

## CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FORTY-SIXTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, February 1, 2012

The Senate met at 9 a.m.

Hon. Mark Leno, of the 3rd 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, Vargas, Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

*(NOTE: Senator Strickland will be excused this day on legislative business and Senator Runner will be excused this day due to illness.)*

### REPORTS OF STANDING COMMITTEES

#### Committee on Natural Resources and Water

Senate Chamber, January 31, 2012

Mr. President: The Chair of the Committee on Natural Resources and Water, to which were referred:

SB 501	SB 657	SB 665	SB 685
SB 701	SB 710	SB 748	SB 876

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

PAVLEY, Chair



**Committee on Energy, Utilities and Communications**

Senate Chamber, January 31, 2012

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

SB 102	SB 372	SB 669	SB 905
SB 142	SB 440	SB 672	
SB 297	SB 564	SB 854	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

PADILLA, Chair

**Committee on Human Services**

Senate Chamber, February 1, 2012

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

SB 417	SB 471
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Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LIU, Chair

**Committee on Appropriations**

Senate Chamber, January 31, 2012

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

SB 11	SB 228	SB 472	SB 699
SB 18	SB 237	SB 480	SB 733
SB 19	SB 240	SB 485	SB 743
SB 21	SB 246	SB 499	SB 761
SB 34	SB 251	SB 515	SB 763
SB 37	SB 268	SB 529	SB 799
SB 42	SB 270	SB 530	SB 817
SB 55	SB 348	SB 531	SB 840
SB 63	SB 370	SB 571	SB 842
SB 64	SB 395	SB 584	SB 881
SB 106	SB 410	SB 613	SB 891
SB 123	SB 421	SB 626	SB 906
SB 141	SB 453	SB 640	SB 938
SB 171	SB 462	SB 683	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

KEHOE, Chair



Senate Chamber, January 31, 2012

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

SB 331

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

KEHOE, Chair

Above measure ordered filed with the Secretary of the Senate.

**Committee on Transportation and Housing**

Senate Chamber, February 1, 2012

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

SB 125	SB 660	SB 722	SB 862
SB 519	SB 693	SB 726	SB 867
SB 569	SB 719	SB 767	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

DESAULNIER, Chair

**Committee on Budget and Fiscal Review**

Senate Chamber, February 1, 2012

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

SB 68

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LENO, Chair

**Committee on Insurance**

Senate Chamber, February 1, 2012

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

SB 169	SB 631	SB 714
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Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

CALDERON, Chair



**Committee on Public Employment and Retirement**

Senate Chamber, February 1, 2012

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which were referred:

SB 115	SB 522	SB 526	SB 820
SB 321	SB 523	SB 527	
SB 520	SB 524	SB 528	
SB 521	SB 525	SB 689	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

NEGRETE McLEOD, Chair

**Committee on Public Safety**

Senate Chamber, February 1, 2012

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

SB 25	SB 308	SB 573	SB 794
SB 49	SB 329	SB 638	SB 795
SB 54	SB 391	SB 680	SB 853
SB 247	SB 404	SB 700	SB 858
SB 260	SB 434	SB 717	SB 894
SB 271	SB 492	SB 780	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HANCOCK, Chair

Senate Chamber, February 1, 2012

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

SB 313	SB 387
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Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

HANCOCK, Chair

**Committee on Banking and Financial Institutions**

Senate Chamber, February 1, 2012

Mr. President: The Chair of the Committee on Banking and Financial Institutions, to which were referred:

SB 2	SB 212	SB 365
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Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

VARGAS, Chair



**Committee on Governmental Organization**

Senate Chamber, February 1, 2012

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

SB 40	SB 45	SB 153	SB 353
SB 366	SB 553	SB 591	SB 765

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

WRIGHT, Chair

**Committee on Judiciary**

Senate Chamber, February 1, 2012

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

SB 254	SB 287	SB 412	SB 603
SB 261	SB 342	SB 435	SB 927
SB 273	SB 375	SB 481	
SB 277	SB 377	SB 588	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

