

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Monday, March 5, 2012

The Senate met at 12:30 p.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:

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, Negrete McLeod, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wyland, and Yee—35.

Quorum present.

(NOTE: Senator Padilla will be excused this day on legislative business, Senators Liu, Lowenthal, and Wright will be excused this day on personal business, and Senator Runner will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Mary McLeod Bethune, a civil rights leader and educator, taught that “Faith is the first factor in a life devoted to service. Without it,” she said, “nothing is possible. With it, nothing is impossible.”

We pray to the Holy One to sustain our faith and guide us as we seek to serve. We humbly ask that You bless us with wisdom and insight, so that we might be successful in serving the people of this great state.

May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 1, 2012

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

ACR 30

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 30—Relative to Read Across America Day.

REPORTS OF STANDING COMMITTEES**Committee on Transportation and Housing**

Senate Chamber, March 5, 2012

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

AB 57

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

DESAULNIER, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 57—An act to amend Sections 66503 and 66504 of the Government Code, relating to transportation.

Bill read second time.

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



Committee on Health

Senate Chamber, March 5, 2012

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

AB 399

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 399—An act to amend Sections 14105.192, 14105.45, 14105.451, and 14105.455 of the Welfare and Institutions Code, relating to Medi-Cal.

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, March 5, 2012

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

SCR 63

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 Concurrent Resolution 63—Relative to Prostate Cancer Awareness Month.

Resolution read second time.

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

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****Consideration of Governor's Appointment**

Senator Steinberg placed the following Governor's appointment before the Senate:

ROBERT A. BARTON, Inspector General of the Department of Corrections and Rehabilitation

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"



Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators 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, Negrete McLeod, Pavley, Price, Steinberg, Strickland, Vargas, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Steinberg placed the following Governor's appointment before the Senate:

MARTIN N. HOSHINO, Undersecretary, Department of Corrections and Rehabilitation

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators 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, Negrete McLeod, Pavley, Price, Steinberg, Strickland, Vargas, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Steinberg placed the following Governor's appointment before the Senate:

JENNIFER P. SHAFFER, Member, Board of Parole Hearings, Executive Officer

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators 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, Negrete McLeod, Pavley, Price, Steinberg, Strickland, Vargas, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.



LEAVES OF ABSENCE FOR THE DAY

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

The following Senators were granted leaves of absence for the day due to personal business: Senators Liu, Lowenthal, and Wright.

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

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

At 12:50 p.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Steinberg moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, March 6, 2012.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 5, 2012

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

AB 1200

E. DOTSON WILSON, Chief Clerk of the Assembly

REQUESTS TO ADJOURN IN MEMORIAM

Senator Correa requested that when the Senate adjourns this day it do so in memory of Jan Harp Domene and Miranda Palacios of Anaheim, and Felicia German of Santa Ana.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Dr. Oscar H. Neumann of Redlands.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Dora Clorinda Campoy of Granite Bay.

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Elton Rapp of Richmond.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Supervisor Hal Brown of Marin.



ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 6, 2012.

PAULA K. ROSSETTO, Minute Clerk

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