

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED EIGHTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 14, 2012

The Senate met at 9 a.m.

Hon. Christine Kehoe, of the 39th 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, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wolk, Wright, and Yee—36.

Quorum present.

(NOTE: Senators Padilla and Strickland will be excused this day on personal business, Senator Wyland will be excused this day due to illness (waiving per diem), and Senator Runner will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Luis Palau:

Oh, God! We thank You for another day of life, another day to work for You, and to work for the people of this State of California.

Lord, we pray You will guide every woman and every man in these positions of enormous responsibility, authority, and power. You promised, “Ask and you will receive, seek and you will find, knock and the door will be opened.”

Lord, You also tell us to “pray for those in authority, that we may live quiet and peaceful lives in all spirituality and transparency.”

Bless these men and women, protect their families, give them pleasure in governing, wisdom in decision-making, and success in all they do. Bless California, oh God, and these United States of America.

And we thank you in anticipation.—AMEN!

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

Senate Concurrent Resolution 90—Relative to the Tuskegee Airmen Highway.

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

Senate Joint Resolution 16—Relative to the Calexico West Port of Entry.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1337—An act to amend Section 7630 of the Family Code, relating to family law.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1631—An act to amend and repeal Section 1282.4 of the Code of Civil Procedure, relating to arbitration.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1679—An act to amend Section 1950.5 of the Civil Code, relating to landlord-tenant relations.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1683—An act to amend Sections 15401 and 15410 of the Probate Code, relating to trusts.

Bill read second time and ordered to Consent Calendar.



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

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2668—An act to amend Sections 5238, 7237, 9246, and 12377 of the Corporations Code, relating to corporate agents.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1165—An act to amend Section 1203.097 of the Penal Code, relating to domestic violence.

Bill read second time and ordered to third reading.

Assembly Bill 1720—An act to amend Section 415.21 of the Code of Civil Procedure, relating to civil procedure.

Bill read second time and ordered to third reading.

Assembly Bill 1727—An act to amend Section 5240 of the Family Code, relating to support orders.

Bill read second time and ordered to third reading.

Assembly Bill 1807—An act to amend Section 3047 of the Family Code, relating to child custody.

Bill read second time and ordered to third reading.

Assembly Bill 2292—An act to amend Sections 366.21, 366.22, 366.25, 727.2, and 727.3 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time and ordered to third reading.

Assembly Bill 1890—An act to amend Section 23302 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2308—An act to amend Section 65583.1 of the Government Code, relating to land use.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2488—An act to add Section 35400.9 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1047—An act to amend Section 2814.1 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.



Assembly Bill 2405—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2314—An act to amend Section 2929.3 of the Civil Code, and to amend Sections 17980 and 17980.7 of the Health and Safety Code, relating to real property.

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 Judiciary.

Assembly Bill 484—An act to add and repeal Section 7074.4 of the Government Code, relating to enterprise zones.

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 Governance and Finance.

Assembly Bill 482—An act to add Section 20751.2 to the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed and to Consent Calendar.

Assembly Bill 232—An act to amend Section 50832 of the Health and Safety Code, relating to economic development.

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 Appropriations.

Assembly Bill 1823—An act to amend Section 1035.6 of the Military and Veterans Code, relating to veterans.

Bill read second time.

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

Assembly Bill 2099—An act to amend Section 1199 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 2675—An act to amend Section 1727 of the Labor Code, relating to public contracts.

Bill read second time and ordered to third reading.



Assembly Bill 1253—An act to amend Section 29064 of the Government Code, relating to counties.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2698—An act to amend Sections 56375, 56425, 56658, 56662, 56827, 56853, 57077, 57102, 57107, 57113, and 57114.5 of, to add Sections 57077.1, 57077.2, 57077.3, and 57077.4 to, to repeal Sections 56854, 57081, and 57114 of, and to repeal and add Section 56663 of, the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2301—An act to amend Section 1063.1 of the Insurance Code, relating to the California Insurance Guarantee Association.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2303—An act to amend Sections 100, 661, 700.04, 923.6, 985, 1011, 1012, 1016, 1022, 1061, 1063, 1070.6, 1639, 1670, 1685, 1687, 1704, 1749.1, 1750, 1751, 1758.1, 1759.10, 1765.4, 1810.7, 1851, 1864, 12100, and 12962 of, to add Section 1011.1 to, to add Article 7.5 (commencing with Section 14085) to Chapter 1 of Division 5 of, to repeal Sections 117, 1688, 1689, 1691, 1692.1, 1695, 1699, 1700, and 12961 of, and to repeal Chapter 2 (commencing with Section 12420) of Part 6 of Division 2 of, the Insurance Code, relating to insurance.

