

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 16, 2012

The Senate met at 9 a.m.
Hon. Fran Pavley, of the 23rd 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, Evans, Fuller, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Lieu, Liu, Lowenthal, Negrete, McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wright, and Yee—34.

Quorum present.

(NOTE: Senators Gaines and Wolk will be excused this day on legislative business, Senator Wyland will be excused this day on legislative business (waiving per diem), Senator Strickland will be excused this day on personal business, Senator Emmerson will be excused this day to attend a funeral, and Senator Runner will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Education

Date of Hearing, May 16, 2012

Madam President: The Committee on Education, to which was referred:
AB 1573



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.

LOWENTHAL, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, May 16, 2012

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

AB 401

AB 1166

AB 2095

Reports the same back with the recommendation: Do pass.

LOWENTHAL, Chair

Above bills ordered to second reading.

Committee on Health

Senate Chamber, May 16, 2012

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

AB 1000

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 1000—An act to add and repeal Section 1367.655 of the Health and Safety Code, and to add and repeal Section 10123.205 of the Insurance Code, relating to health care coverage.

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, May 16, 2012

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

AB 1451

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

LOWENTHAL, Chair

Above measure ordered to second reading.

Date of Hearing, May 16, 2012

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

SB 1135



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.

Date of Hearing, May 16, 2012

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

AB 794

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

LOWENTHAL, Chair

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

Committee on Appropriations

Date of Hearing, May 14, 2012

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

SB 969

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

KEHOE, Chair

Above measure ordered to second reading.

Date of Hearing, May 7, 2012

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

SB 1099

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

KEHOE, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 26: By Senator Vargas (Coauthor: Assembly Member Hueso)—Relative to Naval Air Facility El Centro.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 1000—An act to amend Sections 315 and 583 of the Public Utilities Code, relating to the Public Utilities Commission.

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

Senate Bill 1058—An act to amend Sections 1502 and 2117 of, to add Chapter 22.5 (commencing with Section 2280) to Division 1 of Title 1 of,



and to repeal Section 1502.5 of, the Corporations Code, relating to the Victims of Corporate Fraud Compensation Fund.

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

Senate Bill 1133—An act to amend Section 186.8 of, and to add Sections 236.6, 236.7, 236.8, 236.9, 236.10, and 236.11 to, the Penal Code, relating to human trafficking.

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

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, ordered engrossed, and to third reading.

Senate Bill 1245—An act to add and repeal Section 44388 of the Education Code, relating to teacher credentialing.

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

Senate Bill 1408—An act to add Sections 1102, 1144, 1146, 1156.7, 1176.5, 1177.5, 1178.5, 1196.4, and 1196.5 to the Harbors and Navigation Code, and to amend Section 1808.1 of the Vehicle Code, relating to bar pilots.

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

Senate Bill 1431—An act to add Chapter 8.1 (commencing with Section 10750) to Part 2 of Division 2 of the Insurance Code, relating to insurance.

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

Senate Bill 980—An act to amend Sections 6106.3 and 10085.6 of the Business and Professions Code, and to amend Section 2944.7 of the Civil Code, relating to mortgage loans.

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

Senate Bill 1062—An act to amend Section 71092 of the Education Code, relating to community colleges.

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

Senate Bill 1067—An act to add Section 830.41 to the Penal Code, relating to peace officers.

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

Senate Bill 1077—An act to amend Sections 125.9, 7591.19, and 7599.70 of, to amend, repeal, and add Sections 7590.1, 7591.10, 7593.1, 7593.6, 7593.7, 7594.4, 7599.32, 7599.34, 7599.42, 7599.43, 7599.48, and 7599.61 of, and to add Sections 7591.13, 7593.5, and 7593.15 to, the Business and Professions Code, relating to alarm companies.

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



Senate Bill 1087—An act to amend Section 8484.3 of the Education Code, and to amend Sections 1596.793 and 18897 of, and to add Sections 18897.8 and 18897.9 to, the Health and Safety Code, relating to organized camps.

