CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, February 15, 2013

The Senate met at 9 a.m.
Hon. Hannah-Beth Jackson, of the 19th 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:

Anderson, Beall, Berryhill, Calderon, Cannella, Corbett, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Monning, Nielsen, Padilla, Pavley, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee—32.

Quorum present.

(NOTE: Senators Block, Correa, Liu, Price, and Wyland will be excused this day on personal business and Senator Evans will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

O loving and gracious God,

On this upcoming weekend, we honor our shared heritage as Americans as we celebrate the Presidents who have served our nation. In his farewell address as President, George Washington desired to bring us closer together by reminding us that "Citizens by birth or choice, of a common country, that country has a right to concentrate Your affections. The name of AMERICAN, which belongs to You, in Your national capacity, must always exalt the just pride of Patriotism, more than any appellation derived from local discriminations."

He reminds us that more than we are Republicans or Democrats, liberals, conservatives or moderates, we are all Americans, a shared legacy to protect, and a shared responsibility to cherish.

Holy and Loving God, we pray for the well-being of our Nation, and all who serve it. May the actions of those who lead us be guided with wisdom and compassion, for in their hands is a sacred trust. May the Holy One bring blessings and well being, and a sense of peace and security to the lives of all people.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
Consideration of Governor's Appointment

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

MARIA C. RAMIREZ, Member, Commission on State Mandates.

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 Anderson, Beall, Berryhill, Cannella, Corbett, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Monning, Nielsen, Padilla, Pavley, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

THIRD READING OF SENATE BILLS

Senate Resolution 11—Relative to National Engineers Week.

Resolution read third time and presented by Senator Cannella.

Roll Call

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

AYES (32)—Senators Anderson, Beall, Berryhill, Calderon, Cannella, Corbett, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Monning, Nielsen, Padilla, Pavley, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Senate Bill 54—An act to add Sections 31621.12 and 31676.20 to the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Hancock.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (32)—Senators Anderson, Beall, Berryhill, Calderon, Cannella, Corbett, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Monning, Nielsen, Padilla, Pavley, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Roll Call

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

AYES (32)—Senators Anderson, Beall, Berryhill, Calderon, Cannella, Corbett, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Monning, Nielsen, Padilla, Pavley, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 2—Relative to Martin Luther King, Jr. Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 4—Relative to American Heart Month and Wear Red Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 6—Relative to human trafficking.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 10—Relative to Open-Data Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 5—Relative to Ronald Reagan Day.

Resolution read, adopted, 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 (32)—Senators Anderson, Beall, Berryhill, Calderon, Cannella, Corbett, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Monning, Nielsen, Padilla, Pavley, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Block, Correa, Liu, Price, and Wyland.

The following Senator was granted leave of absence for the day due to illness: Senator Evans.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:25 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 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, February 19, 2013.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
February 15, 2013

To the Members of the Senate and Assembly of the State of California:

In accordance with Article V, section 8(b) of the California Constitution, I submit this report on the actions I have taken in 2012 in review of decisions by the Board of Parole Hearings. Of these decisions, I reversed 91 and modified 2. I have included copies of each of my actions.

Sincerely,

EDMUND G. BROWN JR., Governor

Governor's Office, State Capitol
February 15, 2013

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to offices which by law are to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

ALICIA M. WILLIAMSON, has been reappointed to the California Commission on Teacher Credentialing, where she has served since 2011. Williamson has been a teacher with the Cambrian School District since 2001 and has served as the president of the Cambrian District Teachers Association since 2010. Williamson earned a Master of Education degree in educational administration from National University. Reappointed 01/19/2013. Effective 02/11/2013.

Member, California Commission on Teacher Credentialing, vice, self. Term ending 11/20/2016.

