

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, September 2, 2011

The Senate met at 9 a.m.

Hon. Curren Price, of the 26th 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:

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, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senators Alquist and Walters will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Our founding fathers continue to serve as an example for us to this day, providing inspiration and guidance. Thomas Jefferson said: “Do you want to know who you are? Don’t ask. Act! Action will delineate and define you.”

Ultimately it is not our words that define who we are, but our deeds. Our greatest legacy is what we do while we are on this earth, how we treat others, how we conduct ourselves in our daily tasks, how we spend our days—this is how we will be remembered.

We pray for our country and all who serve it. May our actions be filled with insight and courage. May we serve with humility and dedication. May we be known for deeds of kindness and generosity of spirit. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 1, 2011

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

SB 538

SB 539

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, September 2, 2011

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

AB 1387

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

KEHOE, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1387—An act to add and repeal Section 3054.5 of the Penal Code, relating to parole.

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 634—An act to amend Sections 6025.5 and 6027.1 of, and to add and repeal Section 6025.4 of, the Food and Agricultural Code, relating to vertebrate pests.

Bill read second time and ordered to third reading.

Assembly Bill 1210—An act to add Section 6730.4 to the Business and Professions Code, relating to water quality, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 378—An act to amend Sections 139.3, 139.31, and 5307.1 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 358—An act to amend Sections 25295, 25296.10, 25296.35, 25296.40, 25299.39.2, 25299.57, and 25299.58 of the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1164—An act to amend Section 8879.77 of, and to add and repeal Article 13 (commencing with Section 8879.79) of Chapter 12.491 of Division 1 of Title 12 of, the Government Code, relating to transportation, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 565—An act to add Section 31111.5 to the Public Resources Code, relating to conservation.

Bill read second time and ordered to third reading.

Assembly Bill 86—An act to amend Section 47605 of the Education Code, relating to charter schools.

Bill read second time and ordered to third reading.

Assembly Bill 1062—An act to amend Section 1294 of the Code of Civil Procedure, relating to arbitration.

Bill read second time and ordered to third reading.

Assembly Bill 622—An act to add and repeal Section 939.22 of the Penal Code, relating to grand juries.

Bill read second time and ordered to third reading.

Assembly Bill 1053—An act to amend Sections 100430 and 103625 of, and to amend, repeal, and add Section 100425 of, the Health and Safety Code, and to amend Section 903.15 of the Welfare and Institutions Code, relating to local government.

Bill read second time and ordered to third reading.



Assembly Bill 366—An act to amend, repeal, and add Section 1370 of the Penal Code, relating to defendants.

Bill read second time and ordered to third reading.

Assembly Bill 278—An act to add Section 10080.9 to the Business and Professions Code, relating to real estate.

Bill read second time and ordered to third reading.

Assembly Bill 1275—An act to amend Sections 33121.5 and 33125 of, and to add Section 33137 to, the Health and Safety Code, relating to redevelopment.

Bill read second time and ordered to third reading.

Assembly Bill 210—An act to add Section 10123.866 to the Insurance Code, relating to maternity services.

Bill read second time and ordered to third reading.

Assembly Bill 1149—An act to amend Sections 14549.2 and 14581 of the Public Resources Code, relating to beverage containers, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 1296—An act to add Part 3.8 (commencing with Section 15925) to Division 9 of the Welfare and Institutions Code, relating to public health.

Assembly Bill 418—An act relating to tidelands and submerged lands.

Bill read second time and ordered to third reading.

Assembly Bill 1028—An act to amend Sections 20096.5, 20636.1, 20812, 20814, 20820, 20969.1, 21130, 21221, 21224, 21228, 21229, 21493, 21494, 21506, and 21507 of, and to add Section 21533.5 to, the Government Code, relating to state employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 1379—An act to add and repeal Sections 7504.3 and 13997.4 of the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

Assembly Bill 815—An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of Division 4 of Title 2 of the Education Code, relating to instructional programs, and making an appropriation therefor.

Bill read second time and ordered to third reading.



Assembly Bill 172—An act to add Sections 11004.4, 11004.5, 11004.6, 11004.7, and 11004.8 to the Government Code, relating to state agencies.

Bill read second time and ordered to third reading.

