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

SJR 6

SB 424

SB 926

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, June 27, 2011

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

AJR 12

Assembly Chamber, June 27, 2011

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 798

AB 1085

ACR 42

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURE

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

Assembly Joint Resolution 12—Relative to the Strengthening Medicare and Repaying Taxpayers Act of 2011.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing, June 27, 2011

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

AB 140

AB 315

AB 1066

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.

Date of Hearing, June 27, 2011

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

AB 384



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

KEHOE, Chair

Above measure ordered to second reading.

Senate Chamber, June 23, 2011

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

SB 806	AB 208	AB 554	AB 1013
AB 55	AB 209	AB 568	AB 1091
AB 61	AB 312	AB 606	AB 1127
AB 84	AB 364	AB 651	AB 1180
AB 123	AB 390	AB 690	AB 1272
AB 126	AB 397	AB 708	AB 1395
AB 144	AB 459	AB 793	
AB 193	AB 529	AB 956	

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

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, June 23, 2011

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

AB 313 AB 997

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

KEHOE, Chair

Above measures ordered to second reading.

Senate Chamber, June 27, 2011

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

AB 82	AB 611	AB 1029	AB 1420
AB 159	AB 782	AB 1105	AB 1421
AB 169	AB 807	AB 1414	
AB 458	AB 1014	AB 1418	

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

KEHOE, Chair

Above measures ordered to second reading.



Committee on Governance and Finance

Senate Chamber, June 27, 2011

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

AB 153

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 153—An act to amend Section 6203 of the Revenue and Taxation Code, relating to taxation.

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, June 23, 2011

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

ACR 15

ACR 31

ACR 37

ACR 41

ACR 46

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

KEHOE, Chair

Above measures ordered to second reading.

Committee on Governance and Finance

Date of Hearing, June 22, 2011

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

AB 46

AB 561

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

WOLK, Chair

Above measures ordered to second reading.

Committee on Banking and Financial Institutions

Senate Chamber, June 27, 2011

Mr. President: The Chair of the Committee on Banking and Financial Institutions, to which was referred:

AB 901

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

VARGAS, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 901—An act to add Chapter 12.9 (commencing with Section 7090) to Division 7 of Title 1 of the Government Code, to amend Sections 44559.1, 44559.2, and 44559.6 of the Health and Safety Code, and to add Section 26041 to the Public Resources Code, relating to economic development.

Bill read second time.

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

Senate Chamber, June 27, 2011

Mr. President: The Chair of the Committee on Banking and Financial Institutions, to which was referred:

AB 597

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

VARGAS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 597—An act to add Division 22 (commencing with Section 70000) to the Financial Code, relating to financial literacy.

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 27, 2011

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

AB 253

AB 438

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 253—An act to amend Sections 53891 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 438—An act to amend Sections 19104 and 19116 of, and to add Section 19104.5 to, the Education Code, relating to libraries.

Bill read second time.

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



Date of Hearing, June 22, 2011

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

AB 654

AB 696

AB 700

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 Environmental Quality

Date of Hearing, June 27, 2011

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

AB 54

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

SIMITIAN, Chair

Above measure re-referred to the Committee on Governance and Finance.

Date of Hearing, June 27, 2011

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

AB 1221

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

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 22, 2011

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

AB 199

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2011

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

AB 684



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

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2011

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

AB 202

AB 751

AB 1034

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 measures ordered to second reading.

Committee on Transportation and Housing

Senate Chamber, June 27, 2011

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

AB 1298

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 1298—An act to add Section 22651.01 to the Vehicle Code, relating to vehicles.

Bill read second time.

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

Committee on Health

Senate Chamber, June 27, 2011

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

AB 215

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 215—An act to amend Section 76000.10 of the Government Code, relating to emergency services.

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 21, 2011

Mr. President: The Committee on Public Safety, to which was referred:
AB 316

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

Above measure ordered to second reading.

Senate Chamber, June 27, 2011

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

AB 90

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 90—An act to amend Section 236.1 of the Penal Code, relating to human trafficking.

Bill read second time.

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

Committee on Rules

State Capitol, June 27, 2011

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

Energy, Utilities and Communications—AB 1131.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1417** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 486 was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Rules; and

AB 2 and **AB 1094** were withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations**

AB 140—Do pass

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

NOES (0)—None.



AB 300—Do pass as amended

AYES (7)—Senators Alquist, Emmerson, Kehoe, Lieu, Pavley, Price, and Steinberg.

NOES (0)—None.

AB 315—Do pass

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

NOES (0)—None.

AB 384—Do pass as amended

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

NOES (0)—None.

AB 1066—Do pass

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

NOES (0)—None.

Date of Hearing: 6/27/2011

Kehoe (Chair)

Committee on Environmental Quality**AB 54—Do pass and re-refer to Committee on Governance and Finance**

AYES (7)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

AB 135—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Blakeslee, Lowenthal, Simitian, and Strickland.

NOES (3)—Senators Hancock, Kehoe, and Pavley.

AB 291—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Hancock, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (0)—None.

AB 341—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (1)—Senator Strickland.

AB 358—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Blakeslee, Hancock, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.



AB 462—Do pass as amended

AYES (7)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

AB 470—Do pass as amended

AYES (7)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

AB 591—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Hancock, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (1)—Senator Strickland.

AB 681—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

AB 762—Do pass as amended, to Consent Calendar

AYES (7)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

AB 818—Do pass as amended

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (1)—Senator Strickland.

AB 938—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (0)—None.

AB 1221—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, Simitian, and Strickland.

NOES (0)—None.

Date of Hearing: 6/27/2011

Simitian (Chair)



IN SENATE

Senate Chamber, Sacramento
Tuesday, June 28, 2011

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

Assembly Bill 110—An act to amend Sections 6452.1, 17052.6, 18510, 19116, 19164, 19504, 19774, and 19777 of, to add Sections 19266 and 19560.5 to, to add the headings of Article 1 (commencing with Section 19751), Article 2 (commencing with Section 19755), and Article 4 (commencing with Section 19772) to, and to add Article 3 (commencing with Section 19761) to, Chapter 9.5 of Part 10.2 of Division 2 of, and to repeal and amend Sections 19751, 19752, 19753, 19754, and 19755 of, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.

Bill read third time.

Amendments Adopted

Amendments to AB 110 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 108—An act to amend Item 0890-001-0001 of, and to add Items 0502-012-0022, 2120-011-0117, 2240-011-0101, 2240-011-0929, 2660-013-0042, 3360-011-0382, 3500-011-0100, 3500-013-3065, 3600-011-0321, 3680-011-0516, 3790-011-0263, 3940-011-0225, 3940-011-3147, 3960-011-0014, 3960-011-0018, 3960-011-0065, 3960-012-1003, 5180-011-0131, 8660-011-0470, 8660-011-3141, and 8660-012-0462 to, Section 2.00 of, and to add Section 39.00 to, the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, Budget Bill.

Bill read third time.

Amendments Adopted

Amendments to AB 108 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Fuller requested that when the Senate adjourns this day it do so in memory of LCpl. Jared C. Verbeek of Visalia.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Crystal Rodriguez of Roseville.

Senators Kehoe and Leno requested that when the Senate adjourns this day it do so in memory of Jean Harris of San Francisco and Palm Springs.

Senator Kehoe requested that when the Senate adjourns this day it do so in memory of Sheila Potiker of San Diego.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Bob Benson of las Virgenes.

ADJOURNMENT

At 4:30 a.m., the President declared the Senate adjourned upon call of the President pro Tempore, June 28, 2011.

PAULA K. ROSSETTO, Minute Clerk

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