Bill read second time.

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

Assembly Bill 1199—An act to amend Section 15282 of the Education Code, relating to school bonds.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2125—An act to add and repeal Section 45277.5 of the Education Code, relating to school district employees.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1662—An act to amend Section 1006 of the Education Code, relating to county educational agencies.

Bill read second time and ordered to third reading.

Assembly Bill 1732—An act to amend Section 48900 of the Education Code, relating to pupils.

Bill read second time and ordered to third reading.

Assembly Bill 1748—An act to amend Section 81378.1 of the Education Code, relating to community colleges.

Bill read second time and ordered to third reading.



Assembly Bill 1859—An act to add Section 12001.7 to the Education Code, relating to school facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2269—An act to amend Section 51009 of the Education Code, relating to pupil instruction.

Bill read second time and ordered to third reading.

Assembly Bill 2095—An act to add Section 101.13 to the Streets and Highways Code, relating to transportation.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10(c), **AB 1320** was re-referred to the Committee on Rules.

CONSENT CALENDAR

Objections Raised

Senator Anderson objected to **AB 2518** being on the Consent Calendar.

The President ordered the above measure placed on the Inactive File.

Senator Huff objected to **AB 1776** being on the Consent Calendar.

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

REQUEST TO GIVE BILLS THEIR SECOND READING

At the request of Senator Leno, budget bills reported from the Committee on Budget and Fiscal Review will be given their second reading upon being reported.

Objection raised.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1643—An act to amend Section 831.4 of the Penal Code, relating to public officers.

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 (33)—Senators Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Harman, Hernandez, Huff, Kehoe, La Malfa,



Leno, Lieu, Liu, Lowenthal, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution 24—Relative to the proposed federal Student-to-School Nurse Ratio Improvement Acts of 2011 and 2012.

Resolution read third time and presented by Senator Negrete McLeod.

Roll Call

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

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

NOES (9)—Senators Anderson, Blakeslee, Dutton, Emmerson, Fuller, Harman, Huff, La Malfa, and Walters.

Resolution ordered transmitted to the Assembly.

Assembly Bill 391—An act to amend Sections 21628, 21641, and 21642 of, and to add Section 21642.5 to, the Business and Professions Code, and to amend Sections 21300 and 21301 of, and to repeal and add Section 21208 of, the Financial Code, relating to personal property, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Yee.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (35)—Senators 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, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Roll Call

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

AYES (35)—Senators 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, Pavley, Price, Rubio, Simitian, Steinberg, Vargas, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Assembly Bill 2127—An act to amend Section 4024.2 of the Penal Code, relating to work release.

Bill read third time and presented by Senator Negrete McLeod.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

UNFINISHED BUSINESS

Consideration of Governor's Appointment

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

NATALIE BERG, Ed.D., Member, California Community Colleges Board of Governors

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

NOES (4)—Senators Anderson, Berryhill, La Malfa, and Walters.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (AB 2127)

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

Roll Call

The names of the absentees were called and AB 2127 was passed by the following vote:

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

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

Above bill ordered transmitted to the Assembly.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (REQUEST TO GIVE BILLS THEIR
SECOND READING)**

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

Roll Call

The names of the absentees were called and the request was granted by the following vote:

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

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

REQUEST TO BE ADDED TO ROLL CALL

June 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:

AB 1643—Aye

AJR 24—Aye

DARRELL STEINBERG, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day due to illness (waiving per diem): Senator 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 9:50 a.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 6 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 6 p.m., the Senate will adjourn until Friday, June 15, 2012.

Motion carried.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 14, 2012

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 632

SCR 47

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, June 14, 2012

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

SCR 75

Above resolution ordered enrolled.

Assembly Chamber, June 14, 2012

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

AJR 39

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Joint Resolution 39—Relative to California seafood.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, June 13, 2012

The Committee on Rules has referred the following measures to committee:

Business, Professions and Economic Development—AB 1518, AB 1545, AB 1588, AB 1646, AB 1939, AB 2348, AB 2523, AB 2641.

Education—AB 1501, AB 1565, AB 1575, AB 1576, AB 1594, AB 1719, AB 1729, AB 1741, AB 1765, AB 1853, AB 1967, AB 2001, AB 2104, AB 2132, AB 2145, AB 2193, AB 2242, AB 2478, AB 2537, AB 2616, AB 2621, AB 2655.