Assembly Bill 1420—An act to amend Section 179.9 of the Government Code, relating to the Emergency Management Assistance Compact.

Bill read second time and ordered to third reading.

Assembly Bill 22—An act to amend Section 1785.20.5 of the Civil Code, and to add Chapter 3.6 (commencing with Section 1024.5) to Part 2 of Division 2 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 894—An act to amend Sections 91502, 91503, 91504, and 91558 of, and to add and repeal Article 6 (commencing with Section 91600) of Chapter 1 of Title 10 of, the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

Assembly Bill 525—An act to amend Section 42885.5 of, to add Section 48704.1 to, and to add and repeal Section 42872.5 of, the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 644** and **AB 525** were re-referred to the Committee on Rules.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Lowenthal moved that **AB 826** be placed on the inactive file.

Senator DeSaulnier moved that **AB 294** be placed on the inactive file.

Motions carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator De León moved that **AB 144** be taken from the inactive file and placed on the second reading file.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 337—An act to add Section 1940.4 to the Civil Code, relating to tenancy.

Bill presented by Senator Kehoe.

The question being: Shall the Senate concur in the Assembly amendments to SB 337?



Roll Call

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

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

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

Above bill ordered enrolled.

Senate Bill 364—An act to add Section 19137 to the Revenue and Taxation Code, relating to taxation.

Bill presented by Senator Yee.

The question being: Shall the Senate concur in the Assembly amendments to SB 364?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 381—An act to amend Section 48204 of the Education Code, relating to school attendance.

Bill presented by Senator Pavley.

The question being: Shall the Senate concur in the Assembly amendments to SB 381?

Roll Call

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

AYES (37)—Senators Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, 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, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 397—An act to amend Section 2196 of the Elections Code, relating to online voter registration.

Bill presented by Senator Yee.

The question being: Shall the Senate concur in the Assembly amendments to SB 397?



Roll Call

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

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

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

Above bill ordered enrolled.

Senate Bill 461—An act to amend Section 51420 of the Education Code, relating to high school equivalency certificates.

Bill presented by Senator Blakeslee.

The question being: Shall the Senate concur in the Assembly amendments to SB 461?

Roll Call

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

AYES (37)—Senators Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, 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, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 658—An act to amend Section 7685 of the Business and Professions Code, relating to funeral services.

Bill presented by Senator Negrete McLeod.

The question being: Shall the Senate concur in the Assembly amendments to SB 658?

Roll Call

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

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

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

Above bill ordered enrolled.



Senate Bill 679—An act to add Section 26142 to the Public Resources Code, relating to energy, and making an appropriation therefor.

Bill presented by Senator Pavley.

The question being: Shall the Senate concur in the Assembly amendments to SB 679?

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 610—An act to amend Sections 26165, 26190, and 26205 of, and to add Section 26202 to, the Penal Code, relating to firearms.

Bill presented by Senator Wright.

The question being: Shall the Senate concur in the Assembly amendments to SB 610?

Roll Call

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

AYES (27)—Senators Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, Dutton, Emmerson, Fuller, Gaines, Harman, Hernandez, Huff, La Malfa, Lieu, Negrete McLeod, Padilla, Rubio, Runner, Steinberg, Strickland, Vargas, Wolk, Wright, and Wyland.

NOES (9)—Senators DeSaulnier, Evans, Hancock, Kehoe, Leno, Liu, Pavley, Simitian, and Yee.

Above bill ordered enrolled.

MOTION TO RE-REFER TO COMMITTEE

Senator Huff moved that **AB 506** be re-referred to the Committee on Governance and Finance.

Motion to Lay on the Table

Senator Corbett moved that the motion by Senator Huff be laid on the table.

Roll Call

The roll was called and the motion to lay on the table carried by the following vote:

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

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



UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 16—An act to add Section 2099.20 to the Fish and Game Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Rubio.

The question being: Shall the Senate concur in the Assembly amendments to SB 16?

Roll Call

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

AYES (34)—Senators Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Anderson and Huff.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 364)**

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

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 364 by the following vote:

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

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

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 679)**

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

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 679 by the following vote:

AYES (37)—Senators Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Hernandez, Huff, Kehoe, La Malfa, Leno,



Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Runner, Simitian, Steinberg, Strickland, Vargas, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 746—An act to amend Section 22706 of, and to add Section 2241.3 to, the Business and Professions Code, relating to tanning facilities.

