

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED EIGHTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, April 16, 2012

The Senate met at 2 p.m.
Hon. Christine Kehoe, of the 39th 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, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—39.

Quorum present.

(NOTE: Senator Runner will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Oh Holy and Awesome God, This week is a time of remembrance. This week will commemorate two genocides from the 20th century—the first was perpetrated against the Armenian people and the second against the Jewish people. In both of these genocides, we were failed by unjust laws and cruel governments that terrorized its citizens for the simple crime of being of different religions and different ethnicities.

We learn from the Bible that the true purpose of laws is not to encourage us do what comes easily, but to compel us to do what is needed to create a just and fair society. In the Bible, we are commanded to both love our neighbors (Lev. 19:18) and to love the stranger who resides in our midst (Lev. 19:34).

O God, You command us to do these things not because it comes naturally to us, but because when we don't, we risk creating a society where the weak and the vulnerable can be persecuted for the simple crime of being weak and vulnerable.

Those who make laws hold in their hands great power. They have the ability to lift us up or to tear us apart.

May it be Your will, oh God, that those who make laws will always be inspired by Your love and Your compassion for all that You have created. 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 GOVERNOR

Governor's Office, State Capitol

April 13, 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

LORA A. CONNOLLY, has been appointed director of the California Department of Aging (CDA). Connolly has been chief deputy director at CDA since 2002 and also served as acting director from 2004 to 2007 and from 2011 to 2012. Connolly was assistant secretary of aging and long term care at the California Health and Human Services Agency from 2000 to 2002 and chief of the Office of Long Term Care at the California Department of Health Care Services from 1997 to 2000. She worked at the Department of Health Care Services from 1993 to 1997



in multiple positions, including communications coordinator. Appointed 04/03/12. Effective 04/04/12.

Director, California Department of Aging, vice, Lynn Daucher, resigned 01/01/2011. Term ending at the pleasure of the Governor.

TERRI McDONALD, has been appointed undersecretary of operations at the California Department of Corrections and Rehabilitation, where she has served as acting undersecretary of operations since 2011. McDonald has served with the California Department of Corrections and Rehabilitation in various positions since 1988. She was chief deputy secretary of adult operations from 2009 to 2011, associate director of reception centers from 2007 to 2009, chief for the out-of-state correctional facilities from 2006 to 2007, correctional administrator from 2004 to 2006, correctional captain at Folsom State Prison and the California Medical Facility from 2001 to 2004, correctional lieutenant and correctional sergeant at the California Medical Facility from 1993 to 2001 and correctional officer at the California Medical Facility and the Sierra Conservation Center from 1988 to 1993. She is a member of the American Correctional Association and the North American Association of Wardens and Superintendents. Appointed 04/02/2012. Effective 04/02/2012.

Undersecretary, Operations, Department of Corrections and Rehabilitation, vice, Scott Kernan, retired 03/30/2011. Term ending at the pleasure of the Governor.

JAMES W. KELLOGG, has been reappointed to the California Fish and Game Commission, where he has served since 2002. Kellogg has been an international representative for the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry since 1992. He also served as commissioner for the California Transportation Commission from 1999 to 2002. Reappointed 04/05/2012. Effective 04/05/2012.

Member, Fish and Game Commission, vice, self, reappointed. Term ending 01/15/2018.

CHARLES N. WINNER, has been appointed to the California Horse Racing Board. Winner founded Winner and Mandabach Campaigns and has been partner since 1985. He is also the founder of Winner and Associates, where he has served as president since 1975. He served as a consultant to various local, state and federal campaigns from 1969 to 1975. Winner was founder and partner of Cerell Winner and Associates from 1966 to 1969. He was Southern California secretary and travel secretary to Governor Pat Brown from 1965 to 1966. Appointed 03/30/2012. Effective 04/09/2012.

Member, California Horse Racing Board, vice, John Harris, term expired. Term ending 07/26/2015.



PAUL J. SLAVIK, has been reappointed to the Off-Highway Motor Vehicle Recreation Commission, where he has served since 2008. Slavik previously served in various positions with the American Honda Motor Company, including national off-highway motor vehicle coordinator from 1990 to 2005, field service representative from 1980 to 1990 and dealer technical advisor from 1976 to 1980. He has been a member of the American Motorcyclist Association since 1962 and was a member of the National Off-Highway Vehicle Conservation Council from 1990 to 2005. Reappointed 03/14/2012. Effective 03/18/2012.

