

CALIFORNIA LEGISLATURE
2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDREDTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 14, 2012

The Senate met at 12 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, and Yee—37.

Quorum present.

(NOTE: Senators Strickland and Wyland 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 wrote: “God offers to every mind its choice between truth and repose. Take which you please—you can never have both.”

The pursuit of knowledge and a quiet conscience cannot co-exist. A mind in pursuit of truth must also be open to what that truth might ask of him. If one wants a tranquil spirit then they must shield their eyes from the world.

In the choice between truth and repose, the public servant must choose truth, and with truth, we must also choose action.

May it be the will of our Creator that we not be satisfied in taking the easy path, but rather, may the Holy One help our spirits find fulfillment in the pursuit of truth in both our hearts and our deeds. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 10, 2012

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

ACR 145

ACR 147

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:

Assembly Concurrent Resolution 145—Relative to Child Safety Awareness Month.

Assembly Concurrent Resolution 147—Relative to California Charter Schools Week.

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

Date of Hearing, May 8, 2012

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

SB 1534

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

DESAULNIER, Chair

Above measure ordered to second reading.



Senate Chamber, May 14, 2012

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

AB 1550

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

DESAULNIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1550—An act to amend Section 5068 of, and to add Section 5068.1 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 Labor and Industrial Relations

Senate Chamber, May 14, 2012

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

SB 1115

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

LIEU, Chair

Above measure ordered filed with the Secretary of the Senate.

Senate Chamber, May 14, 2012

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

SB 1114

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

LIEU, Chair

Above measure ordered filed with the Secretary of the Senate.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 975—An act to add Section 101.2 to the Business and Professions Code, relating to professions and vocations.

Bill read second time.

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



Senate Bill 1329—An act to amend Sections 150201, 150202, 150204, and 150205 of the Health and Safety Code, relating to pharmaceuticals.

Bill read second time.

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

Senate Bill 1446—An act to amend Sections 3640 and 3640.7 of the Business and Professions Code, relating to healing arts.

Bill read second time.

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

Senate Bill 1107—An act to add Section 1065 to the Fish and Game Code, relating to entitlements, and making an appropriation therefor.

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 1229—An act to add Section 1942.7 to the Civil Code, relating to rental property.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1248—An act to add Section 7500.5 to the Government Code, relating to local public employees' retirement.

Bill read second time and to third reading.

CONSENT CALENDAR

Objections Raised

Senator Calderon objected to **SB 1449** being on the Special Consent Calendar.

Senator Simitian objected to **SB 1303** being on the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.



THIRD READING OF SENATE BILLS

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1366—An act to amend Sections 16520, 26835, and 27535 of, and to add Division 4.5 (commencing with Section 25250) to Title 4 of Part 6 of, the Penal Code, relating to firearms.

Bill read third time and presented by Senator DeSaulnier.

Roll Call

The roll was called and the bill was passed 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, Rubio, Simitian, Steinberg, Vargas, Wolk, and Yee.

NOES (14)—Senators Anderson, Berryhill, Blakeslee, Cannella, Correa, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Walters, and Wright.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Emmerson.

Roll Call

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

AYES (37)—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, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senate Bill 1401—An act to amend Sections 14000, 14005, 14010, 14013, and 14020 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time and presented by Senator Lieu.

Roll Call

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

AYES (26)—Senators Alquist, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Hancock, Hernandez, Huff, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (9)—Senators Anderson, Berryhill, Blakeslee, Cannella, Dutton, Fuller, Gaines, La Malfa, and Walters.

Bill ordered transmitted to the Assembly.

Senate Bill 1484—An act to amend Section 63021 of the Government Code, relating to infrastructure finance.

Bill read third time and presented by Senator Pavley.

Roll Call

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

AYES (36)—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, Vargas, Walters, Wolk, Wright, and Yee.

NOES (1)—Senator Anderson.

Bill ordered transmitted to the Assembly.

Senate Bill 1045—An act to add Section 3336.5 to the Civil Code, relating to metal theft.

Bill read third time and presented by Senator Emmerson.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1342—An act to amend Section 27388 of the Government Code, relating to local government.

Bill read third time and presented by Senator Emmerson.

The roll was called.



CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1529—An act to amend Section 100185.5 of the Health and Safety Code, and to amend Sections 14043.2, 14043.65, 14043.75, 14107.11, 14123.05, and 14409 of, to amend, repeal, and add Sections 14043.1, 14043.15, 14043.25, 14043.26, 14043.28, 14043.36, 14043.4, 14043.55, and 14043.7 of, and to add Sections 14043.38 and 14170.12 to, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Alquist.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1285—An act to amend Section 1371.4 of, and to add Article 3 (commencing with Section 127465) to Chapter 2.5 of Part 2 of Division 107 of, the Health and Safety Code, relating to health care.

Bill read third time and presented by Senator Hernandez.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

Senator Price Presiding**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1494—An act to amend Sections 31664.1 and 31720.1 of, and to add Sections 31755.4, 31755.5, and 31755.6 to, the Government Code, relating to county employees' retirement.

Bill read third time and presented by Senator DeSaulnier.

The roll was called.

CALL OF THE SENATE

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

Motion carried.



THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1377—An act to amend Sections 4514, 4903, and 5328.15 of the Welfare and Institutions Code, relating to public social services.

Bill read third time and presented by Senator Corbett.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

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 third time and presented by Senator Simitian.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution 84—Relative to California Coastal Protection Week.

Resolution read third time and presented by Senator Kehoe.

Roll Call

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

AYES (26)—Senators Alquist, Blakeslee, 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 (8)—Senators Anderson, Berryhill, Dutton, Fuller, Gaines, Huff, La Malfa, and Walters.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution 88—Relative to Arthritis Awareness Month.

Resolution read third time and presented by Senator Alquist.

Roll Call

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

AYES (31)—Senators Alquist, Berryhill, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Hancock, Harman, Hernandez, Huff, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete



McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (1)—Senator Anderson.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1310)**

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

Roll Call

The names of the absentees were called and SB 1310 was passed by the following vote:

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

NOES (10)—Senators Anderson, Calderon, Correa, Dutton, Fuller, Gaines, Huff, La Malfa, Negrete McLeod, and Walters.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1365—An act to amend Section 1799.106 of the Health and Safety Code, relating to emergency medical services.

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 (37)—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, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Simitian Presiding

Senate Bill 1212—An act to amend Section 10110.1 of the Insurance Code, relating to insurance.

Bill read third time and presented by Senator Calderon.

Roll Call

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

AYES (37)—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, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1345—An act to amend Sections 8241, 8245, and 8246 of the Government Code, relating to state government.

Bill read third time and presented by Senator Evans.

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 (9)—Senators Anderson, Berryhill, Dutton, Emmerson, Gaines, Harman, Huff, La Malfa, and Walters.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 86—Relative to hate crimes.

Resolution read third time and presented by Senator De León.

Roll Call

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

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

NOES (1)—Senator Anderson.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution 132—Relative to organ donation.

Resolution read third time and presented by Senator Price.

Roll Call

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

AYES (37)—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, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1045)**

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

Roll Call

The names of the absentees were called and SB 1045 was passed by the following vote:

AYES (37)—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, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1342)**

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

Roll Call

The names of the absentees were called and SB 1342 was passed by the following vote:

AYES (29)—Senators Alquist, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Hancock, Harman, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, Wright, and Yee.

NOES (7)—Senators Anderson, Dutton, Fuller, Gaines, Huff, La Malfa, and Walters.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1529)**

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

Roll Call

The names of the absentees were called and SB 1529 was passed by the following vote:

AYES (26)—Senators Alquist, Blakeslee, 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 (11)—Senators Anderson, Berryhill, Cannella, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, and Walters.

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1285)**

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

Roll Call

The names of the absentees were called and SB 1285 was passed by the following vote:

AYES (21)—Senators Alquist, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Kehoe, Leno, Lieu, Liu, Lowenthal, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Wolk, and Yee.

NOES (15)—Senators Anderson, Berryhill, Blakeslee, Calderon, Cannella, Correa, Dutton, Emmerson, Fuller, Gaines, Harman, Huff, La Malfa, Negrete McLeod, and Walters.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1494)**

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

Roll Call

The names of the absentees were called and SB 1494 was passed by the following vote:

AYES (37)—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, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1377)**

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

Roll Call

The names of the absentees were called and SB 1377 was passed by the following vote:

AYES (37)—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, and Yee.

NOES (0)—None.

