

CALIFORNIA LEGISLATURE
2011–12 FIRST EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, June 10, 2011

The Senate met at 1:41 p.m.

Hon. S. Joseph Simitian, of the 11th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary Zachary L. Twilla reading.

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 Rev. Dr. Pamela Anderson, Countryside Community Church of Esparto:

There once was a young man who was stricken by cancer and as a result he lost his leg. Understandably, he was very angered about this. So he decided to see a counselor who did some art therapy with him. The young man drew a picture of a vase with a big black crack in it because that's how he felt about himself: broken. Time went by and deep healing began for him and a year later his counselor showed him the picture of the vase with the big black crack. Taking a yellow crayon, the young man said, "This picture isn't finished yet. You see here where the crack is? . . . "This is where the light shines through." Then he colored a bright ray of light.

Let us pray:

Eternal God, There are many Californians today who are feeling broken. We pray for those who are unemployed, we pray for those who have lost their homes and we pray for all of us who are trying to figure out how to make ends meet. We pray now for our California Senate in their deliberations. May the work that they do here today bring light where there is darkness and hope where there is brokenness for this great state of California. This prayer we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

SUSPENSION OF THE JOINT RULES

Without objection, pursuant to Joint Rule 33.1, Joint Rule 10.5 was suspended in order for AB 18 and AB 19 to be properly before the Senate at this time.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 18** and **AB 19** were withdrawn from Committee and placed on the Third Reading file.

CONSIDERATION OF DAILY FILE**Consideration of Assembly Bill 18**

Assembly Bill 18—An act to add Chapter 33 (commencing with Section 7599) to Division 7 of Title 1 of the Government Code, and to amend Sections 6051.7, 6201.7, 10752, 10752.1, 17041, 17054, and 17062 of, and to add Sections 7101.4, 10752.2, and 11001.6 to, the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Leno.

Urgency Clause

Urgency clause read and refused adoption by the following vote:

AYES (22)—Senators Alquist, Calderon, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu,



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

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

Reconsideration of Assembly Bill 18

Without objection, the above vote whereby the urgency clause to AB 18 was refused adoption was reconsidered by the following vote:

Roll Call

AYES (39)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, and Wyland.

NOES (0)—None.

MOTION TO WITHDRAW FROM COMMITTEE

Senator Steinberg moved that **SB 23** be withdrawn from the Committee on Rules and placed on the third reading file.

Objection was raised.

Roll Call

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

AYES (22)—Senators Alquist, Calderon, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Simitian, Steinberg, Vargas, Wolk, and Wright.

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

REQUEST FOR UNANIMOUS CONSENT (SB 23)

Senator Steinberg asked for, and was granted, unanimous consent to take up SB 23 at this time, without reference to file.

Consideration of Senate Bill 23

Senate Bill 23—An act to amend Sections 17041.5, 30111, and 32010 of, to add Section 17041.6 to, and to add Chapter 3.53 (commencing with Section 7289), Chapter 3.54 (commencing with Section 7289.10), Chapter 3.55 (commencing with Section 7289.20), Chapter 3.56 (commencing with Section 7289.31), Chapter 3.57 (commencing with Section 7289.40), and Chapter 3.58 (commencing with Section 7289.50), to Part 1.7 of Division 2 of, the Revenue and Taxation Code, relating to local taxation, and making an appropriation therefor.



Roll Call

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

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

NOES (16)—Senators Anderson, Berryhill, Blakeslee, Cannella, Correa, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

MOTION FOR IMMEDIATE TRANSMITTAL TO THE ASSEMBLY

Senator Huff moved that SB 23 be transmitted to the Assembly immediately.

Objection raised.

Roll Call

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

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

NOES (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.

ADJOURNMENT

At 3:30 p.m., the President declared the Senate adjourned on call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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