Member, Off-Highway Motor Vehicle Recreation Commission, vice, self. Term ending 01/15/2016.

RON L. HUGHES, has been appointed director of the Office of Technology Services at the California Technology Agency. Hughes has been president of the California Data Center Design Group since 2002. He was the director of data center design at Telegis Networks from 2000 to 2002. Hughes served in multiple positions at the Stephen P. Teale Data Center from 1990 to 1999. He worked at the California State Controller's Office from 1980 to 1990 in multiple positions, including staff services manager. Appointed 03/20/2012. Effective 04/09/2012.

Director, Department of Technology Services, vice, P.K. Agarwal, resigned 04/30/2010. Term ending at the pleasure of the Governor.

DARIUS ASSEMI, has been reappointed to the California Transportation Commission, where he has served since 2009. Assemi has been the president of Granville Homes since 2009 and was vice president from 1983 to 2009. He is chairman of the board of directors for the American Medical Overseas Relief Organization. Assemi is a member of the board of directors for the Building Industry Association of Fresno and Madera Counties and for the California Building Industry Association. Reappointed 03/29/2012. Effective 04/05/2012.

Member, California Transportation Commission, vice, self. Term ending 02/01/2016.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol

April 16, 2012

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to offices which by law are to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

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MARK COWIN, has been reappointed director of the California Department of Water Resources. Cowin has served as director and acting director of the California Department of Water Resources since 2010. From 1981 to 2010, Cowin served in multiple positions at the Department of Water Resources, including junior civil engineer and deputy director. He is a licensed civil engineer and has been a member of the American Society of Civil Engineers since 1992. Reappointed 04/16/12. Effective 04/16/12.

Director, Department of Water Resources, vice, self, withdrawn from Senate. Term ending at the pleasure of the Governor.

Above appointment referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 12, 2012

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

ACR 132

Assembly Chamber, April 16, 2012

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

AB 1592	AB 1822	AB 1890	AB 2251
AB 1732	AB 1631	AB 1985	AB 2262
AB 1777	AB 1776	AB 1987	AB 2370

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Concurrent Resolution 132—Relative to organ donation.

Assembly Bill 1592—An act to add Article 1.5 (commencing with Section 935) to Chapter 5 of Division 4 of the Military and Veterans Code, relating to veterans.

Assembly Bill 1732—An act to amend Section 48900 of the Education Code, relating to pupils.

Assembly Bill 1777—An act to add Section 7117.1 to the Health and Safety Code, relating to dead bodies.

Assembly Bill 1822—An act to add Section 5515.5 to the Business and Professions Code, relating to professions and vocations.

Assembly Bill 1631—An act to amend and repeal Section 1282.4 of the Code of Civil Procedure, relating to arbitration.

Assembly Bill 1776—An act to amend Section 422.5 of, and to add Chapter 29.5 (commencing with Section 7593.5) to Division 7 of Title 1 of, the Government Code, relating to state government.



Assembly Bill 1890—An act to amend Section 23302 of the Vehicle Code, relating to vehicles.

Assembly Bill 1985—An act to amend Section 21134 of the Probate Code, relating to trusts and estates.

Assembly Bill 1987—An act to amend Section 51745 of the Education Code, relating to pupil instruction.

Assembly Bill 2251—An act to amend Section 1203c of the Penal Code, relating to victim restitution.

Assembly Bill 2262—An act to amend Section 48981 of the Education Code, relating to school districts.