Bill presented by Senator Lieu.

The question being: Shall the Senate concur in the Assembly amendments to SB 746?

Roll Call

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

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

NOES (12)—Senators Anderson, Berryhill, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, and Wyland.

Above bill ordered enrolled.

Senate Bill 747—An act to amend Sections 2190.1, 2811.5, 2892.5, 2915, 3524.5, 4517, 4980.54, and 4996.22 of the Business and Professions Code, and to amend Section 1337.3 of the Health and Safety Code, relating to healing arts.

Bill presented by Senator Kehoe.

The question being: Shall the Senate concur in the Assembly amendments to SB 747?

Roll Call

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

AYES (24)—Senators Calderon, Corbett, Correa, 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 (14)—Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, and Wyland.

Above bill ordered enrolled.



Senate Bill 757—An act to amend Section 1374.58 of, and to add Section 1367.30 to, the Health and Safety Code, and to amend Sections 10112.5 and 10121.7 of the Insurance Code, relating to discrimination.

Bill presented by Senator Lieu.

The question being: Shall the Senate concur in the Assembly amendments to SB 757?

Roll Call

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

AYES (24)—Senators Calderon, Corbett, Correa, 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 (13)—Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, La Malfa, Runner, Strickland, and Wyland.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Joint Resolution 13—Relative to cross-border transmission lines.

Resolution read third time and presented by Senator Vargas.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Leno moved to suspend Senate Rule 29.3 to permit consideration of AB 210 at this time, as amended, in print, and properly before the Senate.

Roll Call

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

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

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



CONSIDERATION OF ASSEMBLY BILL 210

Assembly Bill 210—An act to add Section 10123.866 to the Insurance Code, relating to maternity services.

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 (25)—Senators Blakeslee, Calderon, Corbett, Correa, 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 (11)—Senators Anderson, Berryhill, Dutton, Fuller, Gaines, Harman, Huff, La Malfa, Runner, Strickland, and Wyland.

Bill ordered transmitted to the Assembly.

RECESS

At 11:10 a.m., the Senate recessed in order to convene in First Extraordinary Session.

REASSEMBLED

At 11:20 a.m., the Senate reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SJR 13)

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

Roll Call

The names of the absentees were called and SJR 13 was adopted by the following vote:

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

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

Above 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 Alquist and Walters.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH

At 11:25 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 5 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 5 p.m., the Senate will adjourn until Tuesday, September 6, 2011.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 2, 2011

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 89 to the Senate for further action.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

Assembly Chamber, September 2, 2011

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

SB 547

SB 612

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

Above measures ordered to unfinished business file.

Assembly Chamber, September 2, 2011

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

AB 6	AB 450	AB 684	AB 938
AB 28	AB 468	AB 716	AB 1025
AB 131	AB 486	AB 735	AB 1076
AB 135	AB 512	AB 751	AB 1143
AB 267	AB 514	AB 766	AB 1194
AB 300	AB 529	AB 849	AB 1203
AB 332	AB 574	AB 887	AB 1215
AB 353	AB 597	AB 905	AB 1298
AB 359	AB 621	AB 930	ACR 52

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, September 2, 2011

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 3–0, has referred SB 644 to the Governance and

Finance Committee and AB 525 to the Senate Environmental Quality Committee.

STEINBERG, Chair

Committee on Governance and Finance

September 2, 2011

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

SB 644

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

WOLK, Chair

Above measure ordered to unfinished business.

Committee on Judiciary

Senate Chamber, September 2, 2011

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

AB 238

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 238—An act to amend Sections 2983 and 2983.1 of the Civil Code, relating to motor vehicle sales, and declaring the urgency thereof, to take effect immediately.

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, September 2, 2011

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

AB 796

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 796—An act to amend Section 44559.3 of the Health and Safety Code, relating to financial assistance.

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, September 2, 2011

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

AB 853

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 853—An act to amend Sections 41344.4, 46300, 46300.6, 46300.7, 51745.6, 51747, and 51747.3 of, and to add Sections 51745.2 and 51747.1 to, the Education Code, relating to schools.

