

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, February 22, 2012

The Senate met at 9 a.m.

Hon. Christine Kehoe, of the 39th 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, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senator Runner will be excused this day due to illness and Senator Fuller will be excused this day on legislative business (waiving per diem).)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 21, 2012

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 101

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 101—Relative to Teen Dating Violence Awareness and Prevention Month.



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 1156: By Senator Steinberg—An act to add Part 1.86 (commencing with Section 34191.1) to Division 24 of the Health and Safety Code, relating to economic development.

Senate Bill 1157: By Senator Berryhill—An act to amend Section 34177 of the Health and Safety Code, relating to redevelopment.

Senate Bill 1158: By Senator Price—An act to amend Sections 18572 and 19109 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 1159: By Senator Calderon—An act to add Chapter 5.1 (commencing with Section 42250) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Senate Bill 1160: By Senator Padilla—An act to repeal Section 7907 of, and to repeal and add Section 7904 of, the Public Utilities Code, relating to telecommunications.

Senate Bill 1161: By Senator Padilla—An act to amend Section 709 of the Public Utilities Code, relating to communications.

Senate Bill 1162: By Senator Runner—An act to amend Section 2807 of the Penal Code, and to amend Sections 10295 and 10332 of, and to add Section 2003 to, the Public Contract Code, relating to the Prison Industry Authority.

Senate Bill 1163: By Senator Walters—An act to add Sections 55.4 and 55.41 to the Civil Code, and to amend Section 4452 of the Government Code, relating to special access, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1164: By Senator Emmerson—An act to amend Section 4001 of the Welfare and Institutions Code, relating to mental health.

Senate Bill 1165: By Senator Wright—An act to amend Section 487 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 1166: By Senator Berryhill—An act to add Sections 715 and 715.1 to the Fish and Game Code, relating to fish and wildlife resources.

Senate Bill 1167: By Senator Calderon—An act to amend Sections 17053.85 and 23685 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Senate Bill 1168: By Senator Calderon—An act to add and repeal Section 17059.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.



Senate Bill 1169: By Senator Kehoe—An act to amend Section 2831 of the Fish and Game Code, and to amend Section 1 of Chapter 644 of the Statutes of 2007, relating to wildlife resources.

Senate Bill 1170: By Senator Leno—An act to amend Sections 787 and 787.1 of the Insurance Code, relating to insurance.

Senate Bill 1171: By Senator Harman—An act to amend Sections 2313, 7068.2, 12241, 19607.5, 19852.2, 19853, 23393.5, and 25503.56 of the Business and Professions Code, to amend Sections 55.3, 1368, and 2983 of the Civil Code, to amend Sections 527.6, 527.8, 527.85, 1287, 1514, and 2024.040 of the Code of Civil Procedure, to amend Sections 500, 2900, 6210, 8210, 12570, and 14301.3 of the Corporations Code, to amend Sections 234.1, 8483.76, 8499.5, 12000, 12001, 41202, 41202.5, 42251, 42605, 48204.1, 49061, 51500, 51501, 54699, 60044, 69508.5, 71091, 72699, 76300, and 89918 of the Education Code, to amend Sections 2196, 3206, and 18106 of, and to repeal Section 2168 of, the Elections Code, to amend and renumber Section 9213 of the Family Code, to amend Section 14101.6 of the Financial Code, to amend Section 8276.5 of the Fish and Game Code, to amend Sections 27551 and 30801 of the Food and Agricultural Code, to amend Sections 1322, 3540.1, 6208.2, 6218.01, 7572, 7582, 8310.7, 12011.5, 12172.5, 14502, 17280.3, 25825.5, 30025, 53395.3.5, 53395.81, 53760.3, 53891, 57077, 57150, 57534, 61105, 65863.10, 65863.11, and 76000.10 of, and to amend and renumber Sections 66499.20 1/4, 66499.20 1/2, and 66499.20 3/4 of, the Government Code, to amend Section 1156.6 of the Harbors and Navigation Code, to amend Sections 1367.241, 1374.74, 1527.3, 11357.5, 11364, 25160, 34163, 34167.5, 34173, 34176, 34188.8, 34189, 34194.4, 34195, 100425, 113789, 116565, 121690, 127405, and 136000 of, and to repeal Section 1461 of, the Health and Safety Code, to amend Sections 1760.1, 1763, 1764.1, 1765.1, 1765.2, 1768, 1774, 1775.5, 10123.191, 10144.51, 10192.12, 10509.912, and 11780.5 of the Insurance Code, to amend Sections 226.8 and 1308.10 of the Labor Code, to amend Sections 136.2, 243, 336.5, 429, 597.4, 629.62, 830.5, 1370, 2602, 2932, 3060.7, 3453, 4807, 11105, 11105.03, 11165.7, and 13750 of, and to amend and renumber Sections 21, 22, and 25.5 of, the Penal Code, to amend Sections 4461, 7660, and 13600 of the Probate Code, to amend Section 10490 of the Public Contract Code, to amend Sections 2762, 4214, 4514.5, 4527, 4551.5, 4561, 21092, 21108, 21152, 21167.6.5, and 25747 of the Public Resources Code, to amend Sections 278, 366.2, 381.1, 395.5, 399.11, 399.12, 399.18, 2775.6, 2830, 2851, 2881.1, 2881.2, and 8283 of the Public Utilities Code, to amend Sections 214.02, 3725, 17053.85, 17085, 17282, 19191, 24436.1, 30459.15, and 50156.18 of, to amend the heading of Article 9 (commencing with Section 6850) of Chapter 6 of Part 1 of Division 2 of, and to amend and renumber Section 17131.10 of, the Revenue and Taxation Code, to amend Section 1962.4 of the Streets and Highways Code, to amend Section 679 of, and to repeal Article 2 (commencing with Section 10521) of Chapter 4.5 of Part 1 of Division 3 of, the