Assembly Bill 2370—An act to amend Sections 4502 and 17206.1 of the Business and Professions Code, to amend Section 1761 of the Civil Code, to amend Sections 8769, 16191, 16195, 16196, 16200, 41306, 41401, and 51765 of the Education Code, to amend Sections 854.2, 6514, 12428, 12926, 14670.1, 14670.2, 14670.3, 14670.5, 14672.1, 14672.92, 16813, 16814, and 16816 of the Government Code, to amend Sections 1275.5, 1337.1, 1337.3, 13113, 51312, 110403, 123935, 125000, 127260, and 129395 of the Health and Safety Code, to amend Sections 10118, 10124, and 10203.4 of the Insurance Code, to amend Sections 1001.20, 1346, 1370.1, 1376, and 2962 of the Penal Code, to amend Section 1420 of the Probate Code, to amend Section 25276 of the Vehicle Code, and to amend Sections 4417, 4426, 4512, 4801, 5002, 5008, 5325, 5585.25, 6250, 6500, 6502, 6504, 6504.5, 6505, 6506, 6507, 6508, 6509, 6511, 6512, 6513, 6551, 6715, 6717, 6718, 6740, 6741, 7275, 7351, and 11014 of, to amend the heading of Article 2 (commencing with Section 6500) of Chapter 2 of, to amend the heading of Article 4 (commencing with Section 6715) of Chapter 3 of, and to amend the heading of Article 4 (commencing with Section 6740) of Chapter 4 of, Part 2 of Division 6 of, the Welfare and Institutions Code, relating to intellectual disabilities.

REPORTS OF STANDING COMMITTEES

Committee on Labor and Industrial Relations

Senate Chamber, April 16, 2012

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

SB 1105

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

LIEU, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1105—An act to amend Section 4903.1 of the Labor Code, relating to workers' compensation.

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, April 16, 2012

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 1387

SB 1414

SB 1531

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 Bill 1387—An act to amend Sections 21604 and 21608.5 of, and to add Section 21609.1 to, the Business and Professions Code, and to amend Sections 496a and 496e of the Penal Code, relating to metal theft.

Bill read second time.

Senate Bill 1414—An act to amend Section 11349.3 of the Government Code, relating to state government.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1414 pursuant to Joint Rule 58.

SENATOR DUTTON

Permission of Rules Committee

Senate Chamber, April 16, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1414.

STEINBERG, Chair

Senate Bill 1531—An act to amend Section 23009 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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

Committee on Appropriations

Date of Hearing, April 12, 2012

Madam President: The Committee on Appropriations, to which was referred:

SB 1504



Reports the same back with the recommendation: Do pass as amended.
KEHOE, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Water

Date of Hearing, April 10, 2012

Madam President: The Committee on Natural Resources and Water, to which was referred:

SB 1054

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

PAVLEY, Chair

Above measure ordered to second reading.

Date of Hearing, April 10, 2012

Madam President: The Committee on Natural Resources and Water, to which was referred:

SB 1201

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

PAVLEY, Chair

Above measure ordered to second reading.

Committee on Human Services

Date of Hearing, April 10, 2012

Madam President: The Committee on Human Services, to which was referred:

SB 1089

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

LIU, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Governmental Organization, to which was referred:

SB 953

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

WRIGHT, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 953—An act to add and repeal Chapter 8.2 (commencing with Section 11820) of Part 1 of Division 3 of Title 2 of the Government Code, relating to government reorganization.

Bill read second time.

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

Date of Hearing, April 10, 2012

Madam President: The Committee on Governmental Organization, to which was referred:

SB 1427

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

WRIGHT, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 16, 2012

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

SB 1058

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

Senate Bill 1058—An act to amend Sections 1502 and 2117 of, to add Chapter 22.5 (commencing with Section 2280) to Division 1 of Title 1 of, and to repeal Section 1502.5 of, the Corporations Code, relating to the Victims of Corporate Fraud Compensation Fund.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, April 16, 2012

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

SB 1299

SB 1389

SB 1567

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

HANCOCK, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1299—An act to amend Sections 13952, 13952.5, 13953, 13954, 13956, 13957, 13957.2, 13957.7, 13957.9, 13958, and 13964 of the Government Code, relating to victims of crime.

Bill read second time.

Senate Bill 1389—An act to add Section 268 to, and to add and repeal Section 13012.7 of, the Penal Code, relating to Internet crimes.

Bill read second time.

Senate Bill 1567—An act to add Sections 26975 and 27652 to the Penal Code, relating to firearms.

Bill read second time.

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

Date of Hearing, April 10, 2012

Madam President: The Committee on Public Safety, to which was referred:

SB 1366

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

HANCOCK, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, April 16, 2012

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

SB 1047

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 1047—An act to add Section 8594.10 to the Government Code, relating to emergency services.

Bill read second time.

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

Senate Chamber, April 16, 2012

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

SB 972

SB 984



Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

KEHOE, Chair

Above measures ordered to second reading.

