

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 7, 2012

The Senate met at 1 p.m.
Hon. S. Joseph Simitian, of the 11th 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, 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.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Ralph Waldo Emerson once observed that: "All life is an experiment. The more experiments you make the better."

No one comes into this world with a clear plan for our lives. Every person that is born must make their own path, their own mistakes and their own opportunities. Emerson reminds us to live with boldness and curiosity and not to waste the precious time we are given by being a mere observer of our own life.

May the Holy One of Blessing grant us the courage to live our lives fully and with joy. May we live without regrets of lost opportunities and experiences, embracing the possibilities that life puts before us.

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 ASSEMBLY

Assembly Chamber, May 7, 2012

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

AB 1536	AB 1986	AB 2396	AB 1925
AB 1623	AB 2058	AB 2481	AB 2483
AB 1663	AB 2103	AB 2512	AB 2654
AB 1700	AB 2220	AB 2630	AB 2667
AB 1750	AB 2260	AB 2674	
AB 1827	AB 2333	AB 2677	

Assembly Chamber, May 7, 2012

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

AJR 37

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 Bill 1536—An act to amend Section 23123.5 of the Vehicle Code, relating to vehicles.

Assembly Bill 1623—An act to amend Sections 12240 and 12246 of the Business and Professions Code, relating to weights and measures.

Assembly Bill 1663—An act to amend Section 8669 of the Education Code, relating to pupil instruction.

Assembly Bill 1700—An act to add Section 62.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 1750—An act to amend Section 7027.5 of the Business and Professions Code, and to add Part 2.4 (commencing with Section 10570) to Division 6 of the Water Code, relating to water.

Assembly Bill 1827—An act to amend Sections 53395.1 and 53395.3 of the Government Code, relating to infrastructure financing districts.

Assembly Bill 1986—An act to amend Section 21003 of the Elections Code, relating to redistricting.

Assembly Bill 2058—An act to add Section 22928.5 to the Business and Professions Code, relating to transportation.

Assembly Bill 2103—An act to amend Section 515 of the Labor Code, relating to employment.

Assembly Bill 2220—An act to amend Section 9085 of the Elections Code, and to amend Section 88002.5 of the Government Code, relating to elections.

Assembly Bill 2260—An act to amend Section 2200 of, and to repeal and add Section 2115 of, the Corporations Code, relating to foreign corporations.

Assembly Bill 2333—An act to amend Sections 626.10, 16700, and 20150 of, and to add Section 19920 to, the Penal Code, relating to imitation firearms.

Assembly Bill 2396—An act to amend Section 1308.10 of the Labor Code, relating to employment.

Assembly Bill 2481—An act to amend Section 16522 of the Government Code, relating to financial institutions.

Assembly Bill 2512—An act to repeal and add Section 19135 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2630—An act to amend Section 10111 of the Public Contract Code, relating to public contracts.

Assembly Bill 2674—An act to amend Section 1198.5 of the Labor Code, relating to employment.

Assembly Bill 2677—An act to amend Section 1773.1 of, and to add Section 1773.8 to, the Labor Code, relating to prevailing wages.

Assembly Bill 1925—An act to add Section 1947.9 to the Civil Code, relating to real property.

Assembly Bill 2483—An act to amend Section 6206 of the Government Code, relating to address confidentiality.

Assembly Bill 2654—An act to amend and repeal Section 3060 of the Civil Code, relating to mining liens, and declaring the urgency thereof, to take effect immediately.



Assembly Bill 2667—An act to amend Section 3440.1 of the Civil Code, relating to personal property.

Assembly Joint Resolution 37—Relative to F-35 aircraft and the F-35 Joint Strike Fighter Program.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, May 7, 2012

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

SB 1208

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 1208—An act to amend Sections 1502.1, 2204, 2205, 2206, and 2117.1 of the Corporations Code, relating to publicly traded corporations.

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, May 7, 2012

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

AB 2212

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

Assembly Bill 2212—An act to amend Sections 11225 and 11230 of the Penal Code, relating to human trafficking.

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, May 1, 2012

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

SB 952



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

KEHOE, Chair

Above measure ordered to second reading.

Senate Chamber, May 7, 2012

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

SB 1063	SB 1294	SB 1387	SB 1553
SB 1183	SB 1301	SB 1401	SB 1575
SB 1272	SB 1331	SB 1464	SB 1576
SB 1275	SB 1366	SB 1484	
SB 1289	SB 1377	SB 1545	

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.