Above appointment referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Senate Chamber, February 15, 2013

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

SB 34

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

RUBIO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 34—An act to amend Section 659 of the Civil Code, to amend Section 51010.5 of the Government Code, to add Section 38572 to the Health and Safety Code, and to add Section 3239 to the Public Resources Code, relating to greenhouse gas, 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.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 294: By Senator Emmerson—An act to amend Sections 4127.1, 4127.2, and 4400 of, to amend the heading of Article 7.5 (commencing with Section 4127) of Chapter 9 of Division 2 of, and to repeal and add Section 4127 of, the Business and Professions Code, relating to pharmacy.

Senate Bill 295: By Senator Emmerson—An act to amend Section 4905 of the Welfare and Institutions Code, relating to developmental services.

Senate Bill 296: By Senator Correa—An act to add Section 972.3 to the Military and Veterans Code, relating to county veterans service officers, and making an appropriation therefor.

Senate Bill 297: By Senator Roth—An act to amend Sections 999, 999.1, 999.2, 999.5, 999.12, and 1104 of the Military and Veterans Code, and to amend Sections 10115, 10115.13, and 10115.15 of the Public Contract Code, relating to disabled veterans.

Senate Bill 298: By Senators Wyland and Walters—An act to amend Section 53069.8 of the Government Code, relating to local government.

Senate Bill 299: By Senator DeSaulnier—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.

Senate Bill 300: By Senator Hancock—An act to add Section 60200.9 to the Education Code, relating to instructional materials.

Senate Bill 301: By Senator Liu—An act relating to education facilities.

Senate Bill 302: By Senator Cannella—An act to amend Section 47605 of the Education Code, relating to charter schools.

Senate Bill 303: By Senator Knight—An act to amend Section 25905 of the Penal Code, relating to peace officers.

Senate Bill 304: By Senator Price—An act to amend Sections 2001, 2020, 2569, 3010.5, and 3014.6 of the Business and Professions Code, relating to healing arts.

Senate Bill 305: By Senator Price—An act to amend Sections 2450, 2450.3, 3685, 3686, 3710, and 3716 of the Business and Professions Code, relating to healing arts.

Senate Bill 306: By Senator Price—An act to amend Sections 1000, 2531, 2531.75, and 2570.19 of the Business and Professions Code, relating to healing arts.

Senate Bill 307: By Senator Price—An act to amend Sections 4800 and 4804.5 of the Business and Professions Code, relating to healing arts.

Senate Bill 308: By Senator Price—An act to amend Sections 5810, 7200, and 7303 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 309: By Senator Price—An act to amend Sections 18602 and 18613 of the Business and Professions Code, relating to business.

Senate Bill 310: By Senator Calderon—An act to amend Section 910 of the Civil Code, relating to litigation.

Senate Bill 311: By Senator Padilla—An act to amend Sections 1415, 9255, and 9260 of the Elections Code, and to amend Sections 34457 and 34458 of the Government Code, relating to elections.

Senate Bill 312: By Senator Knight—An act to amend Section 46010.1 of the Education Code, relating to school attendance.

Senate Bill 313: By Senators De León (Principal coauthor: Assembly Member Alejo) (Coauthor: Senator Lieu)—An act to add Section 3305.5 to the Government Code, relating to public employment.

Senate Bill 314: By Senator Cannella—An act to amend Section 325 of the Streets and Highways Code, relating to highways.

Senate Bill 315: By Senator Lieu—An act to amend Section 367.5 of the Code of Civil Procedure, relating to civil procedure.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Cannella requested that when the Senate adjourns this day it do so in memory of Matthew Robert Pierce of Salinas.

Senator Emmerson requested that when the Senate adjourns this day it do so in memory of Jeremiah MacKay of Redlands.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Carol May Hodgson of Susanville.

Senator Lieu requested that when the Senate adjourns this day it do so in memory of Tom Rische of Torrance.

Senator Rubio requested that when the Senate adjourns this day it do so in memory of Kurtis James Gunn of Orangevale.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of George Porter of Sacramento.

Senator Wright requested that when the Senate adjourns this day it do so in memory of William R. Eadington of Lake Tahoe.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Tuesday, February 19, 2013.

PAULA K. ROSSETTO, Minute Clerk

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