EVANS, Chair

**Committee on Governance and Finance**

Senate Chamber, February 1, 2012

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

SB 113	SB 286	SB 388	SB 552
SB 648	SB 893	SB 928	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

WOLK, Chair

Senate Chamber, January 31, 2012

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

SB 47	SB 504	SB 655	SB 884
SB 358	SB 548	SB 775	
SB 464	SB 556	SB 830	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

WOLK, Chair



Senate Chamber, January 31, 2012

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

SB 157                      SB 516

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

WOLK, Chair

**Committee on Education**

Senate Chamber, February 1, 2012

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

SB 65	SB 281	SB 476	SB 772
SB 148	SB 282	SB 479	SB 793
SB 181	SB 283	SB 483	SB 871
SB 189	SB 295	SB 511	SB 873
SB 266	SB 433	SB 709	SB 887
SB 280	SB 452	SB 755	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LOWENTHAL, Chair

Senate Chamber, February 1, 2012

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

SB 13                      SB 355                      SB 634

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

LOWENTHAL, Chair

Above measures ordered filed with the Secretary of the Senate.

**Committee on Environmental Quality**

Senate Chamber, February 1, 2012

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

SB 241	SB 560	SB 688	SB 877
SB 396	SB 577	SB 735	SB 904
SB 400	SB 620	SB 758	SB 915
SB 401	SB 639	SB 800	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

SIMITIAN, Chair



**Committee on Health**

Senate Chamber, February 1, 2012

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

SB 166	SB 256	SB 347	SB 895
SB 213	SB 315	SB 413	
SB 253	SB 330	SB 486	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HERNANDEZ, Chair

**Committee on Labor and Industrial Relations**

Senate Chamber, February 1, 2012

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

SB 316	SB 378	SB 581	SB 896
SB 319	SB 389	SB 883	
SB 351	SB 407	SB 892	
SB 367	SB 438		

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LIEU, Chair

Senate Chamber, February 1, 2012

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

SB 725      SB 362

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

LIEU, Chair

Above measure ordered filed with the Secretary of the Senate.

Senate Chamber, February 1, 2012

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

SB 727

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

LIEU, Chair

Above measure ordered filed with the Secretary of the Senate.



**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 988:** By Senator Liu—An act to add Section 634.3 to the Welfare and Institutions Code, relating to attorneys.

**Senate Bill 989:** By Senator Vargas—An act to amend Section 1305 of the Penal Code, relating to bail.

**Senate Bill 990:** By Senator Vargas—An act to amend Section 11713.26 of the Vehicle Code, relating to vehicles.

**Senate Bill 991:** By Senators Runner and Wright—An act to amend Section 400 of the Family Code, relating to marriage.

**Senate Bill 992:** By the Committee on Public Employment and Retirement (Senators Negrete McLeod (Chair), Gaines, Padilla, Vargas, and Walters)—An act to amend Section 20814 of the Government Code, relating to public employees' retirement.

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

**Assembly Bill 342**—An act to add Section 65040.14 to Government Code, relating to the Office of Planning and Research.

Bill read second time and ordered to third reading.

**MEASURE WITHDRAWN FROM COMMITTEE**

Without objection, **AB 324** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

**DIED ON FILE**

Subsequent to adjournment, pursuant to the Constitution and Joint Rules, the following bills died on File: **SB 810** and **SB 184**.

Subsequent to adjournment, pursuant to the Constitution and Joint Rules, the following bills died on Inactive File: **SB 652**, **SB 129**, **SB 932**, and **SB 653**.

**LEAVES OF ABSENCE FOR THE DAY**

The following Senator was granted leave of absence for the day due to legislative business: Senator Strickland.

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 10 a.m., Thursday, February 2, 2012.

PAULA K. ROSSETTO, Minute Clerk

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