

## CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-FOURTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, January 11, 2012

The Senate met at 9 a.m.

Hon. Doug La Malfa, of the 4th 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, 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, Vargas, Walters, Wolk, Wright, and Yee—36.

Quorum present.

*(NOTE: Senators Strickland and Wyland will be excused this day on personal business, Senator Runner will be excused this day due to illness, and Senator Calderon will be excused this day due to a death in the family.)*

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
January 11, 2012

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments and reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate



confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

KATIE L. DAWSON, has been appointed to the Board of Barbering and Cosmetology. Dawson has been the principal of Dawson Dental Hygiene Practice since 2009. She was a dental hygienist for Dr. Damani Mitchell from 2001 to 2009, Dr. James Sweeney from 1995 to 2002, and Dr. Michael Hine from 1991 to 2002. Appointed 11/30/2011. Effective 12/22/2011.

Member, State Board of Barbering and Cosmetology, vice, Jerri Walters, term expired. Term ending 01/01/2013.

KATHLEEN DICKINSON, has been appointed associate director of the division of adult institutions at the California Department of Corrections and Rehabilitation. Dickinson has worked for the California Department of Corrections and Rehabilitation since 1964, serving most recently as warden at the California Medical Facility. Appointed 12/01/2011. Effective 12/01/2011.

Associate Director, General Population—Males, Division of Adult Institutions for the Department of Corrections and Rehabilitations, vice, Richard Subia, reassigned. Term ending at the pleasure of the Governor.

JOSEPH A. FEDERICO, has been appointed to the Board of Barbering and Cosmetology. Federico has been the chief financial officer of the Federico Beauty Institute since 2009, where he was director of financial aid from 2006 to 2009 and has served on the board of directors since 2004. He has been a member of the American Association of Cosmetology Schools and the California Association of Student Financial Aid Administrators since 2006. Appointed 11/30/2011. Effective 12/29/2011.

Member, State Board of Barbering and Cosmetology, vice, Ted Nelson, not confirmed. Term ending 01/01/2015.

TONYA L. HOOVER, has been appointed state fire marshal for the California Department of Forestry and Fire Protection. Hoover has been acting state fire marshal since 2009. She was assistant state fire marshal from 2007 to 2009. Hoover was fire marshal and battalion chief for the Moraga-Orinda Fire District from 1998 to 2007 and served as deputy fire marshal at the University of California at Berkeley from 1990 to 1998. Appointed 11/22/2011. Effective 11/22/2011.

State Fire Marshal, vice, Katherine Dargan, retired. Term ending at the pleasure of the Governor.



PETER A. LABAHN, has been appointed to the Board of Parole Hearings, where he previously served from 2009 to 2010. He worked at the Riverside County Sheriff's Department from 1983 to 2009, serving most recently as assistant sheriff. Appointed 12/29/2011. Effective 12/29/2011.

Commissioner, Board of Parole Hearings, vice, Robert Doyle, withdrawn from the Senate. Term ending 07/01/2013.

MICHAEL A. LAWSON, has been appointed to the California State Teachers' Retirement Board. Lawson was a partner at Skadden Arps Slate Meagher and Flom LLP from 1995 to 2011, and was an associate there from 1980 to 1995. He was also a staff attorney at the Pension Benefit Guaranty Corporation from 1975 to 1980. Lawson earned his Juris Doctor degree from Harvard Law School. He serves on the board of trustees of Morehouse College and the Advancement Project. Appointed 11/30/2011. Effective 12/22/2011.

Member, Teacher's Retirement Board, vice, Steven Kram, withdrawn from the Senate. Term ending 12/31/2013.

CRYSTAL LEIANE MILLER-O'BRIEN, has been appointed to the California Law Revision Commission. Miller-O'Brien has served as corporate counsel for Medical Management Consultants, Inc. since 2006. She was an associate for Anderson McPharlin and Connors LLP from 2005 to 2006, for Robie and Matthai PC from 2003 to 2005 and for Bullivant Houser Bailey PC from 2002 to 2003. Miller-O'Brien has served on the board of directors to the California Conference of Bar Associations since 2009. She is a member of the Black Women Lawyers Association of Los Angeles and the National Association of Women Business Owners. Miller-O'Brien received her Juris Doctor degree from Willamette University College of Law. Appointed 12/30/2011. Effective 01/05/2012.

Member, California Law Revision Commission, vice, Stephen Murphy, withdrawn from the Senate. Term ending 10/01/2013.

ROBERT T. O'NEILL, has been appointed director at the California State Lottery. O'Neill was a principal at KPMG LLP from 2003 to 2011 and from 1988 to 1994. He was a managing director at BearingPoint (formerly KPMG Consulting) from 1996 to 2003, and executive vice president of CAST Management Consultants Inc. from 1994 to 1996. Appointed 12/21/2011. Effective 12/21/2011.