Elections and Constitutional Amendments—AB 1805, AB 1814, AB 2062.

Energy, Utilities and Communications—AB 1456, AB 1650, AB 1830, AB 1990, AB 2249, AB 2390.



Environmental Quality—AB 1442, AB 1566, AB 1570, AB 1966, AB 2056, AB 2529.

Governance and Finance—AB 1676, AB 1998, AB 2046, AB 2210, AB 2259, AB 2265, AB 2323, AB 2439, AB 2551, AB 2643, AB 2687.

Governmental Organization—AB 1515, AB 2547.

Health—AB 70, AB 1526, AB 1553, AB 1731, AB 1800, AB 1921, AB 1944, AB 2034, AB 2214, AB 2252, AB 2266, AB 2392, AB 2397, AB 2608.

Human Services—AB 1560, AB 1640, AB 1872.

Insurance—AB 1551, AB 2084.

Judiciary—AB 1757, AB 1875, AB 1999, AB 2076, AB 2282, AB 2610.

Labor and Industrial Relations—AB 1744, AB 1794, AB 1855, AB 2039, AB 2346, AB 2493.

Natural Resources and Water—AB 1609, AB 1961, AB 2179, AB 2267, AB 2283, AB 2402, AB 2595.

Public Employment and Retirement—AB 2381, AB 2665.

Public Safety—AB 1435, AB 1763, AB 1835, AB 1907, AB 1913, AB 1968, AB 2015, AB 2029, AB 2130, AB 2263, AB 2285, AB 2484, AB 2549, AB 2623.

Rules—AB 1963, AB 2358, AB 2427, AB 2497, AB 2514.

Transportation and Housing—AB 1572, AB 1600, AB 1657, AB 1658, AB 1699, AB 1706, AB 1778, AB 1779, AB 1951, AB 2366, AB 2440.

Veterans Affairs—AB 1931.

The Committee on Rules has referred the following measures to two committees:

Banking and Financial Institutions and Judiciary—AB 1950.

Business, Professions and Economic Development and Rules—AB 2312.

Education and Appropriations—AB 1917.

Elections and Constitutional Amendments and Public Safety—AB 1436.

Energy, Utilities and Communications and Environmental Quality—AB 1900, AB 2196.

Governance and Finance and Environmental Quality—AB 2238.



Governmental Organization and Governance and Finance—AB 2442.

Governmental Organization and Public Safety—AB 2508.

Governmental Organization and Transportation and Housing—AB 2583.

Health and Judiciary—AB 2356.

Human Services and Judiciary—AB 1712.

Labor and Industrial Relations and Judiciary—AB 1450.

Labor and Industrial Relations and Public Safety—AB 1660.

Natural Resources and Water and Public Safety—AB 2284.

Natural Resources and Water and Transportation and Housing—AB 1589, AB 2443.

Public Safety and Appropriations—AB 2040, AB 2467.

Transportation and Housing and Public Safety—AB 1993.

Veterans Affairs and Public Safety—AB 2490.

The Committee on Rules has re-referred the following measure to committees:

Banking and Financial Institutions—AB 1525.

Education—AB 2202.

Environmental Quality—AB 1750.

Governance and Finance—AB 1181.

Insurance—AB 53.

Judiciary—SB 1534, AB 45.

Labor and Industrial Relations—AB 1313.

Natural Resources and Water—AB 642.

Public Employment and Retirement—AB 178.

Transportation and Housing—SCR 93.

The Committee on Rules has re-referred the following measures to two committees:

Governance and Finance and Health—AB 1303.

Health and Governance and Finance—AB 276.

State Capitol, June 14, 2012

The Committee on Rules has re-referred the following measure to committees:

Governance and Finance—AB 904.



Governmental Organization—AB 1320.

Natural Resources and Water—AB 1095.

Public Employment and Retirement—AB 2271.

Transportation and Housing—AB 2498.

Committee on Health

Senate Chamber, June 14, 2012

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

AB 1846

AB 2369

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 1846—An act to add Article 11.1 (commencing with Section 1399.80) to Chapter 2.2 of Division 2 of the Health and Safety Code, and to add Chapter 9.8 (commencing with Section 10961) to Part 2 of Division 2 of the Insurance Code, relating to health care coverage.

Bill read second time.

Assembly Bill 2369—An act to amend Section 5024.2 of the Penal Code, relating to prisoners.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, June 14, 2012

Madam President: The Chair of the Committee on Natural Resources and Water, to which was referred:

AB 2170

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

PAVLEY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2170—An act to amend Section 4593.8 of, and to add Section 4594.8 to, the Public Resources Code, relating to forest resources.