Senate Chamber, May 3, 2012

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

SB 1044	SB 1082	SB 1096
SB 1103	SB 1497	SB 1532
SB 1541	SB 1577	SB 1578

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

KEHOE, Chair

Above measures ordered to second reading.

Committee on Public Employment and Retirement

Senate Chamber, May 7, 2012

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

SB 977

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 977—An act relating to state employees.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 977 pursuant to Joint Rule 58.

SENATOR YEE



Permission of Rules Committee

Senate Chamber, May 7, 2012

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 977.

STEINBERG, Chair

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

Committee on Judiciary

Date of Hearing, May 1, 2012

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

SB 991	SB 1045	SB 1134
SB 1191	SB 1357	SB 1436

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

EVANS, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, May 7, 2012

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

SB 1216	SB 1355
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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 1216—An act to amend Sections 922.2, 922.4, 922.5, 922.8, and 12121 of, to add Sections 717.5, 922.31, 922.42, 922.43, and 922.85 to, to add and repeal Section 922.41 of, and to repeal and add Section 922.6 of, the Insurance Code, relating to reinsurance.

Bill read second time.

Senate Bill 1355—An act to add Section 12813.5 to the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Chamber, May 7, 2012

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

SB 1395	SB 1548
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Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

KEHOE, Chair

Above measures ordered to second reading.



Committee on Governance and Finance

Date of Hearing, May 2, 2012

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

SB 1131

SB 1342

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

WOLK, Chair

Above measures ordered to second reading.

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

Senate Bill 1319—An act to amend Section 1530.5 of the Health and Safety Code, and to amend Sections 4094 and 18987.62 of the Welfare and Institutions Code, relating to children.

Bill read second time.

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

Senate Bill 1330—An act to add Title 1.81.23 (commencing with Section 1798.90.5) to Part 4 of Division 3 of the Civil Code, relating to personal information.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 103—An act to amend Sections 16325, 16325.5, 16326, and 16428 of, and to repeal Section 16324 of, the Government Code, relating to state cash resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time.

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

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 1195** was withdrawn from Committee and placed on the second reading file.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

Senate Bill 1081—An act to amend Section 15909.1 of, and to add Section 15910.5 to, the Welfare and Institutions Code, relating to Medi-Cal, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.



Amendments Adopted

Amendments to SB 1081 proposed by Senator Fuller were read and adopted and the measure ordered printed, engrossed, and to second reading.

UNFINISHED BUSINESS**Consideration of Governor's Appointments**

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

DEBORAH O. RAPHAEL, Director, Department of Toxic Substances Control

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 (34)—Senators Alquist, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Anderson and La Malfa.

MOTION TO SUSPEND SENATE RULE 29

Senator Leno moved to suspend Senate Rule 29 as it relates to AB 103. Objection was raised, and the roll was called.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (24)—Senators Alquist, Calderon, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (10)—Senators Anderson, Blakeslee, Dutton, Fuller, Gaines, Harman, Huff, La Malfa, Walters, and Wyland.

Consideration Of Assembly Bill 103

Assembly Bill 103—An act to amend Sections 16325, 16325.5, 16326, and 16428 of, and to repeal Section 16324 of, the Government Code, relating to state cash resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

AYES (34)—Senators Alquist, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans,



Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Anderson and La Malfa.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution 50—Relative to the Deputy Daniel Lee Archuleta Memorial Highway.

Resolution read third time and presented by Senator Fuller.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 517—An act to add Section 12012.56 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Leno.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, Dutton, Emmerson, Fuller, Gaines, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wright, Wyland, and Yee.

NOES (4)—Senators DeSaulnier, Evans, Hancock, and Wolk.

Roll Call

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

AYES (34)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, Dutton, Emmerson, Fuller, Gaines, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wright, Wyland, and Yee.

NOES (4)—Senators DeSaulnier, Evans, Hancock, and Wolk.

Bill ordered transmitted to the Assembly.



THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution 81—Relative to Voter Registration Day.

Resolution read third time and presented by Senator Yee.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Bill 1170—An act to amend Section 1770 of the Civil Code, and to amend Sections 787 and 789.10 of, and to add Section 785.4 to, the Insurance Code, relating to insurance.