Committee on Natural Resources and Water

Date of Hearing, April 10, 2012

Madam President: The Committee on Natural Resources and Water, to which was referred:

SB 1249

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

PAVLEY, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 16, 2012

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

SB 1064

SB 1407

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

Senate Bill 1064—An act to amend Section 3040 of the Family Code, to amend Sections 1510 and 1514 of the Probate Code, and to amend Sections 309, 361, 361.2, 361.3, 361.4, 361.5, 366.21, 366.215, 366.22, 366.25, 366.27, 388, and 16501.1 of, and to add Sections 10609.95 and 10609.97 to, the Welfare and Institutions Code, relating to child custody.

Bill read second time.

Senate Bill 1407—An act to amend Section 56.11 of the Civil Code, to amend Section 123105 of the Health and Safety Code, and to amend Sections 280 and 281 of the Welfare and Institutions Code, relating to medical information.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 1575



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

PRICE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1575—An act to amend Sections 2021, 2064, 2184, 2220, 2424, 2516, 2518, 2904.5, 3057.5, 3742, 3750, 3750.5, 4980.04, 4980.34, 4980.398, 4980.399, 4980.78, 4980.80, 4984.4, 4989.16, 4989.42, 4992.07, 4992.09, 4996.6, 4999.22, 4999.32, 4999.57, 4999.58, 4999.59, 4999.90, 4999.106, and 4999.120 of, to add Section 144.5 to, and to repeal and amend Section 4999.45 of, the Business and Professions Code, relating to professions and vocations.

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, April 16, 2012

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 1416

SB 1122

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 Bill 1416—An act relating to public postsecondary education.

Bill read second time.

Senate Bill 1122—An act to amend Section 101850 of the Health and Safety Code, relating to Alameda County Medical Center Hospital Authority.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 1172

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

PRICE, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1172—An act to add Article 15 (commencing with Section 865) to Chapter 1 of Division 2 of the Business and Professions Code, relating to healing arts.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

SB 1368

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

NEGRETE McLEOD, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1368—An act to add Section 18005 to the Government Code, relating to state employees.

Bill read second time.

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

Committee on Governance and Finance

Date of Hearing, April 11, 2012

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

SB 1125

SB 1326

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

WOLK, Chair

Above measures ordered to second reading.

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Governance and Finance, to which was referred:

SB 1257

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

WOLK, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1257—An act to amend Section 7284.2 of the Revenue and Taxation Code, relating to taxation.

Bill 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

Senate Chamber, April 16, 2012

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

SB 1220

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

Senate Bill 1220—An act to add Section 27388.1 to the Government Code, and to add Chapter 2.5 (commencing with Section 50470) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

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 SENATE BILLS**

Senate Bill 1558—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Senate Bill 1094—An act to amend Sections 65965, 65966, 65967, and 65968 of the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

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 Governance and Finance.

Senate Bill 1513—An act to amend Section 11797 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.



Senate Bill 1298—An act to add Division 16.6 (commencing with Section 38750) to the Vehicle Code, relating to vehicles.

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 Rules.

Senate Bill 1247—An act to amend Sections 4201, 4227, 4251, 4252, 4327, and 4357 of, and to add Sections 4250 and 4405 to, the Water Code, relating to water.

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 Appropriations.

Senate Bill 1495—An act to amend Section 85057.5 of the Water Code, relating to the Sacramento-San Joaquin Delta.

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 Appropriations.

Senate Bill 951—An act to add Section 1367.005 to the Health and Safety Code, and to add Section 10112.27 to the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1301—An act to add Section 4064.5 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Business, Professions and Economic Development.

Senate Bill 1505—An act to amend Section 1012.3 of, to add Section 69.8 to, to add Chapter 3 (commencing with Section 90) to Division 1 of, and Chapter 4 (commencing with Section 1850) to Division 8 of, the Military and Veterans Code, and to amend Sections 23101 and 25128 of, to amend and repeal Section 25128.5 of, to amend, repeal, and add Section



25136 of, and to add Sections 25128.7 and 25136.1 to, the Revenue and Taxation Code, relating to veterans, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, and re-referred to the Committee on Veterans Affairs.

Senate Bill 1128—An act to amend Sections 26003, 26011, and 26011.8 of the Public Resources Code, relating to energy.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, and re-referred to the Committee on Energy, Utilities and Communications.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 510—An act to amend Sections 115111, 115112, and 115113 of the Health and Safety Code, relating to public health.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 510 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BONNIE LOWENTHAL

Permission of Rules Committee

Senate Chamber, April 12, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 510.