Unemployment Insurance Code, to amend Sections 11713.3, 12804.11, 23575, and 40240 of the Vehicle Code, to amend Sections 1486, 10753, and 74209 of the Water Code, to amend Sections 319, 366.21, 391, 712, 912, 4512, 4514, 4640.6, 4641.5, 4646.5, 4659.13, 4659.23, 4688.21, 4689, 5720, 8103, 10980, 11451.5, 11461, 11463, 12301.03, 12301.07, 12305.87, 14053.8, 14053.9, 14105.09, 14105.193, 14132.957, 14165, 14165.56, 14165.57, 14166.12, 14166.20, 14168.1, 14168.11, 14169.1, 14182, 14589, 14701, 15657.03, 15910, 15911, 15916, 15926, 17600, and 18220.1 of the Welfare and Institutions Code, to amend Sections 59 and 60 of Chapter 7 of the Statutes of 2011, to amend Sections 9 and 34 of Chapter 136 of the Statutes of 2011, to amend Section 2 of Chapter 211 of the Statutes of 2011, to amend Section 1 of Chapter 404 of the Statutes of 2011, to amend Section 17 of Chapter 13 of the First Extraordinary Session of the Statutes of 2011, and to amend Section 2 of Chapter 14 of the First Extraordinary Session of the Statutes of 2011, relating to the maintenance of the codes.

Senate Bill 1172: By Senator Lieu—An act to amend Section 1733 of the Insurance Code, relating to licensing.

Senate Bill 1173: By Senator Wyland—An act to amend Section 798.29 of the Civil Code, relating to mobilehomes.

Senate Bill 1174: By Senator Walters (Coauthor: Senator La Malfa)—An act to amend Section 35401.5 of the Vehicle Code, relating to vehicles.

Senate Bill 1175: By Senator Strickland—An act to amend Section 22150 of the Financial Code, relating to the California Finance Lenders Law.

Senate Bill 1176: By Senator Huff (Coauthors: Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, La Malfa, Runner, Strickland, Walters, and Wyland)—An act to amend Section 22826 of the Education Code, and to amend Sections 1243, 20090, 20899.5, 20909, 31486.35, and 31658 of, and to add Sections 1244, 1245, 7503.71, 7503.72, 7503.73, 7503.74, 7503.76, 7514.60, 7514.70, 7514.81, 22871.1, and 22874.2 to, the Government Code, relating to public employees' retirement, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1177: By Senator Leno—An act to amend Section 1202.4 of the Penal Code, relating to restitution.

Senate Bill 1178: By Senator Berryhill—An act to amend Section 33855 of the Penal Code, relating to firearms.

Senate Bill 1179: By Senator Walters—An act relating to taxation.

Senate Bill 1180: By Senator Hancock—An act to amend Section 1318.1 of the Penal Code, relating to criminal procedure.



Senate Bill 1181: By Senator Harman—An act to amend Section 2835 of the Fish and Game Code, relating to fish and wildlife resources.

Senate Bill 1182: By Senator Leno—An act to amend Section 11362.5 of the Health and Safety Code, relating to medical marijuana.

Senate Bill 1183: By Senator Lieu—An act to amend Section 7503 of the Business and Professions Code, relating to repossessioners.

Senate Bill 1184: By Senator Corbett—An act to add Section 785.5 to the Insurance Code, relating to senior insurance.

Senate Bill 1185: By Senator Price—An act to add Part 12.2 (commencing with Section 15910) to Division 3 of Title 2 of the Government Code, relating to the Centralized Intelligence Partnership Act.

Senate Bill 1186: By Senator Dutton—An act to add Sections 55.4 and 55.41 to the Civil Code, and to amend Section 4452 of the Government Code, relating to special access, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1187: By Senator Rubio—An act to amend Sections 52256.5, 52288, and 52452 of the Food and Agricultural Code, relating to seed.

Senate Bill 1188: By the Committee on Elections and Constitutional Amendments (Senators Correa (Chair), De León, Gaines, La Malfa, and Lieu)—An act to amend Sections 50707 and 55310.2 of the Water Code, relating to water district election procedures.