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

Senate Bill 1130—An act to add Chapter 5.10 (commencing with Section 254 99) to of Division 15 of the Public Resources Code, relating to energy.

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

Senate Bill 1174—An act to amend Section 35401.5 of the Vehicle Code, relating to vehicles.

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

Senate Bill 1206—An act to amend Sections 2040 and 3134.5 of the Family Code, relating to child abduction prevention.

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

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

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

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

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

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

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

Senate Bill 1367—An act to amend Section 4370 of the Fish and Game Code, relating to hunting.

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

Senate Bill 1394—An act to amend Sections 13113.7, 13113.8, 13114, and 17926 of the Health and Safety Code, relating to dwelling safety.

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

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

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



Senate Bill 1473—An act to amend Section 2924.8 of the Civil Code, and to amend Sections 415.46 and 1161b of the Code of Civil Procedure, relating to tenants.

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

Senate Bill 1489—An act to amend Section 1417.1 of the Penal Code, relating to courts.

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

Senate Bill 1533—An act to amend and repeal Section 343 of the Public Utilities Code, relating to electricity.

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

Senate Bill 1186—An act to amend Section 55.3 of, and to add Sections 55.31 and 1938 to, the Civil Code, relating to disability access.

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

Bill read second time, ordered engrossed, and to third 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, 8543.3, 8543.4, 8543.5, 8543.6, 8543.7, 8544, 8544.2, 8544.3, 8544.4, 8544.5, 8544.6, 8545, 8545.1, 8545.2, 8545.3, 8545.4, 8545.5, 8546, 8546.1, 8546.2, 8546.3, 8546.4, 8546.5, 8546.6, 8546.7, 8546.8, 8546.10, 8547.2, 8548.4, and 54954.5 of, to amend the heading of Chapter 6.5 (commencing with Section 8543) of Division 1 of Title 2 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 second time, ordered engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill 1371—An act to amend Section 1205 of the Penal Code, relating to victim restitution.

Bill read third time.

Amendments Adopted

Amendments to SB 1371 proposed by Senator Anderson were read and adopted and the measure ordered printed, engrossed, and to second reading.



MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 861** was withdrawn from the Committee on Health and re-referred to the Committee on Rules.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SB 1477** and **SB 1254** were withdrawn from Committee and placed on second reading; and

SR 29, ACR 89, ACR 112, ACR 119, ACR 123, and **AJR 25** were withdrawn from Committee and placed on third reading.

SENATE COMMITTEE ROLL CALLS**Committee on Education**

SB 1135—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Blakeslee, Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

SCR 73—Be adopted as amended

AYES (6)—Senators Hancock, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

AB 401—Do pass

AYES (7)—Senators Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

AB 794—Do pass and re-refer to the Committee on Governance and Finance

AYES (6)—Senators Hancock, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

AB 1166—Do pass

AYES (8)—Senators Blakeslee, Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

AB 1451—Do pass, to Consent Calendar

AYES (8)—Senators Blakeslee, Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

AB 1573—Do pass and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar

AYES (8)—Senators Blakeslee, Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

AB 1743—Do pass as amended, to Consent Calendar

AYES (8)—Senators Blakeslee, Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.



AB 2095—Do pass

AYES (6)—Senators Hancock, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (2)—Senators Blakeslee and Huff.

AB 2262—Do pass as amended, to Consent Calendar

AYES (8)—Senators Blakeslee, Hancock, Huff, Liu, Lowenthal, Price, Simitian, and Vargas.

NOES (0)—None.

Date of Hearing: 5/16/2012

Lowenthal (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Gaines and Wolk.

The following Senator was granted leave of absence for the day due to legislative business (waiving per diem): Senator Wyland.

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 to attend a funeral: Senator Emmerson.

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, May 17, 2012.

PAULA K. ROSSETTO, Minute Clerk

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