Bill read third time and presented by Senator Leno.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Dutton.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senate Bill 1563—An act to amend Section 18978 of the Government Code, relating to civil service.

Bill read third time and presented by Senator Cannella.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Price Presiding

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 third time and presented by Senator Hernandez.

Roll Call

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

AYES (25)—Senators Alquist, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (13)—Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 1359—An act to amend Section 42231 of the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Simitian.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.



Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1547—An act to amend Section 14595.5 of the Public Resources Code, relating to recycling.

Bill read third time and presented by Senator Simitian.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1360—An act to amend Sections 72401, 72420, 72420.2, 72421, 72430, 72440, and 72441 of, and to repeal Section 72420.1 of, the Public Resources Code, relating to vessels.

Bill read third time and presented by Senator Simitian.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1509—An act to repeal Section 4 of Chapter 421 of the Statutes of 2001, and to repeal Section 4 of Chapter 637 of the Statutes of 2002, relating to school facilities.

Bill read third time and presented by Senator Simitian.



Roll Call

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

AYES (32)—Senators Alquist, Anderson, Berryhill, Blakeslee, Cannella, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Price, Rubio, Simitian, Steinberg, Walters, Wolk, Wright, and Wyland.

NOES (4)—Senators Calderon, Corbett, Hancock, and Yee.

Bill ordered transmitted to the Assembly.

Senator Simitian Presiding

Senate Bill 1155—An act to amend, repeal, and add Section 35401 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Cannella.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (27)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Correa, De León, Dutton, Emmerson, Fuller, Gaines, Harman, Hernandez, Huff, La Malfa, Lieu, Negrete McLeod, Padilla, Price, Rubio, Simitian, Steinberg, Walters, Wright, Wyland, and Yee.

NOES (10)—Senators Corbett, DeSaulnier, Evans, Hancock, Kehoe, Leno, Liu, Lowenthal, Pavley, and Vargas.

Roll Call

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

AYES (27)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Correa, De León, Dutton, Emmerson, Fuller, Gaines, Harman, Hernandez, Huff, La Malfa, Lieu, Negrete McLeod, Padilla, Price, Rubio, Simitian, Steinberg, Walters, Wright, Wyland, and Yee.

NOES (10)—Senators Corbett, DeSaulnier, Evans, Hancock, Kehoe, Leno, Liu, Lowenthal, Pavley, and Vargas.

Bill ordered transmitted to the Assembly.

Senate Bill 1341—An act to amend Section 23778 of, and to repeal and add Section 23703 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Wolk.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1540—An act to add Section 60200.8 to the Education Code, relating to instructional materials.

Bill read third time and presented by Senator Hancock.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1339—An act to add and repeal Section 65081 of the Government Code, relating to transportation.

Bill read third time and presented by Senator Yee.

Roll Call

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

AYES (30)—Senators Alquist, Berryhill, Blakeslee, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Hancock, Harman, Hernandez, Huff, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Steinberg, Vargas, Walters, Wolk, Wright, and Yee.

NOES (7)—Senators Anderson, Calderon, Dutton, Fuller, Gaines, La Malfa, and Simitian.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator Liu.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1257—An act to amend Section 7284.2 of, and to add Section 7284.3 to, the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Hernandez.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution 118—Relative to wineries.

Resolution read third time and presented by Senator Evans.

Roll Call

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

AYES (38)—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, Vargas, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

POINT OF ORDER

Senator Blakeslee arose for a point of order pertaining to Conference Committee.

Decision of Presiding Officer

The Presiding Officer ruled the point of order not well taken.

Motion to Appeal

Senator Blakeslee moved to appeal the decision of the Presiding Officer.

MOTION TO LAY ON THE TABLE

Senator Corbett moved that Senator Blakeslee's appeal be laid on the table.



Roll Call

The roll was called and the motion to lay on the table carried by the following vote:

AYES (23)—Senators Alquist, Calderon, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (12)—Senators Anderson, Berryhill, Blakeslee, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Walters, and Wyland.

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.

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

At 3:39 p.m., on motion of Senator Steinberg, further proceedings under the quorum call of the Senate were dispensed with.

Motion carried.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Leonard B. Ratto of Modesto and Virginia Marinaro Abbott of Fresno.

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Brandy Martell of Hayward.

ADJOURNMENT

At 3:39 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 8, 2012.

PAULA K. ROSSETTO, Minute Clerk

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