Director, The California State Lottery, vice, Joan Marie Borucki, resigned. Term ending pleasure of the Governor.

Above appointments referred to the Committee on Rules.



**REPORTS OF STANDING COMMITTEES****Committee on Health**

Senate Chamber, January 10, 2012

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

SB 554

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

HERNANDEZ, Chair

Above measure ordered filed with the Secretary of the Senate.

**Committee on Rules**

Senate Chamber, January 11, 2012

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

SCA 13

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**

**Senate Constitutional Amendment 13**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 12 to Article VII thereof, and by amending subdivision (b) of Section 8 of, amending subdivisions (b) and (f) of Section 17 of, and repealing and adding subdivision (e) of Section 17 of, Article XVI thereof, relating to public employees' benefits.

Resolution 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**

Date of Hearing, January 10, 2012

Mr. President: The Committee on Transportation and Housing, to which were referred:

AB 805

AB 806

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary with the recommendation: To Consent Calendar.

DESAULNIER, Chair

Above measures re-referred to the Committee on Judiciary.



Date of Hearing, January 10, 2012

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

SB 878

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

DESAULNIER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, January 10, 2012

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

SB 749

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules with the recommendation: To Consent Calendar.

DESAULNIER, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, January 10, 2012

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

SB 616

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

DESAULNIER, Chair

Above measure ordered to second reading.

Date of Hearing, January 10, 2012

Mr. President: The Committee on Transportation and Housing, to which were referred:

SB 149

SB 447

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

DESAULNIER, Chair

Above measures ordered to second reading.

#### **Committee on Education**

Date of Hearing, January 11, 2012

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

SB 172

Reports the same back with the recommendation: Do pass.

LOWENTHAL, Chair

Above bill ordered to second reading.



Date of Hearing, January 11, 2012

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

SB 721

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

LOWENTHAL, Chair

Above measure re-referred to the Committee on Appropriations.

**Committee on Governance and Finance**

Date of Hearing, January 11, 2012

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

SB 330

SB 804

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

WOLK, Chair

Above measures re-referred to the Committee on Health.

Date of Hearing, January 11, 2012

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

SB 874

Reports the same back with the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

Date of Hearing, January 11, 2012

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

SB 633

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

WOLK, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, January 11, 2012

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

SB 331

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

WOLK, Chair

Above measure re-referred to the Committee on Appropriations.



**MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 331** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, January 11, 2012

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

**Health**—SB 331.

**Committee on Appropriations**

Senate Chamber, January 11, 2012

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

SB 352

SB 730

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**

**Senate Bill 352**—An act to add Sections 1006 and 1007 to the Business and Professions Code, relating to chiropractors.

Bill read second time.

**Senate Bill 730**—An act to add and repeal Article 2.5 (commencing with Section 44273.5) of Chapter 8.9 of Part 5 of Division 26 of the Health and Safety Code, relating to air resources.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 730 pursuant to Joint Rule 58.

SENATOR KEHOE

**Permission of Rules Committee**

Senate Chamber, January 11, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 730.

STEINBERG, Chair

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



**Committee on Environmental Quality**

Date of Hearing, January 11, 2012

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

SB 901

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

SIMITIAN, Chair

Above measure re-referred to the Committee on Appropriations.

**Committee on Judiciary**

Date of Hearing, January 10, 2012

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

SB 708

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

EVANS, Chair

Above measure ordered to second reading.

**Committee on Labor and Industrial Relations**

Date of Hearing, January 11, 2012

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

SB 691

SB 912

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

LIEU, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, January 11, 2012

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

SB 777

Reports the same back with the recommendation: Do pass.

LIEU, Chair

Above bill ordered to second reading.





**Committee on Transportation and Housing**

Date of Hearing, January 10, 2012

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

SB 654

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

DESAULNIER, Chair

Above measure ordered to second reading.

**Committee on Rules**

State Capitol, January 11, 2012

Mr. President: The Senate Rules Committee has authorized the following:

**SELECT COMMITTEE APPOINTMENTS**Asian Pacific Islander Affairs

Senators De León, Huff, Liu, Lieu, and Strickland as members to fill 5 of the 13 vacancies

Bay Area Sustainable Development and Economic Progress

Senators Alquist, Corbett, DeSaulnier, Hancock, and Wolk as members to fill 5 of the 6 vacancies

California's Public Records and Open Meeting Laws

Senators Hancock, Negrete McLeod, and Walters as members to fill 3 of the 6 vacancies

**SUBCOMMITTEE RATIFICATIONS****AGRICULTURE**Subcommittee on Invasive Species (4)

Cannella (Chair), Berryhill, Evans, and Vargas

**HEALTH**Subcommittee on Healthcare Workforce and Access to Care

Hernandez (Chair)

STEINBERG, Chair

State Capitol, January 11, 2012

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that she be confirmed:

Carla J. Peterman,                      Member, State Energy Resources  
Conservation and Development  
Commission (5–0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.



