

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 15, 2012

The Senate met at 9 a.m.

Hon. Alan Lowenthal, of the 27th 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, 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—36.

Quorum present.

(NOTE: Senator Gaines will be excused this day on legislative business, Senators Strickland and Wyland will be excused this day on personal business, and Senator Runner will be excused this day due to illness.)

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 adopted:

ACR 149

AJR 27

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 149—Relative to Asian and Pacific Islander American Heritage Month.

Assembly Joint Resolution 27—Relative to women in sports.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, May 15, 2012

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

SB 962 SB 978 SB 1094 SB 1419

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 962—An act to amend Sections 116380 and 116552 of the Health and Safety Code, relating to drinking water.

Bill read second time.

Senate Bill 978—An act to amend Section 10232.5 of, and to add Sections 10232.3 and 10232.45 to, the Business and Professions Code, and to amend Sections 25102 and 25113 of, and to add Section 25102.2 to, the Corporations Code, relating to securities transactions.

Bill read second time.

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

Bill read second time.

Senate Bill 1419—An act to amend Section 13943.1 of the Government Code, relating to the State Board of Equalization.

Bill read second time.

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

Date of Hearing, May 14, 2012

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

SB 1000 SB 1058 SB 1133 SB 1216
SB 1245 SB 1408 SB 1431

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.



Senate Chamber, May 14, 2012

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

SB 980	SB 1130	SB 1299	SB 1489
SB 1062	SB 1174	SB 1367	SB 1533
SB 1067	SB 1206	SB 1394	
SB 1077	SB 1208	SB 1448	
SB 1087	SB 1298	SB 1473	

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

KEHOE, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, May 15, 2012

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

AB 1524

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

PADILLA, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Date of Hearing, May 14, 2012

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

AB 1620

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

SIMITIAN, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, May 14, 2012

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

AB 1933

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

SIMITIAN, Chair

Above measure re-referred to the Committee on Appropriations.



Committee on Judiciary

Date of Hearing, May 8, 2012

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

SB 1186

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

EVANS, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, May 15, 2012

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

SCR 71

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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments**Senate Concurrent Resolution 71**—Relative to the University of California.

Resolution 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 15, 2012

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

SB 1406

SB 1500

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 1406**—An act to amend Section 11785 of, and to add and repeal Section 11785.3 of, the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time.

Senate Bill 1500—An act to amend Sections 597.1 and 597.9 of the Penal Code, relating to animal protection.

Bill read second time.

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



INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Constitutional Amendment 22: By Senator Rubio—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 9.5 to Article IX thereof, relating to the University of California.

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

Senate Bill 1534—An act to amend Section 26708 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Bill 1149—An act to add Title 7.1.5 (commencing with Section 66538) to the Government Code, relating to the Bay Area Regional Commission.

Bill read second time.

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

Senate Bill 1179—An act to add and repeal Sections 17053.81 and 23625 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Senate Bill 1243—An act to amend and repeal Section 6385 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Senate Bill 1250—An act to amend Section 56.36 of the Civil Code, relating to medical records.

Bill read second time.

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



Senate Bill 1477—An act to amend Sections 1276 and 1277 of the Code of Civil Procedure, relating to confidential records.

Bill read second time.

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

Senate Bill 1055—An act to add Section 1947.2 to the Civil Code, relating to landlord and tenant.

Bill read second time.

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

Senate Bill 1160—An act to amend Section 7904 of, and to repeal and add Section 7907 of, the Public Utilities Code, relating to communications.

Bill read second time.

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

Senate Bill 1255—An act to amend Section 226 of the Labor Code, relating to employee compensation.

Bill read second time.

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

Senate Bill 1384—An act to amend Sections 1785.2, 1785.3, 1785.11.2, and 1785.11.3 of, and to amend the heading of Title 1.6 (commencing with Section 1785.1) of Part 4 of Division 3 of, the Civil Code, relating to consumer information privacy.

Bill read second time.

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

Senate Bill 1528—An act to add Section 3284 to the Civil Code, relating to damages.

Bill read second time.

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

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

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

SECOND READING OF ASSEMBLY BILLS

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 and ordered to third reading.



THIRD READING OF SENATE BILLS

Senate Bill 1191—An act to add Section 2924.9 to the Civil Code, relating to landlord-tenant relations.

Bill read third time.

Amendments Adopted

Amendments to SB 1191 proposed by Senator Simitian were read and adopted and the measure ordered printed, engrossed, and to second reading.