Senate Bill 1189: By Senator Hancock—An act relating to high-speed rail.

Senate Bill 1190: By Senator Hancock (Coauthor: Senator Pavley)—An act to amend Sections 123302 and 123320 of the Health and Safety Code, relating to maternal and child health.

Senate Bill 1191: By Senator Simitian—An act to add Section 2924.9 to the Civil Code, relating to landlord-tenant relations.

Senate Bill 1192: By Senator Evans—An act to amend Section 8670.41 of the Government Code, relating to oil spills.

Senate Bill 1193: By Senator Steinberg—An act to add Section 52.6 to the Civil Code, relating to human trafficking.

Senate Bill 1194: By Senator Gaines—An act to amend Section 66800 of the Government Code, relating to the Tahoe Regional Planning Compact.

Senate Bill 1195: By Senator Price—An act to amend Section 6253.3 of the Government Code, relating to public records.



Senate Bill 1196: By Senator Hernandez—An act to amend Section 1381 of the Health and Safety Code, relating to health care coverage.

Senate Bill 1197: By Senator Calderon—An act to add Sections 17053.8 and 23621.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Senate Bill 1198: By Senator Calderon—An act to add Section 711 to the Military and Veterans Code, relating to veterans.

Senate Bill 1199: By Senator Dutton—An act to amend Section 106985 of the Health and Safety Code, relating to radiologic technologists.

Senate Bill 1200: By Senator Hancock—An act to add Sections 60605.10 and 60605.11 to the Education Code, relating to academic content standards.

Senate Bill 1201: By Senator De León—An act to add Section 831.22 to, and to add and repeal Section 12805.7 of, the Government Code, and to amend Section 2 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles River.

Senate Bill 1202: By Senators Leno and Wyland—An act to amend Sections 1905, 1917, 1917.1, 1936.1, and 1944 of, and to add Sections 1902.3, 1917.3, 1926.1, 1926.2, 1926.3, and 1926.4 to, the Business and Professions Code, relating to dentistry.

Senate Bill 1203: By Senator Calderon—An act to add Section 23151 to the Vehicle Code, relating to vehicles.

Senate Bill 1204: By Senator Wyland—An act to amend Sections 15278 and 15286 of the Education Code, relating to school facilities.

Senate Bill 1205: By Senator Wyland—An act to amend Section 15272 of the Education Code, relating to school bonds.

Senate Bill 1206: By Senator Walters—An act to amend Sections 2040, 3048, and 3134.5 of the Family Code, relating to child abduction prevention.

Senate Bill 1207: By Senator Fuller—An act relating to public utility rates.

Senate Bill 1208: By Senator Leno—An act relating to publicly traded corporations.

Senate Bill 1209: By Senator Runner—An act to amend Section 11156 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 1210: By Senator Lieu—An act to amend Sections 1202.45 and 2085.5 of the Penal Code, relating to restitution, and making an appropriation therefor.

Senate Bill 1211: By Senator Alquist—An act relating to labor.



Senate Bill 1212: By Senator Calderon—An act to amend Section 10113 of the Insurance Code, relating to insurance.

Senate Bill 1213: By Senator Walters—An act to add Section 47610.7 to the Education Code, relating to charter schools.

Senate Bill 1214: By Senator Cannella (Coauthors: Senators Berryhill, Dutton, Emmerson, Harman, Huff, La Malfa, Rubio, and Vargas) (Coauthors: Assembly Members Jeffries, Olsen, Perea, V. Manuel Pérez, and Valadao)—An act to add Section 21168.10 to the Public Resources Code, relating to environmental quality.

Senate Bill 1215: By Senator Emmerson—An act to amend Sections 3070, 3147, 3147.6, and 3152 of, and to add Sections 3151 and 3151.1 to, the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

Senate Bill 1216: By Senator Lowenthal—An act to amend Section 922.6 of, and to add Section 717.5 to, the Insurance Code, relating to reinsurance.

Senate Constitutional Amendment 18: By Senator Huff (Coauthors: Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, La Malfa, Runner, Strickland, Walters, and Wyland)—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 (f) of Section 17 of Article XVI thereof, relating to public employees' retirement.

Senate Concurrent Resolution 68: By Senator Gaines (Coauthor: Assembly Member Beth Gaines)—Relative to the Joint Committee for the Protection of Lake Tahoe.

Senate Resolution 27: By Senator La Malfa—Relative to National Surveyors Week.

SENATE COMMITTEE ROLL CALLS

Committee on Elections and Constitutional Amendments

AB 1200—Do pass as amended

AYES (5)—Senators Correa, De León, Gaines, La Malfa, and Lieu.

NOES (0)—None.

Date of Hearing: 2/21/2012

Correa (Chair)

LEAVES OF ABSENCE FOR THE DAY

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 legislative business (waiving per diem): Senator Fuller.



ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, February 23, 2012.

PAULA K. ROSSETTO, Minute Clerk

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