

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 27, 2011

The Senate met at 9 a.m.

Hon. S. Joseph Simitian, of the 11th 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, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Hernandez, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete, McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, and Yee.—34.

Quorum present.

(NOTE: Senators Harman and Huff will be excused this day on personal business and Senators Corbett and Wyland will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

In the Bible we are taught that the Holy One, the Creator of us all, created the universe with words. Words have the power to create and to destroy, words can bring us together or tear us apart.

With words our Founding Fathers created our nation, and with the simple and beautiful words given to us by Minister Francis Bellamy, we recommit ourselves to the sacred ideals of our nation each time we recite the pledge of allegiance.

And for those who work in, and for, this venerable chamber, it is with words that we can create a better tomorrow.

Oh Gracious God, We turn our hearts to You, and ask for blessings on our country and all who live here. We pray that You may give us the courage to live up to our highest ideals, working for our common good. May the words we speak to one another help bring us closer together and enable us to create a nation that is united in its pursuit of liberty and justice for all people. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Negrete McLeod led the Senate in the pledge of allegiance to the Flag.

REQUEST FOR UNANIMOUS CONSENT (SR 7)

Senator Steinberg asked for, and was granted, unanimous consent to take up SR 7 at this time, without reference to committee or file.

Consideration of Senate Resolution 7

Senate Resolution 7—Relative to the Standing Rules of the Senate for the 2011–12 Regular Session

Roll Call

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

AYES (31)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Correa, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Hernandez, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, and Wright.

NOES (0)—None.

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 personal business: Senators Harman and Huff.

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



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

At 9:28 a.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, January 31, 2011.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

January 27, 2011

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment and reappointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

ROBERT BENJAMIN WEISENMILLER, PH.D., has been a commissioner with the California Energy Commission from 2010 to 2011. He was a co-founder and executive vice president of MRW & Associates from 1986 to 2010 and was a co-founder and executive vice president of Independent Power Corporation from 1982 to 1986. He was an assistant to a commissioner, manager of the Special Projects Office and director of the Office of Policy Development and Program Evaluation with the California Energy Commission from 1977 to 1982. He holds a Ph.D. in chemistry and a M.S. in energy and resources from the University of California, Berkeley and a B.S. in chemistry from Providence College. Appointed 1/25/11. Effective 1/27/11.

Commissioner, State Energy Resources Conservation and Development Commission, vice self, was withdrawn 1/3/2011, term ending 01/06/15.

Above appointment referred to the Committee on Rules.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 126: By Senator Steinberg—An act to add Section 14521.5 to the Government Code, relating to transportation.

Senate Bill 127: By Senator Emmerson—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.



Senate Bill 128: By Senator Lowenthal—An act to amend Sections 17074.25 and 17078.72 of the Education Code, relating to school facilities, and making an appropriation therefor.

Senate Bill 129: By Senator Leno—An act to amend Section 11362.785 of, and to add Section 11362.787 to, the Health and Safety Code, relating to medical marijuana.

Senate Bill 130: By Senator Gaines—An act to amend Section 1872.8 of the Insurance Code, relating to insurance.

Senate Bill 131: By Senator Gaines—An act to amend Section 900 of the Insurance Code, relating to insurance.

Senate Bill 132: By Senator Lowenthal—An act to add Sections 17070.31, 17070.94, and 17251.1 to the Education Code, and to amend Section 13102 of the Government Code, relating to school facilities.

Senate Bill 133: By Senator Wolk—An act to amend Section 2715.5 of the Public Resources Code, relating to natural resources.

Senate Bill 134: By Senator Corbett—An act to amend Section 32121 of the Health and Safety Code, relating to health care districts.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Pauline “Dimples” Murillo of Highland.

Senators Hancock and Corbett requested that when the Senate adjourns this day it do so in memory of Berresford “Berry” Bingham of Oakland.

Senator Padilla requested that when the Senate adjourns this day it do so in memory of Barbara Parrish of Los Angeles.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Carol W. Graham of Portola Valley.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Scott Edward Drzewiecki, Juanita Faye Coustaut, Marilou S. Limas, and Lucille Anderson of Stockton.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators’ requests until 4 p.m., Monday, January 31, 2011.

PAULA K. ROSSETTO, Minute Clerk