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, September 2, 2011

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

Labor and Industrial Relations—AB 1426.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 14: By Senator Wright (Principal coauthor: Assembly Member Hall)—Relative to Internet gambling.

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

Assembly Bill 520—An act to amend Section 13353.3 of the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 520 proposed by Senator Huff were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1424—An act to amend Sections 31 and 476 of, and to add Section 494.5 to, the Business and Professions Code, to add Section 12419.13 to the Government Code, to add Section 10295.4 to the Public Contract Code, to amend Sections 7063, 19195, and 19533 of, to add Sections 6835, 7057, 7057.5, 19377.5, 19571, and 19572 to, to add Article 9 (commencing with Section 6850) to Chapter 6 of Part 1 of Division 2 of, and to add Article 7 (commencing with Section 19291) to Chapter 5 of



Part 10.2 of Division 2 of, the Revenue and Taxation Code, and to add Section 34623.1 to the Vehicle Code, relating to taxation.

Bill read third time.

Amendments Adopted

Amendments to AB 1424 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 415—An act to repeal and add Section 2290.5 of the Business and Professions Code, to repeal and add Section 1374.13 of the Health and Safety Code, to repeal and add Section 10123.85 of the Insurance Code, and to amend Sections 14132.72 and 14132.725 of the Welfare and Institutions Code, relating to telehealth.

Bill read third time.

Amendments Adopted

Amendments to AB 415 proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1320—An act to add Sections 20814.5 and 31453.7 to the Government Code, relating to public employees' retirement, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 1320 proposed by Senator Negrete McLeod were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1329—An act to amend Section 103885 of the Health and Safety Code, relating to disease reporting.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1329 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DAVIS

Permission of Rules Committee

Senate Chamber, September 1, 2011

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1329.

STEINBERG, Chair

Amendments Adopted

Amendments to AB 1329 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 794—An act to amend Sections 42461, 42474, 42476, and 42479 of, and to add Section 42461.5 to, the Public Resources Code, relating to solid waste.

Bill read third time.



Amendments Adopted

Amendments to AB 794 proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 340)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 340 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 340

Assembly Bill 340—An act to amend Section 31461 of, and to add Sections 31540, 31540.2, 31541, 31569, and 31680.9 to, the Government Code, relating to county employees' retirement.

Bill read.

Motion to Amend

Amendments to AB 340 proposed by Senator Negrete McLeod were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 681—An act to amend Sections 25270.2, 25270.4, 25270.11, 25270.12, and 25404.1 of, and to add Sections 25270.4.1, 25270.12.1, and 25270.12.5 to, the Health and Safety Code, relating to aboveground storage tanks.

Bill read third time.

Amendments Adopted

Amendments to AB 681 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 415—An act to repeal and add Section 2290.5 of the Business and Professions Code, to repeal and add Section 1374.13 of the Health and Safety Code, to repeal and add Section 10123.85 of the Insurance Code, and to amend Sections 14132.72 and 14132.725 of the Welfare and Institutions Code, relating to telehealth.

Bill read third time.

Amendments Adopted

Amendments to AB 415 proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 688—An act to add Section 114094.5 to, and to add Chapter 3.5 (commencing with Section 110286) to Part 5 of Division 104 of, the Health and Safety Code, relating to food and drug safety.

Bill read third time.

Amendments Adopted

Amendments to AB 688 proposed by Senator De León were read and adopted and the measure ordered printed and to second reading.



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

Bill read third time.

Amendments Adopted

Amendments to AB 438 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1330—An act to amend Section 48980 of, and to amend, repeal, and add Section 51225.3 of, the Education Code, relating to graduation requirements.

Bill read third time.

Amendments Adopted

Amendments to AB 1330 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 180 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 29—An act to add Chapter 1.6 (commencing with Section 12096) to Part 2 of Division 3 of Title 2 of, and to repeal Article 7 (commencing with Section 65054) of Chapter 1.5 of Division 1 of Title 7 of, the Government Code, relating to economic development.

Bill read third time.

Amendments Adopted

Amendments to AB 29 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 947—An act to amend Section 4656 of the Labor Code, relating to workers' compensation.

Bill read third time.

