

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, March 20, 2013

The Senate met at 9 a.m.  
Hon. Leland Yee, of the 8th 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:

Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee—33.

Quorum present.

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

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
March 20, 2013

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor



ROCKY A. BURKS, has been reappointed to the California Commission on Disability Access, where he has served since 2009. Burks has been a disability access consultant at Rocky A. Burks Consulting since 2008 and a disability access consultant for the California Democratic Party since 1998. He was a physical access manager for the City of Sacramento from 2006 to 2012, Americans with Disabilities Act coordinator for the County of Marin from 2003 to 2006 and chief executive officer at Independent Living Services of Northern California Inc. from 1988 to 2003. Burks served as a social worker at the Butte County Welfare Department, Adult Protective Services from 1985 to 1987 and chief executive officer at Northern California Independent Living Program from 1982 to 1985. He was executive director at the Butte County Easter Seal Society from 1981 to 1982. Burks worked at California State University, Chico as coordinator of outreach and recruitment services for the Office of Veterans Affairs from 1978 to 1981 and coordinator of welfare information and assistance for Community Action Volunteers in Education from 1975 to 1977. He was an instrument flight instructor for the United States Air Force from 1971 to 1975. Reappointed 02/28/2013. Effective 03/08/2013.

Member of the California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2016.

BETTY R. WILSON, has been reappointed to the California Commission on Disability Access. Wilson has been owner and consultant at Betty R. Wilson and Associates since 2012. She served in multiple positions at the Los Angeles Department on Disability from 1989 to 2012, including director of community services, assistant director and administrative coordinator. Wilson was executive director of the Los Angeles Mayor's Office on Disability from 1981 to 1989 and senior research associate at the Socio-behavioral Group, Neuropsychiatric Institute at the University of California, Los Angeles from 1979 to 1981. Wilson earned a Master of Arts degree in psychology from California State University, Los Angeles. Reappointed 02/28/2013. Effective 03/07/2013.

Member, California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2016.

ERNEST T. CABRAL, has been appointed to the California Off-Highway Motor Vehicle Recreation Commission. Cabral has been general manager at Cycle West Honda Suzuki in Petaluma since 1994. He was an insurance agent at Ted Cabral Insurance Services from 2009 to 2010. Cabral serves as chairman of the Sonoma County Flood Advisory Committee and is a member of the Marin County Motorcycle Association. Appointed 02/28/2013. Effective 03/14/2013.

Member, California Off-Highway Motor Vehicle Recreation Commission, vice, Mark D. McMillin, term expired. Term ending 01/15/2014.



KEVIN P. MURPHY, has been appointed to the California Off-Highway Motor Vehicle Recreation Commission. Murphy has been chief executive officer at Exodus Innovations LLC since 2008 and has held multiple positions at the Santa Clara County Fire Department since 1990, including fire captain, firefighter, engineer and emergency medical technician. Murphy is a member of the American Motorcyclist Association, District 36 Motorcycle Sports Committee Inc., Hollister Hills Off-Road Association, Sacramento PITS Trial Motorcycle Club and the BlueRibbon Coalition. Appointed 02/28/2013. Effective 03/12/2013.

Member, California Off-Highway Motor Vehicle Recreation Commission, vice, Bradley Franklin, term expired. Term ending 01/15/2016.

JOSEPH A. LONG, has been appointed to the State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun. Long has been a pilot with the San Francisco Bar Pilots since 2008, where he was an apprentice pilot from 2007 to 2008. He was a tugboat captain at Westar Marine Services in 2006 and from 1999 to 2004 and at Foss Maritime from 2004 to 2006. Long was a senior boat operator at the Scripps Institution of Oceanography from 1998 to 1999. Appointed 02/28/2013. Effective 03/07/2013.

Member, State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice, Steven Roberts, reassigned. Term ending 12/31/2016.

STEVEN R. ROBERTS, has been reappointed to the State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, where he has served since 2009. Roberts has been a pilot with the San Francisco Bar Pilots since 1985. He was an independent docking pilot from 1981 to 1985 and worked in marine operations at Shell Oil Company from 1979 to 1981. Roberts was a deck officer at Exxon Shipping Company from 1977 to 1981. He is the chair of the Pilot Fitness Committee of the State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun. Reappointed 02/28/2013. Effective 03/07/2013.

Member, State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice, David I. Wainwright, term expired. Term ending 12/31/2014.



W. M. GREGORY SAWYER, has been appointed to the California Student Aid Commission. Sawyer has been vice president of student affairs at California State University, Channel Islands since 2002. He was dean of student services at Florida Gulf Coast University from 1995 to 2001 and dean of students at the University of North Texas from 1990 to 1995. Sawyer is a member of the National Association of Student Personnel Administrators and the Association of College Personnel Administrators. He earned a Master of Arts degree in organizational communication from Eastern New Mexico University and a doctorate degree in higher education administration from the University of North Texas. Appointed 02/28/2013. Effective 03/12/2013.