Above bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 1580—An act to add Section 435.3 to the Military and Veterans Code, relating to state surplus property.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 1063—An act to add and repeal Section 115843.6 of the Health and Safety Code, relating to reservoirs, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1275—An act to amend Sections 10703 and 10704 of the Elections Code, relating to elections.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1294—An act to add Section 22900 to the Government Code, relating to public employee benefits.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1575—An act to amend Sections 1934, 1950.5, 2021, 2064, 2184, 2220, 2424, 2516, 2518, 2904.5, 3057.5, 3742, 3750, 3750.5, 4209, 4600, 4601, 4603.7, 4612, 4980.04, 4980.34, 4980.398, 4980.399, 4980.43, 4980.44, 4980.48, 4980.78, 4980.80, 4984.4, 4989.16, 4989.42, 4992.07, 4992.09, 4996.6, 4999.22, 4999.32, 4999.46, 4999.57, 4999.58, 4999.59, 4999.62, 4999.76, 4999.90, 4999.106, and 4999.120 of, to add Sections 144.5, 1902.2, 1942, 1958.1, and 4300.1 to repeal Section 1909.5 of, and to repeal and amend Section 4999.45 of, the Business and Professions Code, relating to professions and vocations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1576—An act to amend Sections 5070.1, 5072, 5076, 5093, 5094.6, 5107, 7011.8, 7076, 8741, 8762, 8773, 12012, 12012.1,

12024.11, 12027, 12104, 12104.5, 12105, 12106.5, 12107, 12107.1, 12108, 12201, 12201.2, 12202, 12203, 12205, 12210.5, 12212, 12214, 12314, 12500.5, 12500.6, 12500.8, 12609, 12610, 12706, 12708, 12722, 12723, 12727, 12735, 13403, 13440, 13450, 13460, 13461, 13480, and 13710 of, to amend and renumber Section 12736 of, to repeal Section 13302 of, and to repeal and add Section 5019 of, the Business and Professions Code, relating to professions and vocations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

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.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 991—An act to amend Section 400.1 of the Family Code, relating to marriage.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1134—An act to amend Section 43.92 of the Civil Code, relating to liability.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1357—An act to amend Section 3060 of the Government Code, relating to public officers.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1436—An act to amend and repeal Section 1797.196 of the Health and Safety Code, relating to automated external defibrillators.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1548—An act to amend Sections 7093.6, 9278, 30459.15, 32471.5, 41171.5, 46628, 50156.18, 55332.5, and 60637 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Concurrent Resolution 27—Relative to Black April Memorial Week.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

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

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1405—An act to add Sections 5058.4 and 5070.2 to the Business and Professions Code, relating to accountancy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1510—An act to amend Section 14837 of the Government Code, relating to the Department of General Services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1340—An act to add Section 1487 to, and to add and repeal Section 1488 of, the Water Code, relating to water resources.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

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 third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (37)—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, and Yee.

NOES (0)—None.



MOTION TO SUSPEND JOINT RULE 29.5(a)

Senator Evans moved to suspend Senate Rule 29.5(a) as it relates to the Conference Committee on SB 900 and AB 278.

Roll Call

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

AYES (37)—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, and Yee.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

May 14, 2012

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1310—No	SCR 88—Aye	SB 1365—Aye
SCR 84—No	SB 1212—Aye	SB 1345—No

BOB HUFF, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Strickland and Wyland.

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 2:18 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, May 15, 2012.

Motion carried.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 14, 2012

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

AB 1529	AB 1513	AB 1747	AB 2221
AB 1971	AB 1541	AB 1751	AB 2247
AB 2476	AB 1579	AB 1915	AB 2253
AB 2489	AB 1583	AB 2075	AB 2385
AB 2502	AB 1654	AB 2115	AB 2296
AB 2669	AB 1672	AB 2189	AB 2327
AB 2683	AB 1707	AB 2191	AB 2521
AB 2690	AB 1714	AB 2198	AB 2527
AB 1453	AB 1724	AB 2201	
AB 1508	AB 1745	AB 2218	

E. DOTSON WILSON, Chief Clerk of the Assembly

Assembly Chamber, May 14, 2012

*The Honorable Greg Schmidt**Secretary of the Senate*

Dear Greg: The Assembly on this day suspended Joint Rule 29.5(a) as it pertains to the Conference Committee on Assembly Bill 278 and Senate Bill 900 and respectfully requests the Senate to do the same.

