

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, March 4, 2013

The Senate met at 2 p.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, Block, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee—34.

Quorum present.

(NOTE: Senator Padilla will be excused this day due to illness in the family, Senator Price will be excused this day on personal business, and Senator Calderon will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Rev. Dr. Elizabeth E. Bingham, Senior Minister, Pilgrim Congregational Church in Pomona:

Eternal God, we come to You with thanks and praise for the women to be honored here this afternoon.

These are women, our women, women of California whose accomplishments have reached from the vastness of the cosmos, to the mysteries of the human brain and into the tiniest of our cells. They have kindled our imagination on the stage, on the screen and in the classroom. They have represented us as elected officials, they have organized and administered, they have studied and they have judged, they have served and they have led. They have changed the world.

And with their bravery they have broken the glass ceiling. They have shattered the glass ceiling and have scattered shards of promise colored glass to sparkle upon all women whose dreams are yet to be fulfilled.

We thank You for all they are and all they have meant to so many. We thank Ms. Wyman and Ms. Davis, Dr. Garcia and Ms. Dunning, Dr. Arnold and Judge Todd, Congresswoman Burke and Dr. Rogers, Ms. Butler and Ms. Trosper for what they have meant to all the women who journey alone along unfamiliar paths.

And in the same breath we thank all of those women whose courage and strength remain unseen. They have sat down so we could stand up. They have spoken when we remained silent. They have acted when we were paralyzed by a world which was not ready to welcome our gifts.

Continue to bless them in all they are and all they do even as we cherish their gifts which have enriched their communities, our great state and the nation we call our own.

In Your holy name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

March 4, 2013

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business March 4, 2013, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation:

Patricia Ann Mazzilli

Executive Director, Board of State and
Community Corrections

Sincerely,

EDMUND G. BROWN JR., Governor

Above transmitted to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 28, 2013

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

ACR 10

AJR 14

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 10—Relative to Read Across America Day.

Assembly Joint Resolution 14—Relative to sequestration.

REPORTS OF STANDING COMMITTEES**Committee on Budget and Fiscal Review**

Senate Chamber, March 4, 2013

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

SB 140

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

LENO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 140—An act to amend the Budget Act of 2012 by amending Item 0820-001-0460 of Section 2.00 of that act, relating to the state budget, making an appropriation therefor, 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 Rules

Senate Chamber, February 28, 2013

Madam President: The Committee on Rules has examined:

SJR 2

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 28th day of February, 2013, at 4:45 p.m.

STEINBERG, Chair



Senate Chamber, March 4, 2013

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

SB 56

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 Bill 56—An act relating to local government finance.

Bill read second time.

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

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

Senate Bill 41—An act to repeal Section 35583 of the Education Code, relating to school district reorganization, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Wright.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Roll Call

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

AYES (34)—Senators Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

RECESS

At 2:27 p.m., the Senate recessed in order to convene in the First Extraordinary Session.



REASSEMBLED

At 2:28 p.m., the Senate reconvened.

Hon. Hannah-Beth Jackson, of the 19th District, presiding.

REQUEST TO BE ADDED TO ROLL CALL

March 4, 2013

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 41—Aye

DARRELL STEINBERG, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

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

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

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

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 2:31 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 Wednesday, March 6, 2013.

Motion carried.

GUEST SPEAKER

Upon invitation of the Senate, Dr. David Hayes-Bautista, Professor of Medicine and Health Services at UCLA, made a presentation on health issues for Latinos.

**REPORTS OF STANDING COMMITTEES
Committee on Governance and Finance**

Senate Chamber, March 4, 2013

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

SCR 12

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 Concurrent Resolution 12**—Relative to taxation.

Resolution 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, March 4, 2013

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

SB 140

Reports the same back with the recommendation: Do pass.

LENO, Chair

Above bill ordered to second reading.

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 815: By the Committee on Veterans Affairs (Senators Correa (Chair), Block, Knight, Lieu, Nielsen, and Roth)—An act to amend Sections 699.5, 721, 951, 952, 970, 971, 981.2, 981.3, 1012.2, 1025, and 1026 of the Military and Veterans Code, relating to veterans.

Senate Concurrent Resolution 19: By Senator Evans (Principal coauthor: Senator Huff) (Principal coauthor: Assembly Member Gray)—Relative to the United Way.

Senate Concurrent Resolution 20: By Senator Yee (Coauthor: Assembly Member Bonta)—Relative to Leyte Landing Commemoration Day.

Senate Concurrent Resolution 21: By Senator Emmerson—Relative to Multiple System Atrophy Awareness Month.

Senate Resolution 12: By Senators Wyland and Cannella (Coauthors: Senators Berryhill, Fuller, and Huff)—Relative to National Surveyors Week.

SENATE COMMITTEE ROLL CALLS**Committee on Budget and Fiscal Review**

SB 140—Do Pass

AYES (14)—Senators Anderson, Beall, Berryhill, Block, DeSaulnier, Emmerson, Hancock, Hill, Jackson, Leno, Monning, Roth, Wright, and Wyland.

NOES (0)—None.

Date of Hearing: 3/4/2013

Leno (Chair)



REQUESTS TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Dalip Kaur Singh Brar of Clovis.

Senator Emmerson and Gaines requested that when the Senate adjourns this day it do so in memory of Dr. Martyn Rosa of Sacramento.

Senator Knight requested that when the Senate adjourns this day it do so in memory of Ken Creese of Palmdale.

Senator Lieu requested that when the Senate adjourns this day it do so in memory of Charles H. Sie of Ranch Palos Verdes.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Harold Del Ponte, Floyd "Dale" Long, and Sandie Sue Crockett of Crescent City, Marysa Nichols of Red Bluff, and Claire Cooksley of Redding.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, March 6, 2013.

PAULA K. ROSSETTO, Minute Clerk

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