STEINBERG, Chair

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 829** was referred to the Committee on Rules.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Rules to hear the appointment of Mark Cowin on Wednesday, April 18, 2012 without four days notice in the Daily File.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Corbett moved that **AB 278** be taken from the inactive file and placed on the second reading file.

Motion carried.



CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS

Consideration of Governor's Appointment

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

TERRI L. TURNER, Member, Board of Parole Hearings

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

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)
Consideration of Governor's Appointment

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

JOHN PECK, Member, Board of Parole Hearings

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

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS (RESUMED)
Consideration of Governor's Appointment

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

HOWARD E. MOSELEY, Member, Board of Parole Hearings.

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

The roll was called.

CALL OF THE SENATE

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

Motion carried.



UNFINISHED BUSINESS (RESUMED)**Consideration of Governor's Appointment**

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

CYNTHIA C. FRITZ, Member, Board of Parole Hearings.

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

Roll Call

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

AYES (37)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, 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, Strickland, Vargas, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH GOVERNOR'S APPOINTMENT**

TERRI L. TURNER, Member, Board of Parole Hearings

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

Roll Call

The names of the absentees were called and the appointment was confirmed by the following vote:

AYES (37)—Senators Alquist, 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, Strickland, Vargas, Walters, Wolk, Wright, and Yee.

NOES (1)—Senator Anderson.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH GOVERNOR'S APPOINTMENT**

JOHN PECK, Member, Board of Parole Hearings

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

Roll Call

The names of the absentees were called and the appointment was confirmed by the following vote:

AYES (39)—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, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH GOVERNOR'S APPOINTMENT**

HOWARD E. MOSELEY, Member, Board of Parole Hearings.

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

Roll Call

The names of the absentees were called and the appointment was confirmed by the following vote:

AYES (37)—Senators Alquist, 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, Strickland, Vargas, Walters, Wolk, Wright, and Yee.

NOES (1)—Senator Anderson.

THIRD READING OF SENATE BILLS

Senate Bill 1382—An act to amend Sections 31452.5, 31520.5, 31592.5, and 31693 of, and to add Sections 31471.5 and 31592.6 to, the Government Code, relating to county employees' retirement.

Bill read third time and presented by Senator Negrete McLeod.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Alquist, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Gaines, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Wolk, Wright, and Yee.

NOES (11)—Senators Anderson, Berryhill, Blakeslee, Dutton, Emmerson, Fuller, Harman, Huff, La Malfa, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 996—An act to amend Section 31720.5 of the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read third time and presented by Senator Negrete McLeod.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—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, Liu, Lowenthal, Negrete McLeod, Padilla,



Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 73—Relative to César Chávez.

Resolution read third time and presented by Senator Negrete McLeod.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (39)—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, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 1393—An act to amend Section 23104.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Consent Calendar Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—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, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE FOR THE DAY

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 2:59 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, April 17, 2012.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, April 16, 2012

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 3–0, has referred SB 829 to the Senate Committee on Governance and Finance.

STEINBERG, Chair

Committee on Insurance

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Insurance, to which was referred:

SB 1448

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

CALDERON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1448—An act to amend Sections 1215, 1215.2, 1215.4, 1215.5, and 1215.6 of, to amend and renumber Sections 1215.8, 1215.9, 1215.10, 1215.11, 1215.12, 1215.13, 1215.131/2, 1215.14, 1215.15, and 1215.16 of, and to amend, renumber, and add Section 1215.7 of, the Insurance Code, relating to insurance.

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, April 16, 2012

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

SB 952

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 952—An act to add and repeal Section 89517.5 of the Education Code, relating to postsecondary education, 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 Rules

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 1376

SB 1432

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 Bill 1376—An act to amend Section 22352 of the Vehicle Code, relating to vehicles.

Bill read second time.

Senate Bill 1432—An act to amend Section 16122 of the Welfare and Institutions Code, relating to child welfare.

Bill read second time.

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

Committee on Insurance

Date of Hearing, April 11, 2012

Madam President: The Committee on Insurance, to which was referred:

SB 1184

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

CALDERON, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 16, 2012

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

SCR 67

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 67—Relative to Food Allergy Awareness Week.