Senate Bill 1395—An act to amend Section 6145 of the Business and Professions Code, to amend Section 94949 of the Education Code, to amend Sections 6254.14, 8543, 8543.1, 8543.2, 8543.4, 8544, 8544.2, 8544.3, 8544.5, 8544.6, 8545, 8545.1, 8546, 8546.4, 8546.8, 8546.10, 8547.2, 8548.4, and 54954.5 of the Government Code, to amend Section 130506 of the Health and Safety Code, to amend Section 1872.83 of the Insurance Code, to amend Section 5024 of the Penal Code, to amend Section 71560 of the Public Resources Code, to amend Section 421 of the Public Utilities Code, and to amend Section 80270 of the Water Code, relating to the State Auditor.

Bill read third time.

Amendments Adopted

Amendments to SB 1395 proposed by Senator Rubio were read and adopted and the measure ordered printed, engrossed, and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations**

SB 969—Do pass as amended

AYES (5)—Senators Alquist, Kehoe, Lieu, Price, and Steinberg.

NOES (2)—Senators Dutton and Walters.

SB 1000—Do pass

AYES (5)—Senators Alquist, Kehoe, Lieu, Price, and Steinberg.

NOES (2)—Senators Dutton and Walters.

SB 1058—Do pass

AYES (5)—Senators Alquist, Kehoe, Lieu, Price, and Steinberg.

NOES (2)—Senators Dutton and Walters.

SB 1133—Do pass

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

SB 1161—Do pass

AYES (2)—Senators Dutton and Walters.

NOES (5)—Senators Alquist, Kehoe, Lieu, Price, and Steinberg.

Failed Passage



SB 1161—Reconsideration granted

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

SB 1216—Do pass

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

SB 1245—Do pass

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

SB 1336—Do pass as amended

AYES (0)—None.

NOES (3)—Senators Dutton, Kehoe, and Walters.

Failed Passage

SB 1336—Reconsideration granted

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

SB 1408—Do pass

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

SB 1431—Do pass

AYES (4)—Senators Alquist, Kehoe, Lieu, and Steinberg.

NOES (2)—Senators Dutton and Walters.

SB 1571—Do pass

AYES (2)—Senators Alquist and Price.

NOES (3)—Senators Dutton, Kehoe, and Walters.

Failed Passage

SB 1571—Reconsideration granted

AYES (7)—Senators Alquist, Dutton, Kehoe, Lieu, Price, Steinberg, and Walters.

NOES (0)—None.

Date of Hearing: 5/14/2012

Kehoe (Chair)



Committee on Business, Professions and Economic Development

SB 1162—Do pass as amended and re-refer to the Committee on Public Safety

AYES (7)—Senators Corbett, Correa, Emmerson, Hernandez, Negrete McLeod, Price, and Vargas.

NOES (0)—None.

Date of Hearing: 5/14/2012

Price (Chair)

Committee on Energy, Utilities and Communications

AB 578—Do pass as amended and re-refer to the Committee on Appropriations

AYES (10)—Senators Berryhill, Corbett, DeSaulnier, Emmerson, Fuller, Kehoe, Padilla, Pavley, Simitian, and Wright.

NOES (0)—None.

AB 976—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Berryhill, De León, Emmerson, Padilla, Simitian, and Wright.

NOES (3)—Senators Fuller, Kehoe, and Pavley.

Failed Passage

AB 976—Reconsideration granted

AYES (11)—Senators Berryhill, Corbett, De León, DeSaulnier, Emmerson, Fuller, Kehoe, Padilla, Pavley, Simitian, and Wright.

NOES (0)—None.

AB 1524—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Berryhill, Corbett, DeSaulnier, Fuller, Kehoe, Padilla, Pavley, Simitian, and Wright.

NOES (0)—None.

Date of Hearing: 5/15/2012

Padilla (Chair)

Committee on Environmental Quality

SB 1520—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (0)—None.

AB 480—Do pass as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Blakeslee, Kehoe, Lowenthal, Pavley, and Simitian.

NOES (0)—None.



AB 549—Do pass as amended and re-refer to the Committee on APPR
AYES (5)—Senators Hancock, Kehoe, Lowenthal, Pavley, and Simitian.
NOES (1)—Senator Blakeslee.

AB 1620—Do pass and re-refer to the Committee on Appropriations
with the recommendation: To Consent Calendar

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley,
and Simitian.

NOES (0)—None.

AB 1834—Do pass as amended

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley,
and Simitian.

NOES (0)—None.

AB 1933—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Blakeslee, Hancock, Kehoe, Lowenthal, Pavley,
and Simitian.

NOES (0)—None.

Date of Hearing: 5/14/2012

Simitian (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

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.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 16,
2012.

PAULA K. ROSSETTO, Minute Clerk

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