Member, Student Aid Commission, vice, Alexander Gonzalez, term expired. Term ending 10/30/2016.

Above appointments referred to the Committee on Rules.

#### **MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 19, 2013

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

ACR 29

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 Concurrent Resolution 29**—Relative to California Agriculture Day.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Elections and Constitutional Amendments**

Date of Hearing, March 19, 2013

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SB 44

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

CORREA, Chair

Above measure re-referred to the Committee on Governmental Organization.



Date of Hearing, March 19, 2013

Mr. President: The Committee on Elections and Constitutional Amendments, to which were referred:

SB 26

SB 29

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

CORREA, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, March 19, 2013

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SCA 6

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

CORREA, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, March 19, 2013

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SB 213

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

CORREA, Chair

Above measure re-referred to the Committee on Rules.

#### **Committee on Public Safety**

Senate Chamber, March 20, 2013

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

SB 47

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

HANCOCK, Chair

#### **Second Reading of Bills—Author's Amendments**

**Senate Bill 47**—An act to amend Sections 30515 and 30900 of, and to add Section 30680 to, the Penal Code, relating to firearms.

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, March 20, 2013

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

SB 231

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 231**—An act relating to bullying.

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 821:** By the Committee on Business, Professions and Economic Development (Senators Price (Chair), Block, Corbett, Emmerson, Galgiani, Hernandez, Hill, Padilla, Wyland, and Yee)—An act to amend Sections 1613, 1915, 1926.2, 3024, 3025, 3040, 3041.2, 3051, 3057.5, 3077, 3093, 3098, 3103, 3106, 3107, 3109, 3163, 4980.36, 4980.43, 4980.72, 4989.68, 4996.3, 4996.9, 4996.18, 4996.23, 4999.33, 4999.46, 4999.47, and 4999.60 of the Business and Professions Code, and to amend Section 14132 of the Welfare and Institutions Code, relating to healing arts.

**Senate Bill 822:** By the Committee on Business, Professions and Economic Development (Senators Price (Chair), Block, Corbett, Emmerson, Galgiani, Hernandez, Hill, Padilla, Wyland, and Yee)—An act to amend Sections 7114, 7141, 7206, 7210, and 7887 of, and to add Section 7851 to, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

**Senate Bill 823:** By the Committee on Business, Professions and Economic Development (Senators Price (Chair), Block, Corbett, Emmerson, Galgiani, Hernandez, Hill, Padilla, Wyland, and Yee)—An act to amend Sections 5092, 5093, and 5094.3 of the Business and Professions Code, relating to accountancy, and declaring the urgency thereof, to take effect immediately.



**Senate Bill 824:** By the Committee on Governance and Finance (Senators Wolk (Chair), Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Liu)—An act to amend Section 25299.43 of the Health and Safety Code, and to amend Sections 55001 and 55332.5 of the Revenue and Taxation Code, relating to taxation.

**Senate Bill 825:** By the Committee on Governance and Finance (Senators Wolk (Chair), Beall, DeSaulnier, Emmerson, Hernandez, Knight, and Liu)—An act to amend Sections 6157 and 6159 of the Government Code, and to amend Sections 75.12, 606, 2611.6, and 3716 of the Revenue and Taxation Code, relating to government finance.

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

**Senate Concurrent Resolution 15**—Relative to financial literacy.  
Resolution read second time, ordered engrossed, and to third reading.

**Senate Concurrent Resolution 14**—Relative to California Library Week.  
Resolution read second time, ordered engrossed, and to third reading.

**SENATE COMMITTEE ROLL CALLS**

**Committee on Elections and Constitutional Amendments**

**SB 26**—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Anderson, Correa, Hancock, and Yee.

NOES (0)—None.

**SB 29**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Correa, Hancock, and Yee.

NOES (1)—Senator Anderson.

**SB 44**—Do pass and re-refer to Committee on Governmental Organization

AYES (3)—Senators Correa, Hancock, and Yee.

NOES (1)—Senator Anderson.

**SB 213**—Do pass and re-refer to Committee on Rules

AYES (4)—Senators Anderson, Correa, Hancock, and Yee.

NOES (0)—None.

**SCA 6**—Be adopted and re-refer to Committee on Appropriations

AYES (3)—Senators Correa, Hancock, and Yee.

NOES (1)—Senator Anderson.

Date of Hearing: 3/19/2013

Correa (Chair)



**LEAVES OF ABSENCE FOR THE DAY**

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

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

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, March 21, 2013.

PAULA K. ROSSETTO, Minute Clerk

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