Amendments Adopted

Amendments to AB 947 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 396—An act to add Sections 14053.8 and 14053.9 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Amendments Adopted

Amendments to AB 396 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 1403—An act to amend Sections 222.5, 662.5, and 1033.5 of the Code of Civil Procedure, relating to civil actions.

Bill read third time.

Amendments Adopted

Amendments to AB 1403 proposed by Senator Evans were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 456)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 456 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 456

Assembly Bill 456—An act to amend Sections 3084 and 8416 of the Civil Code, relating to mechanics liens.

Bill read.

Motion to Amend

Amendments to AB 456 proposed by Senator Strickland were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1084—An act to amend Sections 985, 987.53, 987.60, 987.603, 987.67, 987.71, 987.75, 987.77, and 987.84 of, to add Sections 987.93 and 988.7 to, and to repeal Article 4 (commencing with Section 270) of Chapter 3 of, and Article 1 (commencing with Section 480) of Chapter 10 of, Part 1 of Division 2 of, the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1084 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 418—An act relating to tidelands and submerged lands.

Bill read third time.

Amendments Adopted

Amendments to AB 418 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 89—An act to amend Section 31485.10 of, and to add Section 7503.5 to, the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.



Amendments Adopted

Amendments to AB 89 proposed by Senator Negrete McLeod were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 203—An act to amend Sections 53300 and 53302 of, and to add Sections 53300.5, 53304, and 53305 to, the Education Code, relating to school intervention.

Bill read third time.

Amendments Adopted

Amendments to AB 203 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 325 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1398)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1398 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1398

Assembly Bill 1398—An act to amend Section 1393.5 of the Labor Code, relating to employment.

Bill read.

Motion to Amend

Amendments to AB 1398 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 116—An act to amend Sections 23101, 25113, 25128, 25128.5, and 25136 of, to add Sections 6377 and 25136.1 to, and to repeal and amend Sections 17053.80 and 23623 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to SB 116 proposed by Senator De León were read and adopted and the measure ordered printed, engrossed, and to second reading.



THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 981—An act to amend Sections 44559.1, 44559.3, and 44559.4 of the Health and Safety Code, relating to the Capital Access Loan Program.

Bill read third time.

Amendments Adopted

Amendments to AB 981 proposed by Senator De León were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 74—An act to add Section 11000.10 to the Government Code, relating to public events.

Bill read third time.

Amendments Adopted

Amendments to AB 74 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 350—An act to amend Sections 1060, 1061, and 1064 of, and to amend the heading of Chapter 4.5 (commencing with Section 1060) of Part 3 of Division 2 of, the Labor Code, relating to employment.

Bill read third time.

Amendments Adopted

Amendments to AB 350 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Steinberg moved that **AB 101** be taken from the inactive file and placed on the second reading file.

Assembly Bill 101—An act to add Sections 4792, 12301.07, and 14105.09 to the Welfare and Institutions Code, relating to health and human services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time.

Amendments Adopted

Amendments to AB 101 proposed by Senator Steinberg were read and adopted and the measure ordered printed and to second reading.

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

Assembly Bill 1112—An act to amend Sections 8670.39, 8670.40, and 8670.42 of, and to add Section 8670.32 to, the Government Code, and to add and repeal Section 6226 of the Public Resources Code, relating to oil spills.

Bill read third time.



Amendments Adopted

Amendments to AB 1112 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 922—An act to amend Section 1368.02 of, and to add Division 115 (commencing with Section 136000) to, the Health and Safety Code, relating to health care coverage.

Bill read third time.

Amendments Adopted

Amendments to AB 922 proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1313—An act to amend Section 1143 of the Labor Code, relating to employment.

Bill read third time.

Amendments Adopted

Amendments to AB 1313 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1083—An act to amend Sections 1357, 1357.03, 1357.05, 1357.06, 1357.07, and 1357.14 of, to amend, repeal, and add Sections 1357.12 and 1357.15 of, and to add Section 1348.95 to, the Health and Safety Code, and to amend Sections 10700, 10705, 10706, 10707, 10708, 10709, and 10716 of, to amend, repeal, and add Sections 10714 and 10717 of, and to add Sections 106.5 and 10127.19 to, the Insurance Code, relating to health care coverage.

Bill read third time.