State Capitol, January 11, 2012

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

|                   |  |
|-------------------|--|
| Arthur R. Carter, | Member, Occupational Safety and Health Appeals Board (5–0) |
| Edwin F. Lowry,   | Member, Occupational Safety and Health Appeals Board (5–0) |

STEINBERG, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, January 11, 2012

Mr. President: The Senate Rules Committee has made the following appointments to boards and commissions:

Reappointed Herschel T. Elkins of Los Angeles as a member to the California Board of Accountancy for a term ending January 1, 2016.

Reappointed Susan Steinhauser of Los Angeles as a member to the California Arts Council for a term ending January 1, 2016.

Reappointed Dianne Yamashiro-Omi of Alameda as a member to the Commission on Asian and Pacific Islander American Affairs for a term ending January 1, 2016.

Reappointed Sandra L. Salazar of Norwalk and appointed Larry Sheingold of Sacramento as a public member, non attorney, to the State Bar Examining Committee for a term ending October 1, 2015.

Reappointed Margaret J. Jakobson-Johnson of Sacramento as a member to the California Commission on Disability Access for a term ending January 1, 2015.

Appointed Feda S. Almaliti of Fremont and reappointed Morena M. Grimaldi of Concord as a member to the Advisory Commission on Special Education for a term ending December 31, 2015.

Reappointed Elizabeth O. Murguia of Eureka as a member to the Library of California Board for a term ending January 1, 2016.

Reappointed Pamela M. Ling M.D. of San Francisco as a member to the Tobacco Education and Research Oversight Committee for a term ending January 1, 2013.

STEINBERG, Chair

#### 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 962:** By Senator Anderson—An act to amend Section 116380 of the Health and Safety Code, relating to drinking water.

**Senate Bill 963:** By Senator Cannella (Principal coauthor: Assembly Member Olsen) (Coauthors: Senators Berryhill and La Malfa)—An act to amend Sections 25740 and 25741 of, and to repeal Section 25740.5 of, the



Public Resources Code, and to amend Sections 399.11, 399.12, 399.13, 399.14, 399.15, and 399.30 of, and repeal Section 399.12.5 of, the Public Utilities Code, relating to energy.

**Senate Bill 964:** By Senator Wright—An act to amend Section 11352 of the Government Code, relating to the Administrative Procedure Act.

**Senate Bill 965:** By Senator Wright—An act to amend Sections 13263, 13269, and 13377 of the Water Code, relating to water quality.

#### **CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS**

**Senate Bill 632**—An act to amend Section 4980.42 of the Business and Professions Code, relating to marriage and family therapists.

Bill read second time, ordered engrossed, and to Consent Calendar.

**Senate Bill 200**—An act to amend Sections 12986 and 12987.5 of the Water Code, relating to water projects.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, and re-referred to the Committee on Environmental Quality.

**Senate Bill 12**—An act to amend Sections 22901, 22903, 22903.2, 22905, 22906, 22924, 24044.5, and 24045.5 of the Business and Professions Code, to amend Section 485.010 of the Code of Civil Procedure, to amend Section 2403 of, and to repeal Division 6 (commencing with Section 6101) of, the Commercial Code, and to amend Section 2953.1 of the Revenue and Taxation Code, relating to bulk sales.

Bill read second time, ordered engrossed, and to third reading.

#### **Second Reading of Senate Bills (Out of Order)**

**Senate Bill 149**—An act to amend Section 18506 of the Health and Safety Code, relating to mobilehomes.

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 Appropriations.

**Senate Bill 447**—An act to add Section 50964 to the Health and Safety Code, relating to housing.

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 Appropriations.



**Senate Bill 708**—An act to amend Sections 2923.5, 2923.6, 2924.8, and 2929.3 of the Civil Code, and to amend Section 1161b of the Code of Civil Procedure, relating to mortgages.

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.

**Senate Bill 654**—An act to amend Sections 34171, 34176, and 34177 of the Health and Safety Code, relating to redevelopment.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 654 pursuant to Joint Rule 58.

SENATOR STEINBERG

**Permission of Rules Committee**

Senate Chamber, January 11, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 654.

STEINBERG, Chair

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 Appropriations.

**MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 394** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

**SENATE COMMITTEE ROLL CALLS**

**Committee on Education**

**SB 172**—Do pass

AYES (8)—Senators Alquist, Blakeslee, Hancock, Huff, Liu, Lowenthal, Simitian, and Vargas.