Bill read second time.

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



Committee on Health

Date of Hearing, June 13, 2012

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

SB 977

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

HERNANDEZ, Chair

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

Date of Hearing, June 13, 2012

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

AB 1569

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

HERNANDEZ, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 13, 2012

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

AB 2115

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

HERNANDEZ, Chair

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

Date of Hearing, June 13, 2012

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

AB 43

AB 1513

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

HERNANDEZ, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Rules

State Capitol, June 14, 2012

Madam President: The Senate Rules Committee has authorized the following:

Appointed Senator Yee as a member to the Governance and Finance Committee to fill the existing vacancy.

Appointed Senator Yee as a member to the Elections and Constitutional Amendments Committee to replace Senator De León.

STEINBERG, Chair



Committee on Agriculture

Senate Chamber, June 14, 2012

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

AB 2174

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

CANNELLA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2174—An act to amend Section 14611 of the Food and Agricultural Code, relating to fertilizer.

Bill read second time.

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

Committee on Rules

Senate Chamber, June 14, 2012

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

SCR 97

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 97—Relative to the Senator Dave Cox Interchange.

Resolution read second time.

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

Committee on Natural Resources and Water

Senate Chamber, June 14, 2012

Madam President: The Chair of the Committee on Natural Resources and Water, to which was referred:

AB 2595

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

PAVLEY, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 2595—An act to add Section 35616 to the Public Resources Code, relating to water, and making an appropriation therefor.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, June 14, 2012

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1900

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

PADILLA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1900—An act to amend Sections 25420 and 25421 of the Health and Safety Code, and to add Sections 399.24 and 769 to the Public Utilities Code, relating to energy.

Bill read second time.

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

Committee on Human Services

Date of Hearing, June 12, 2012

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

AB 493

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

LIU, Chair

Above measure ordered to second reading.

Senate Chamber, June 14, 2012

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

AB 2066

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

LIU, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 2066—An act to amend Sections 1569.525 and 1569.682 of the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, June 12, 2012

Madam President: The Committee on Natural Resources and Water, to which was referred:

AB 2509

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

PAVLEY, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 14, 2012

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

AB 1442

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1442—An act to amend Sections 117935, 117945, 117960, 118000, 118040, and 118165 of, and to add Sections 117637, 117748, and 118032 to, the Health and Safety Code, relating to pharmaceutical waste.

Bill 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

Senate Chamber, June 14, 2012

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

SB 1120

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

WOLK, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 1120—An act to add Section 818.3 to the Government Code, relating to government liability, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Budget and Fiscal Review

Date of Hearing, June 14, 2012

Madam President: The Committee on Budget and Fiscal Review, to which were referred:

AB 1464	AB 1465	AB 1467
AB 1470	AB 1471	AB 1472
AB 1475	AB 1485	AB 1491

Reports the same back with the recommendation: Do pass.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing, June 14, 2012

Madam President: The Committee on Budget and Fiscal Review, to which was referred:

AB 1495

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

LENO, Chair

Above measure ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 1464—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, to take effect immediately, Budget Bill.

Bill read second time and ordered to third reading.

Assembly Bill 1465—An act to amend Section 10140 of the Public Contract Code, to amend Sections 8352.3, 8352.4, 8352.5, and 8352.6 of the Revenue and Taxation Code, to amend Section 2103 of the Streets and Highways Code, and to amend Section 9400.4 of, and to add Section 42272 to, the Vehicle Code, relating to transportation, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 1467—An act to amend Sections 7575, 12803.3, and 15438 of, to add Section 15438.10 to, and to repeal Section 7582 of, the Government Code, to amend Sections 137, 138.4, 138.6, 152, 1324.8, 1324.24, 100950, 104150, 104160, 104162.1, 104163, 104314, 104315,