Sincerely,

E. DOTSON WILSON
Chief Clerk

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1529—An act to amend Section 25762 of the Business and Professions Code, to amend Sections 116.940 and 631.2 of, to amend the heading of Article 7 (commencing with Section 116.710) of Chapter 5.5 of Title 1 of Part 1 of, to add Section 116.798 to, and to repeal Section 631.1 of, the Code of Civil Procedure, to amend Section 56159 of the Education Code, to amend Sections 731, 752, 753, and 754 of the Evidence Code, to amend Sections 1814, 1820, 1834, 1838, 1850, 3025.5, 3170, 3173, 3188, 6303, 7553, and 7556 of the Family Code, to amend Sections 1750, 23249, 23332, 23535, 24350, 24351, 24353, 25252.6, 27080.1, 29320, 29370, 29370.1, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29379, 29603, 31116, and 68098 of, and to add Sections 68083 and 68083.5 to, the Government Code, and to amend Section 1306 of, and to add Section 1305.5 to, the Penal Code, relating to courts.

Assembly Bill 1971—An act to amend Section 496a of, and to add Section 594.05 to, the Penal Code, relating to theft.

Assembly Bill 2476—An act to amend Section 405 of the Military and Veterans Code, relating to military service.

Assembly Bill 2489—An act to amend Section 19.8 of the Penal Code, and to amend Section 4464 of the Vehicle Code, relating to vehicles.

Assembly Bill 2502—An act to amend Section 2982 of the Civil Code, relating to vehicles.

Assembly Bill 2669—An act to amend Sections 21080, 21080.5, 21080.23, 21080.24, 21083.05, 21084, 21091, 21092.6, 21094, 21151.1, 21159.9, and 21167.10 of, and to repeal Sections 21169, 21170, 21171, 21172, 21172.5, 21175, and 21176 of, the Public Resources Code, relating to environmental quality.

Assembly Bill 2683—An act to amend Sections 2204, 8100, and 9052 of the Probate Code, relating to probate.

Assembly Bill 2690—An act to amend Section 43.99 of the Civil Code, to amend Section 1038 of the Code of Civil Procedure, to amend Sections 89307 and 89750.5 of the Education Code, to amend Sections 810, 54954.5, and 54956.9 of the Government Code, and to amend Section 28245 of the Penal Code, relating to governmental liability.

Assembly Bill 1453—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.

Assembly Bill 1508—An act to amend Section 21608.5 of the Business and Professions Code, relating to business.

Assembly Bill 1513—An act to amend Sections 114257 and 115725 of the Health and Safety Code, relating to playgrounds.

Assembly Bill 1541—An act to amend Sections 6276.36 and 11125.1 of the Government Code, and to amend Sections 315 and 454.5 of, and to repeal and add Section 583 of, the Public Utilities Code, relating to the Public Utilities Commission.

Assembly Bill 1579—An act to add Section 1374.196 to the Health and Safety Code, and to add Section 10120.4 to the Insurance Code, relating to health care coverage.

Assembly Bill 1583—An act to amend Sections 22750, 22753, and 22755 of, and to add Section 21609.7 to, the Business and Professions Code, relating to bulk merchandise pallets.

Assembly Bill 1654—An act to add Section 1021.5 to the Government Code, relating to public employment.



Assembly Bill 1672—An act to amend Sections 50700, 50701, 50702, 50703, and 50704 of the Health and Safety Code, relating to housing.

Assembly Bill 1707—An act to amend Sections 11169 and 11170 of the Penal Code, relating to the Child Abuse Central Index.

Assembly Bill 1714—An act to amend Section 12305.87 of the Welfare and Institutions Code, relating to in-home supportive services.

Assembly Bill 1724—An act to amend Section 14224 of, and to repeal Section 19363 of, the Elections Code, relating to voting.

Assembly Bill 1745—An act to amend Section 2924f of the Civil Code, relating to mortgages.

Assembly Bill 1747—An act to amend Section 10173.2 of, and to add Sections 10113.71 and 10113.72 to, the Insurance Code, relating to life insurance.

Assembly Bill 1751—An act to amend Sections 17212, 17505, and 17506 of the Family Code, and to amend Section 11478.1 of the Welfare and Institutions Code, relating to child support services.

Assembly Bill 1915—An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation.

Assembly Bill 2075—An act to repeal Section 25502.3 of the Public Resources Code, relating to energy.

Assembly Bill 2115—An act to amend Section 32121.5 of the Health and Safety Code, relating to local hospital districts.

Assembly Bill 2189—An act to amend Section 14608 of the Vehicle Code, relating to vehicles.

Assembly Bill 2191—An act to amend Section 85703 of, and to add Section 84207 to, the Government Code, relating to the Political Reform Act of 1974.

