

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, April 25, 2012

The Senate met at 9 a.m.
Hon. Leland Yee, of the 8th 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 personal business and Senator Runner will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Housing

Date of Hearing, April 24, 2012

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

SB 1220

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

DESAULNIER, Chair

Above measure re-referred to the Committee on Governance and Finance.



Committee on Natural Resources and Water

Date of Hearing, April 24, 2012

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

SB 1287

SB 1288

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

PAVLEY, Chair

Above measures ordered to second reading.

Committee on Human Services

Date of Hearing, April 24, 2012

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

SB 1051

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

LIU, Chair

Above measure re-referred to the Committee on Public Safety.

Date of Hearing, April 24, 2012

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

SB 1050

SB 1521

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

LIU, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Veterans Affairs

Date of Hearing, April 24, 2012

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

SB 1413

Reports the same back with the recommendation: Do pass.

CORREA, Chair

Above bill ordered to second reading.

Date of Hearing, April 24, 2012

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

SJR 19



Reports the same back with the recommendation: Be adopted and be placed on the Consent Calendar.

CORREA, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, April 23, 2012

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

SB 1116

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

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, April 18, 2012

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

SB 1404

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 24, 2012

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

SB 1338

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Business, Professions and Economic Development.

HANCOCK, Chair

Above measure re-referred to the Committee on Business, Professions and Economic Development.

Date of Hearing, April 24, 2012

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

SB 968 SB 1098 SB 1299

SB 1300 SB 1307 SB 1387

SB 1422 SB 1433 SB 1536

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

HANCOCK, Chair

Above measures re-referred to the Committee on Appropriations.



Date of Hearing, April 24, 2012

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

SB 1144	SB 1180	SB 1182
SB 1254	SB 1371	

Reports the same back with the recommendation: Do pass.

HANCOCK, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing, April 18, 2012

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

SB 1461	SB 1525	SB 1530
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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 measures ordered to second reading.

Committee on Judiciary

Date of Hearing, April 24, 2012

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

SB 1000	SB 1064	SB 1208
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Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

EVANS, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Energy, Utilities and Communications

Date of Hearing, April 24, 2012

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

SB 1122	SB 1130	SB 1165
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Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

PADILLA, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Transportation and Housing

Date of Hearing, April 24, 2012

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

SB 1076	SB 1151	SB 1454
SB 1492	SB 1566	

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

DESAULNIER, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 24, 2012

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

SB 1317

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

Senate Chamber, April 25, 2012

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

SB 1421

SB 1535

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 1421—An act to amend Section 65913 of the Government Code, relating to housing.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1421 pursuant to Joint Rule 58.

SENATOR CORREA

Permission of Rules Committee

Senate Chamber, April 25, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1421.

STEINBERG, Chair

Senate Bill 1535—An act to add and repeal Section 38599.5 of the Health and Safety Code, relating to air pollution.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1535 pursuant to Joint Rule 58.

SENATOR PADILLA



Permission of Rules Committee

Senate Chamber, April 25, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1535.

STEINBERG, Chair

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

Committee on Judiciary

Date of Hearing, April 24, 2012

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

SB 1472

Reports the same back with the recommendation: Do pass.

EVANS, Chair

Above bill ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, April 17, 2012

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

SB 1161

SB 1332

SB 1350

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

PADILLA, Chair

Above measures ordered to second reading.

Committee on Business, Professions and Economic Development

Senate Chamber, April 25, 2012

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

SB 1338

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 1338—An act to amend, repeal, and add Section 2253 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 Rules

Senate Chamber, April 25, 2012

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

SB 1507

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 1507**—An act relating to regulations.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1507 pursuant to Joint Rule 58.

SENATOR FULLER

Permission of Rules Committee

Senate Chamber, April 25, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1507.

STEINBERG, Chair

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

Committee on Health

Date of Hearing, April 18, 2012

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

SB 1274

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

HERNANDEZ, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 24, 2012

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

SB 1489

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

HANCOCK, Chair

Above measure ordered to second reading.



Committee on Transportation and Housing

Date of Hearing, April 17, 2012

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

SB 1394

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.

Senate Chamber, April 25, 2012

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

SB 1123

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

DESAULNIER, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Governance and Finance

Senate Chamber, April 25, 2012

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

SB 1131

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 1131—An act to add Section 9063.9 to the Health and Safety Code, relating to cemeteries.

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 18, 2012

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

SB 1456

SB 1491

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 measures ordered to second reading.



Committee on Judiciary

Senate Chamber, April 25, 2012

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

SB 1172 SB 1260 SB 1425 AB 2365

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 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.

Senate Bill 1260—An act to add Sections 7575.5 and 7646.5 to the Family Code, relating to paternity.

Bill read second time.

Senate Bill 1425—An act to amend Sections 361.5 and 388 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time.

Assembly Bill 2365—An act to amend Section 3011 of the Family Code, relating to child custody.

Bill read second time.

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

Committee on Labor and Industrial Relations

Date of Hearing, April 25, 2012

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

SB 1263 SB 1291 SB 1318 SB 1401

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.

Committee on Judiciary

Date of Hearing, April 17, 2012

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

SB 1473



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 Education

Date of Hearing, April 25, 2012

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

SB 1290

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

Senate Chamber, April 25, 2012

Mr. 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 Appropriations

Senate Chamber, April 25, 2012

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

SB 1310

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 1310—An act to amend Sections 12804.9, 12810.3, 23123, 23123.5, and 23124 of, and to add Sections 21213, 21213.5, 21214, and 23124.5 to, the Vehicle Code, relating to vehicles.

Bill read second time.

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



Committee on Human Services

Date of Hearing, April 24, 2012

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

SB 1522

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

LIU, Chair

Above measure ordered to second reading.

Date of Hearing, April 24, 2012

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

SB 1432

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.

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

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

Bill read second time.

The amendments proposed by the Committee on Agriculture were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1118—An act to add Chapter 21 (commencing with Section 42985) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time.

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

Senate Bill 1427—An act to add Article 5 (commencing with Section 12230) to Chapter 4 of Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time.

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



Senate Bill 1455—An act to add Section 43867.5 to the Health and Safety Code, relating to vehicular air pollution.

Bill read second time.

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

Senate Bill 1579—An act to amend Section 19420 of the Business and Professions Code, relating to horse racing.

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

Senate Bill 1246—An act to amend Sections 1279 and 1280.3 of, and to add Section 1279.4 to, the Health and Safety Code, relating to health facilities.

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 1099—An act to amend Sections 11343.4 and 11344 of the Government Code, relating to regulations.

Bill read second time.

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

Senate Bill 1210—An act to amend Sections 1202.45, 1214, and 2085.5 of the Penal Code, and to amend Section 19280 of the Revenue and Taxation Code, relating to criminal fines and penalties, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 1264—An act to amend Sections 11165.7, 11166, 11166.01, and 11166.5 of the Penal Code, and to amend Section 355 of the Welfare and Institutions Code, relating to child abuse reporting.

Bill read second time.

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



Senate Bill 1352—An act to amend Section 11166.3 of the Penal Code, relating to child abuse.

Bill read second time.

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

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 969** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations; and

SB 1192 was withdrawn from the Committee on Environmental Quality and re-referred to the Committee on Appropriations.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to personal 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 9 a.m., Thursday, April 26, 2012.

PAULA K. ROSSETTO, Minute Clerk

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