NOES (0)—None.

**SB 721**—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alquist, Blakeslee, Hancock, Huff, Liu, Lowenthal, Simitian, and Vargas.

NOES (0)—None.

Date of Hearing: 1/11/2012

Lowenthal (Chair)

**Committee on Environmental Quality**

**SB 52**—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.



**SB 901**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

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

NOES (0)—None.

Date of Hearing: 1/11/2012

Simitian (Chair)

#### **Committee on Governance and Finance**

**SB 157**—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Fuller, Hancock, La Malfa, and Liu.

NOES (2)—Senators DeSaulnier and Wolk.

Failed Passage

**SB 330**—Do pass and re-refer to Committee on Health

AYES (5)—Senators DeSaulnier, Hancock, Hernandez, Liu, and Wolk.

NOES (3)—Senators Fuller, Huff, and La Malfa.

**SB 331**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators DeSaulnier, Hancock, Hernandez, Kehoe, and Wolk.

NOES (3)—Senators Fuller, Huff, and La Malfa.

**SB 516**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Fuller, Huff, and La Malfa.

NOES (3)—Senators DeSaulnier, Hancock, and Wolk.

Failed Passage

**SB 633**—Do pass and re-refer to Committee on Rules

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

NOES (0)—None.

**SB 804**—Do pass and re-refer to Committee on Health

AYES (6)—Senators DeSaulnier, Hancock, Hernandez, Kehoe, Liu, and Wolk.

NOES (3)—Senators Fuller, Huff, and La Malfa.

**SB 874**—Do pass

AYES (8)—Senators DeSaulnier, Hancock, Hernandez, Huff, Kehoe, La Malfa, Liu, and Wolk.

NOES (0)—None.

**AB 1301**—Do pass as amended and re-refer to Committee on Rules

AYES (7)—Senators DeSaulnier, Fuller, Hancock, Hernandez, Huff, Kehoe, and Wolk.

NOES (0)—None.

Date of Hearing: 1/11/2012

Wolk (Chair)



**Committee on Human Services**

**SB 345**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Hancock, Liu, Wright, and Yee.

NOES (2)—Senators Berryhill and Emmerson.

**SB 529**—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Berryhill, Hancock, Liu, Wright, and Yee.

NOES (0)—None.

**SB 683**—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Berryhill, Emmerson, Hancock, Liu, Wright, and Yee.

NOES (0)—None.

**SB 764**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Hancock, Liu, Wright, and Yee.

NOES (0)—None.

Date of Hearing: 1/10/2012

Liu (Chair)

**Committee on Transportation and Housing**

**SB 22**—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Gaines, Harman, and Huff.

NOES (6)—Senators DeSaulnier, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

Failed Passage

**SB 149**—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators DeSaulnier, Gaines, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.

**SB 447**—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.

**SB 616**—Do pass, to Consent Calendar

AYES (9)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.



**SB 654**—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.

**SB 749**—Do pass and re-refer to Committee on Rules, with the recommendation: To Consent Calendar

AYES (9)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.

**SB 878**—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators DeSaulnier, Gaines, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (1)—Senator Harman.

**SB 901**—Do pass and re-refer to Committee on Environmental Quality

AYES (8)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, and Rubio.

NOES (0)—None.

**AB 805**—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (9)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.

**AB 806**—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (9)—Senators DeSaulnier, Gaines, Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

NOES (0)—None.

Date of Hearing: 1/10/2012

DeSaulnier (Chair)

#### **Committee on Labor and Industrial Relations**

**SB 691**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators DeSaulnier, Leno, Lieu, Padilla, and Yee.

NOES (0)—None.

**SB 725**—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (5)—Senators DeSaulnier, Leno, Lieu, Padilla, and Yee.

Failed Passage

**SB 727**—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (5)—Senators DeSaulnier, Leno, Lieu, Padilla, and Yee.

Failed Passage



**SB 777—Do pass**

AYES (5)—Senators DeSaulnier, Leno, Lieu, Padilla, and Yee.

NOES (0)—None.

**SB 912—Do pass and re-refer to Committee on Appropriations**

AYES (5)—Senators DeSaulnier, Leno, Lieu, Padilla, and Yee.

NOES (0)—None.

Date of Hearing: 1/11/2012

Lieu (Chair)

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to personal business: Senators Strickland and Wyland.

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

The following Senator was granted leave of absence for the day due to a death in the family: Senator Calderon.

**REQUEST TO ADJOURN IN MEMORIAM**

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Rollin K. Post of Corte Madera.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Thursday, January 12, 2012.

PAULA K. ROSSETTO, Minute Clerk

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