

CALIFORNIA LEGISLATURE
2011–12 FIRST EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FORTY–NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, June 15, 2011

The Senate met at 1:11 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, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—39.

Quorum present.

(NOTE: Senator Runner will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Pastor Shane B. Scott, MDiv., Saint Rest Baptist Church in Fresno:

Dear Precious Lord, Gracious God,

You are the Absolute Being, All Knowing, All Powerful, Almighty, and Creator. Your greatness is marvelous. Your rule is supreme and your presence is magnificent. It is because of you that miracles happen daily. Marriages are formed, babies are born, children are adopted, and the elderly are being cared for. And I thank you; we thank you. Your love is incomparable and incorruptible.

Lord, you are a liberator. Thank you for being a Liberator who cares for His people, His children and His creation. So much so that you even emancipated persons of color who were once unethically and immorally held in bondage under the evils of slavery. We come here this day, at this time and at this hour commemorating the announcement of liberation. And we are thankful for that announcement. That announcement proved the existence of a loving and caring God who disapproves of systems of oppression. And for that, we thank you.

God, we ask that you bless those under the sound of my voice as they seek to govern our great state. Please provide for our governor and state leaders wisdom and compassion as they serve even the least of these. Remind them that they must choose righteousness over being right; and love over hate.

Bind us together. Make us one. Provide strength, stamina, and stability as we proceed into the future.

In Thy Name and in the Names of Freedom Fighters who have Gone on before us—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

SUSPENSION OF JOINT RULE 10.5

Without objection, pursuant to Joint Rule 33.1, Joint Rule 10.5 was suspended for AB 21, AB 22, AB 23, AB 26, AB 27, AB 28, and AB 29.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 21, AB 22, AB 23, AB 26, AB 27, AB 28, and AB 29** were withdrawn from Committee and placed on the Third Reading file.



**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 28—An act to amend Section 6203 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time.

Amendments Adopted

Amendments to AB 28 proposed by Senator Leno were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 27—An act to add Part 1.9 (commencing with Section 34192) to Division 24 of the Health and Safety Code, relating to redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time.

Amendments Adopted

Amendments to AB 27 proposed by Senator Leno were read and adopted and the measure ordered printed and to third reading.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Leno moved to suspend Senate Rule 29.3 to permit consideration of AB 27 and AB 28, as amended, in print, and properly before the Senate.

Objection raised.

Roll Call

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

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

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

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Consideration of Assembly Bill 22

Assembly Bill 22—An act to amend Section 11003 of the Revenue and Taxation Code, and to amend Section 9250 of the Vehicle Code, relating to vehicles, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.



Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 23

Assembly Bill 23—An act to add Section 41204.4 to the Education Code, and to amend Sections 97.68 and 7203.1 of the Revenue and Taxation Code, relating to local government finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 28

Assembly Bill 28—An act to amend Section 6203 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.



Consideration of Assembly Bill 29

Assembly Bill 29—An act to add Chapter 1.5 (commencing with Section 4210) to Part 2 of Division 4 of the Public Resources Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

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

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

Bill ordered transmitted to the Assembly.

Consideration of Assembly Bill 26

Assembly Bill 26—An act to amend Sections 33500, 33501, 33607.5, and 33607.7 of, and to add Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) to Division 24 of, the Health and Safety Code, and to add Sections 97.401 and 98.2 to the Revenue and Taxation Code, relating to redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

Consideration of Assembly Bill 27

Assembly Bill 27—An act to add Part 1.9 (commencing with Section 34192) to Division 24 of the Health and Safety Code, relating to redevelopment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



RECESS

At 2:39 p.m., the Senate recessed in order to convene Regular Session.

REASSEMBLED

At 3:13 p.m., the Senate reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 26)

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

Roll Call

The names of the absentees were called and AB 26 was passed by the following vote:

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

NOES (15)—Senators Anderson, Berryhill, Blakeslee, Cannella, Correa, Dutton, Emmerson, Fuller, Harman, Huff, La Malfa, Strickland, Wright, Wyland, and Yee.

Above bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 27)

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

Roll Call

The names of the absentees were called and AB 27 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.



LEAVES OF ABSENCE FOR THE DAY

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

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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