Amendments Adopted

Amendments to AB 1083 proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1235—An act to add Section 33459.7 to the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1235 proposed by Senator Price were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 931—An act to amend Section 21159.24 of the Public Resources Code, relating to the environment.

Bill read third time.

Amendments Adopted

Amendments to AB 931 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 56—An act to add Sections 956.5, 957, 958, 958.5, 959, and 969 to the Public Utilities Code, relating to gas corporations.

Bill read third time.

Amendments Adopted

Amendments to AB 56 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1391)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1391 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1391

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

Bill read.

Motion to Amend

Amendments to AB 1391 proposed by Senator De León were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 341—An act to amend Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, to add Sections 40004, 41734.5, and 41780.01 to, to add Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and to add and repeal Section 41780.02 of, the Public Resources Code, relating to solid waste.

Bill read third time.

Amendments Adopted

Amendments to AB 341 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1413—An act to amend Sections 81008, 83109, and 84211 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time.

Amendments Adopted

Amendments to AB 1413 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1220—An act to amend Sections 65009, 65589.3, and 65755 of the Government Code, relating to land use.

Bill read third time.



Amendments Adopted

Amendments to AB 1220 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1019—An act to amend Section 42982 of the Public Resources Code, relating to solid waste.

Bill read third time.

Amendments Adopted

Amendments to AB 1019 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 983—An act to amend Sections 116760.20, 116760.40, 116760.70, 116761.24, and 116761.50 of the Health and Safety Code, relating to public health, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 983 proposed by Senator Simitian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1389—An act to amend Section 2814.1 of, and to add Section 2814.3 to, the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 1389 proposed by Senator Evans were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1180—An act to add Section 13142.6 to the Water Code, relating to water.

Bill read third time.

Amendments Adopted

Amendments to AB 1180 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 615—An act to amend Section 1245.210 of the Code of Civil Procedure, to amend Sections 11005, 11005.2, 11007.1, 11011.13, 13332.11, 13332.12, 14255, 14662, 14666, 14666.6, 14666.8, and 14667 of, and to add Section 11011.23 to, the Government Code, to amend Sections 10106 and 10107 of the Public Contract Code, and to add Chapter 4 (commencing with Section 185400) to Division 19.5 of the Public Utilities Code, relating to high-speed rail, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 615 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 604—An act to amend, repeal, and add Sections 121349, 121349.1, 121349.2, and 121349.3 of the Health and Safety Code, relating to public health.

Bill read third time.

Amendments Adopted

Amendments to AB 604 proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1150—An act to amend Section 379.6 of the Public Utilities Code, relating to electricity.

Bill read third time.

Amendments Adopted

Amendments to AB 1150 proposed by Senator Rubio were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 136 proposed by Senator Walters were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 506—An act to amend Section 53760 of, and to add Sections 53760.1, 53760.3, 53760.5, 53761, 53761.3, 53761.5, 53762, 53762.1, 53762.5, and 53762.7 to, the Government Code, relating to local government.

Bill read third time.

Amendments Adopted

Amendments to AB 506 proposed by Senator Vargas were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 270—An act to amend Section 19522 of the Business and Professions Code, relating to satellite wagering.

Bill read third time.

Amendments Adopted

Amendments to AB 270 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 472—An act to add Section 11376.5 to the Health and Safety Code, relating to controlled substances.

Bill read third time.

Amendments Adopted

Amendments to AB 472 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.



SENATE COMMITTEE ROLL CALLS
Committee on Governance and Finance

SB 644—That the Assembly amendments be concurred in

AYES (9)—Senators DeSaulnier, Fuller, Hancock, Hernandez, Huff, Kehoe, La Malfa, Liu, and Wolk.

NOES (0)—None.

Date of Hearing: 9/2/2011

Wolk (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Cannella requested that when the Senate adjourns this day it do so in memory of Nicholas James Parks of Modesto.

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Peter Hendley of Hayward.

Senator Evans requested that when the Senate adjourns this day it do so in memory of Sandra Nancy Corcoran of McKinleyville.

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Charles William Klinge of Minneapolis, Minnesota.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of M. Kenneth Oshman of Atherton.

ADJOURNMENT

At 5 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 12 p.m., Tuesday, September 6, 2011.

PAULA K. ROSSETTO, Minute Clerk

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