104322, 110050, 113717, 116064.2, 123865, 123870, 123875, 124300, 125130, 125205, 125215, 130060, 130316, 130317, 131051, and 131052 of, to add Sections 1324.9, 131019.5, and 131055.1 to, to repeal Sections 135, 136, 138, 150, 151, 116064.1, and 125145 of, and to repeal and add Section 113718 of, the Health and Safety Code, and to amend Sections 4362, 4362.5, 4364, 4364.5, 4366, 4367.5, 4368.5, 5820, 5821, 5822, 5830, 5840, 5845, 5846, 5847, 5848, 5878.1, 5878.3, 5890, 5891, 5892, 5897, 5898, 14046.7, 14091.3, 14105.22, 14134, 14134.1, 14154, 14165, 14166.8, 14166.12, 14166.14, 14166.17, 14166.19, 14169.7, 14169.7.5, 14169.13, 14169.31, 14169.32, 14169.33, 14169.34, 14169.36, 14169.38, 14171, 14182.4, 14182.45, 14183.6, 14204, 14301.1, 14500.5, 15911, 15916, 24000, and 24001 of, to amend and repeal Sections 14085.6, 14085.7, 14085.8, 14085.81, and 14085.9 of, to add Sections 4024.7, 5899, 14089.08, 14089.09, 14166.151, 14166.152, 14166.153, 14166.154, 14166.155, 14459.6, 14459.8, 15911.1, and 15912.1 to, to add Article 2.82 (commencing with Section 14087.98) to Chapter 7 of Part 3 of Division 9 of, and to add and repeal Section 14105.196 of, the Welfare and Institutions Code, relating to health, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 1470—An act to amend Sections 2728, 2728.5, 2873.6, 4115, and 4531 of the Business and Professions Code, to amend Section 1322 of the Government Code, to amend Sections 136, 1180.2, 1180.6, 1250.1, 1276.4, 1312, 1316.5, and 127400 of the Health and Safety Code, to amend Sections 290.04, 290.05, 290.06, 290.46, 667.5, 830.38, 830.5, 1026, 1174.2, 1203e, 1369.1, 1370, 1372, 1601, 1605, 1615, 1616, 1617, 1618, 2684, 2962, 2964, 2968, 2970, 2972, 2976, 2978, 3000, 3000.08, 3058.8, 3072, 3451, 5021, 5024, 6007, 6044, 13510.5, 13885.6, 14202.2, 28220, 28225, 29515, and 30105 of the Penal Code, and to amend Sections 736, 1756, 3300, 4000, 4001, 4004, 4005, 4006, 4008, 4010, 4011.5, 4012, 4012.5, 4015, 4024, 4027, 4042, 4100.2, 4101, 4101.5, 4104, 4106, 4107, 4107.1, 4109, 4109.5, 4110, 4111, 4112, 4114, 4117, 4118, 4119, 4122, 4123, 4124, 4126, 4127, 4133, 4134, 4135, 4137, 4138, 4200, 4202, 4243, 4244, 4245, 4301, 4302, 4319, 4320, 4330, 4331, 4332, 4333, 4333.5, 4334, 4335, 4341.5, 4360, 4440.1, 5008, 5008.1, 5306.5, 5328.8, 5331, 5333, 5352.5, 5355, 5366, 5402.2, 5511, 5701.2, 6000, 6600.05, 6601, 6601.3, 6602, 6602.5, 6604, 6605, 6606, 6608, 6750, 7200.06, 7201, 7202, 7206, 7207, 7226, 7228, 7230, 7231, 7232, 7250, 7251, 7252, 7253, 7254, 7276, 7277, 7278, 7281, 7282, 7282.1, 7283, 7284, 7285, 7286, 7287, 7288, 7289, 7289.1, 7290, 7292, 7293, 7294, 7300, 7301, 7303, 7304, 7325, 7328, 7329, 7352, 7353, 7354, 7356, 7357, 7359, 7362, 8050, 8051, 8053, 15630, 17601, 17601.05, and 17601.10 of, to add Section 4005.5 to, and to repeal Sections 5328.35, 5587, 6718, 7200.05, 7200.07, and 7275.1 of, the Welfare and Institutions Code, relating to mental health, and making