Assembly Bill 2198—An act to amend Sections 972.1 and 974 of the Military and Veterans Code, relating to veterans.

Assembly Bill 2201—An act to amend Section 51018.6 of the Government Code, relating to pipeline safety.

Assembly Bill 2218—An act to add Chapter 4.9 (commencing with Section 24540) to Division 20 of the Health and Safety Code, relating to consumer safety.

Assembly Bill 2221—An act to amend Sections 6254 and 6275 of, and to add Section 6276.01 to, the Government Code, relating to public records.



Assembly Bill 2247—An act to amend Section 640 of, and to repeal Section 602.7 of, the Penal Code, and to amend Section 99580 of the Public Utilities Code, relating to public transportation.

Assembly Bill 2253—An act to amend Section 123148 of the Health and Safety Code, relating to health records.

Assembly Bill 2385—An act to add Section 1203.019 to the Penal Code, relating to probation.

Assembly Bill 2296—An act to amend Sections 94897, 94909, 94910, 94911, 94928, 94929.5, and 94929.7 of, and to add Section 94913 to, the Education Code, relating to private postsecondary education.

Assembly Bill 2327—An act to amend Section 12591.1 of the Government Code, relating to charitable organizations.

Assembly Bill 2521—An act to amend Sections 1946, 1946.1, 1950.5, 1983, 1984, 1985, 1987, 1988, and 1990 of the Civil Code, relating to landlord and tenant.

Assembly Bill 2527—An act to amend Section 1203.3 of the Penal Code, relating to probation.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, May 14, 2012

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

SB 1235

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 1235—An act to amend Section 48911.2 of the Education Code, relating to pupils.

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, May 14, 2012

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

ACR 100

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

DESAULNIER, Chair



Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 100—Relative to the Mark Bixby Memorial Bicycle Pedestrian Path.

Resolution 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, May 9, 2012

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

SB 1149

SB 1179

SB 1243

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.

Committee on Health

Senate Chamber, May 14, 2012

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

AB 861

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 861—An act to add a heading as Article 1 (commencing with Section 104100) to, and to add Article 2 (commencing with Section 104141) to, Chapter 1 of Part 1 of Division 103 of, the Health and Safety Code, relating to stroke.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, May 8, 2012

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

SB 1250

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

EVANS, Chair

Above measure ordered to second reading.



Date of Hearing, May 8, 2012

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

SB 1477

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.

Date of Hearing, May 8, 2012

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

SB 1055

SB 1160

SB 1255

SB 1384

SB 1528

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

EVANS, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, May 14, 2012

Mr. President: The Committee on Rules has examined:

SB 630

And reports that the same has been correctly enrolled, and presented to the Governor on the 14th day of May, 2012, at 2:15 p.m.

STEINBERG, Chair

Senate Chamber, May 14, 2012

Mr. President: The Committee on Rules has examined:

SJR 23

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 14th day of May, 2012, at 2:30 p.m.

STEINBERG, Chair

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 90: By Senator Anderson—Relative to the Tuskegee Airmen Highway.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 404** was withdrawn from the Committee on Education and re-referred to the Committee on Rules; and

AB 666 was withdrawn from the Committee on Natural Resources and Water and re-referred to the Committee on Rules.



REQUEST FOR UNANIMOUS CONSENT (AB 1081)

Senator Hancock asked for, and was granted, unanimous consent that AB 1081 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1081

Assembly Bill 1081—An act to add Chapter 17.1 (commencing with Section 7282) to Division 7 of Title 1 of the Government Code, relating to state government.

Bill read second time.

Motion to Amend

Amendments to AB 1081 proposed by Senator Hancock were read and adopted and the measure ordered printed and to second reading.

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

Senate Bill 1180—An act to amend Sections 1270, 1275, and 1318.1 of the Penal Code, relating to criminal procedure.

Bill read third time.

Amendments Adopted

Amendments to SB 1180 proposed by Senator Hancock were read and adopted and the measure ordered printed, engrossed, and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Frank Alvarez of Modesto and Robert Coyle of Fresno.

Senator Lowenthal requested that when the Senate adjourns this day it do so in memory of Bette Weinberg of Seal Beach.

Senator Rubio requested that when the Senate adjourns this day it do so in memory of Maria T. Rodriguez of Dinuba.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Kim Weden of Mountain View.

Senator Yee requested that when the Senate adjourns this day it do so in memory of Wilson Lew of San Francisco.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 15, 2012.

PAULA K. ROSSETTO, Minute Clerk