Resolution read second time.

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

Committee on Governmental Organization

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Governmental Organization, to which was referred:

SB 1523

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

WRIGHT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1523—An act to amend Section 19640 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time.

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

Committee on Elections and Constitutional Amendments

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

SB 1001

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

CORREA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1001—An act to amend Section 86102 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

SB 1207



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

PADILLA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1207—An act to amend Section 739.1 of the Public Utilities Code, relating to public utility rates.

Bill read second time.

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

Committee on Education

Date of Hearing, April 11, 2012

Madam President: The Committee on Education, to which was referred:
SB 960

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 10, 2012

Madam President: The Committee on Public Safety, to which was referred:

SB 1048

Reports the same back with the recommendation: Do pass as amended.

HANCOCK, Chair

Above measure ordered to second reading.

Committee on Education

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Education, to which was referred:

SB 1292

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1292—An act to add Article 13 (commencing with Section 44670) to Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code, relating to school employees.

Bill read second time.

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



Committee on Business, Professions and Economic Development

Senate Chamber, April 16, 2012

Madam President: The Chair of the Committee on Business, Professions and Economic Development, to which were referred:

SB 1237

SB 1239

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

PRICE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1237—An act to amend Sections 4001, 4003, 8000, and 8005 of the Business and Professions Code, relating to professions.

Bill read second time.

Senate Bill 1239—An act to amend Sections 4928 and 4934 of the Business and Professions Code, relating to professions and vocations.

Bill read second time.

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

Committee on Health

Date of Hearing, April 11, 2012

Madam President: The Committee on Health, to which were referred:

SB 970

SB 1199

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

HERNANDEZ, Chair

Above measures ordered to second reading.

Senate Chamber, April 16, 2012

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

SB 1136

SB 1378

SB 1486

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

Senate Bill 1136—An act to amend Sections 21, 4030, 4031, 4032, 4033, 4040, 4050, 4051, 4052, 4060, 4061, 4090, 4091, 4094, 5370.2, 5510, 5513, 5514, 5530, 5585.22, 5601, 5602, 5604, 5610, 5652.7, 5653, 5653.1, 5654, 5655, 5664, 5664.5, 5692, 5701, 5701.1, 5707, 5715, 5717, 5751, 5751.1, 5751.2, 5770, 5770.5, 5771, 5771.3, 5772, 5815, 5840, 5845, 5851.5, 5852.5, 5854, 5855, 5855.5, 5868, 5869, 5878, 5878.3,

5880, 5890, 11325.7, 11462.01, and 18986.40 of, and to add Section 4024.7 to, the Welfare and Institutions Code, relating to health.

Bill read second time.

Senate Bill 1378—An act to amend Section 1798.200 of, and to add Section 1798.203 to, the Health and Safety Code, relating to emergency medical services.

Bill read second time.

Senate Bill 1486—An act to add Section 114092 to the Health and Safety Code, relating to food facilities.

Bill read second time.

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

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 83: By Senator Steinberg—Relative to National Aphasia Awareness Month.

Senate Concurrent Resolution 84: By Senator Kehoe (Coauthors: Senators Evans, Leno, Lieu, Lowenthal, Pavley, Steinberg, and Wolk)—Relative to California Coastal Protection Week.

Senate Concurrent Resolution 85: By Senator Wolk—Relative to the Dana Cowell Memorial Highway.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1396** was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Rules; and

SB 1258 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

REQUESTS TO ADJOURN IN MEMORIAM

Senators Steinberg and Strickland requested that when the Senate adjourns this day it do so in memory of Former Senator Cathie Wright of Simi Valley.

Senator Anderson requested that when the Senate adjourns this day it do so in memory of Patrick Healy of El Cajon.

Senators Cannella and Berryhill requested that when the Senate adjourns this day it do so in memory of Deputy Robert Paris of Modesto.

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Dr. John Jerry-Anthony Parente of Oakland.

Senator Lieu requested that when the Senate adjourns this day it do so in memory of Cpl. Roberto Cazarez of Harbor City.



Senator Pavley requested that when the Senate adjourns this day it do so in memory of Edith Vern Huse of Westlake Village.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Dorothy Ann Brazelton of Davis.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, April 17, 2012.

PAULA K. ROSSETTO, Minute Clerk

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