an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 1471—An act to amend Sections 17311.5 and 17706 of the Family Code, to amend Sections 1522 and 1596.871 of the Health and Safety Code, to amend Section 6151 of the Revenue and Taxation Code, and to amend Sections 11329.5, 11462.04, 11464, 12301.06, 12305.87, 12306.6, 14124.93, 18285, 19704, 19705, and 19709 of, to amend the heading of Chapter 7 (commencing with Section 19700) of Part 2 of Division 10 of, to add Sections 11334.6, 19705.1, and 19710 to, to repeal Sections 12301.03, 12301.05, 14132.957, 19700, 19701, 19702, and 19706 of, to repeal Part 1.75 (commencing with Section 10200) of Division 9 of, and to repeal, add, and repeal Section 11334.8 of, the Welfare and Institutions Code, and to amend Section 72 of Chapter 32 of the Statutes of 2011, relating to human services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 1472—An act to amend Section 95004 of the Government Code, to amend Section 1531.1 of, and to add Sections 1267.75 and 1531.15 to, the Health and Safety Code, to amend Sections 4418.25, 4418.7, 4507, 4519, 4640.6, 4648, 4684.53, 4684.65, 4684.74, 4689, 4791, 6000, 6500, 6501, 6502, 6504, 6504.5, 6506, 6507, 6508, 6509, 6511, 6512, 7502.5, and 7507 of, and to add Sections 4519.5, 4792.1, 6510.5, and 7505 to, the Welfare and Institutions Code, and to amend Section 10 of Chapter 13 of the Third Extraordinary Session of the Statutes of 2009, relating to developmental services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 1475—An act to amend Section 706.070 of the Code of Civil Procedure, and to amend Section 19266 of, to add Section 19165 to, and to repeal Part 18 (commencing with Section 38001) of Division 2 of, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 1485—An act to amend the Budget Act of 2011 (Chapter 33 of the Statutes of 2011) by augmenting Item 9840-001-0001 of Section 2.00 of that act, relating to the State Budget, and making an appropriation therefor, to take effect immediately, Budget Bill.

Bill read second time and ordered to third reading.

Assembly Bill 1491—An act to amend Section 12975.9 of the Insurance Code, relating to seismic safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.



Assembly Bill 1495—An act to amend the Budget Act of 2012 by amending Items 0820-011-8071, 2660-401, 3480-001-3046, and 5180-101-0001 of, and by repealing Item 3500-403 of, Section 2.00 of, and by amending Section 35.50 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

Bill read second time.

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

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 972** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 2408 was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules; and

AB 2445 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SJR 27** and **SCR 91** were withdrawn from Committee and placed on third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1162** was referred to the Committee on Appropriations.

SENATE COMMITTEE ROLL CALLS

Committee on Budget and Fiscal Review

AB 1464—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1465—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1467—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1470—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.



AB 1471—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1472—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1475—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1485—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1491—Do pass

AYES (11)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

AB 1495—Do pass as amended

AYES (10)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, and Wright.

NOES (0)—None.

AB 1495—Reconsideration granted

AYES (10)—Senators Alquist, DeSaulnier, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, and Wright.

NOES (0)—None.

AB 1495—Do pass as amended

AYES (10)—Senators Alquist, Evans, Hancock, Leno, Liu, Lowenthal, Negrete McLeod, Simitian, Wolk, and Wright.

NOES (0)—None.

Date of Hearing: 6/14/2012

Leno (Chair)

Committee on Health**SB 977—Do pass and re-refer to the Committee on Public Safety**

AYES (7)—Senators Alquist, Anderson, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (0)—None.

AB 43—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Alquist, DeSaulnier, Hernandez, Rubio, and Wolk.

NOES (2)—Senators Anderson and Harman.



AB 1278—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Alquist, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (1)—Senator Anderson.

AB 1301—Do pass as amended and re-refer to the Committee on Rules

AYES (6)—Senators Alquist, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (1)—Senator Anderson.

AB 1427—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Alquist, Anderson, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (0)—None.

AB 1513—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Alquist, DeSaulnier, Hernandez, Rubio, and Wolk.

NOES (2)—Senators Anderson and Harman.

AB 1569—Do pass and re-refer to the Committee on Judiciary

AYES (7)—Senators Alquist, Anderson, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (0)—None.

AB 2009—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Alquist, Anderson, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (0)—None.

AB 2115—Do pass and re-refer to the Committee on Governance and Finance

AYES (7)—Senators Alquist, Anderson, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (0)—None.

AB 2152—Do pass as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Alquist, DeSaulnier, Hernandez, Rubio, and Wolk.

NOES (2)—Senators Anderson and Harman.

AB 2370—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Alquist, Anderson, DeSaulnier, Harman, Hernandez, Rubio, and Wolk.

NOES (0)—None.

Date of Hearing: 6/13/2012

Hernandez (Chair)



REQUESTS TO ADJOURN IN MEMORIAM

Senator Anderson requested that when the Senate adjourns this day it do so in memory of Dale Smith of Elk Grove.

Senator Lowenthal requested that when the Senate adjourns this day it do so in memory of Larry Wayne Wattier of Langford, SD.

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Joe Eddy McDonald of Hercules.

ADJOURNMENT

At 6 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 11 a.m., Friday, June 15, 2012.

PAULA K. ROSSETTO, Minute Clerk

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