

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, April 22, 2013

The Senate met at 12 p.m.  
Hon. Alex Padilla, of the 20th 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, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.



### PRAYER

Upon invitation of the President, the following prayer was offered by Senator Roderick Wright:

Members and guests, I come today with another message in a series on virtues. You may recall we examined the virtues of faith and gratitude. We recently celebrated two important religious holidays Passover and Resurrection Day. Passover commemorates the freedom of the children of Israel from bondage in Egypt. The actual "Passover" occurred when the Angel of Death spared the lives of the first born sons of the righteous in what became the last of the plagues brought by Moses from God. Resurrection Day often mistakenly called Easter, represents the most sacred day in the Christian faith. It is the day Jesus Christ was resurrected from death 72 hours after being crucified. It was this sacrifice that forms the foundation of the faith, Christ died for the sins of the world so that through belief in him we shall have everlasting life. Ironically the term Easter represents something totally different.

During the holy week, this year Passover and Resurrection Day were almost concurrent, the History Channel ran a mini-series simply titled "The Bible." It was this series that inspired my topic for today, humility. In his final days Jesus did something that astonished his disciples, he washed their feet. Peter in particular was taken aback that the Christ, his rabbi was actually washing their feet, a humble task normally reserved for slaves or servants. As one of his first official acts, Pope Francis went into the prisons and washed the feet of the inmates.

Saint Augustine said it this way, "Humility is the foundation of all other virtues, hence in the soul in which this does not exist there cannot be any other virtue except in mere appearance."

German Cleric Johannes Tauler added this, "In the school of Spirit man learns wisdom through humility, knowledge by forgetting, how to speak by silence and how to live by dying."

Humility as a virtue is a major theme of both the Old and New Testaments. Why do qualities such as courtesy, patience and deference have such a prominent place in the Bible? It is because a demeanor of humility is exactly what is needed to live in peace and harmony with all persons. Humility dissipates anger and heals old wounds. Humility allows us to see the dignity and worth of all God's people. Humility distinguishes the wise leader from the arrogant power-seeker.

By humility we acknowledge that God created us for his purposes and not for our-glorification. By humility we acknowledge the dignity of all God's people. By humility we cool the angry passions of others. By humility we can turn enemies into friends.

A humble demeanor is not a denial of our worth as individuals. Rather, it is the tool that allows us, insofar as possible, to be on good terms with all persons. Senators, I say to you today remember this, in spite of this beautiful building and chambers in which we work, we are but servants,



public servants. Everything here belongs to them; we are granted this opportunity at this time to make life better for them, not the other way around.

On this day open up your heart to the world, make a friend you didn't have before.—AMEN.

#### **PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

Assembly Chamber, April 19, 2013

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

SCR 8

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered to unfinished business file.

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

##### **Committee on Transportation and Housing**

Senate Chamber, April 22, 2013

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

SB 810

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

DESAULNIER, Chair

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

**Senate Bill 810**—An act to add and repeal Division 4 (commencing with Section 64140) of Title 6.7 of the Government Code, and to add and repeal Sections 17053.60, 17053.65, 17053.66, 23660, 23665, and 23666 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

#### **Committee on Environmental Quality**

Senate Chamber, April 22, 2013

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

SB 322



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

HILL, Chair

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

**Senate Bill 322**—An act to amend Sections 13560, 13561, 13562, 13563, 13563.5, 13564, and 13565 of, and to add Section 13570 to, the Water Code, relating to water recycling.

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, April 22, 2013

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

SB 656

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**

**Senate Bill 656**—An act to amend Section 392.1 of the Public Utilities Code, relating to electricity.

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**

Senate Chamber, April 22, 2013

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

SB 144

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 144**—An act to add Chapter 6.4 (commencing with Section 30030) to Division 3 of Title 3 of the Government Code, relating to criminal justice realignment, 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 Public Safety**

Senate Chamber, April 22, 2013

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

SB 363

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 363**—An act to amend Sections 25100 and 32015 of 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 Judiciary**

Senate Chamber, April 22, 2013

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

SB 263

SB 648

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

EVANS, Chair

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

**Senate Bill 263**—An act to amend Sections 7028 and 7114 of, to add Section 7026.4 to, and to repeal and add Sections 7031 and 7118 of, the Business and Professions Code, relating to contractors.

Bill read second time.

**Senate Bill 648**—An act to amend Section 1947.5 of the Civil Code, to amend Section 48901 of the Education Code, to amend Sections 7596, 7597, and 19994.35 of the Government Code, to amend Sections 1234, 1286, 1596.795, 104495, 110995, 113978, and 114332.3 of, and to add Section 118882 to, the Health and Safety Code, to amend Section 6404.5 of the Labor Code, to amend Sections 561 and 99580 of the Public Utilities Code, and to amend Section 12523 of the Vehicle Code, relating to electronic cigarettes.

Bill read second time.

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



Senate Chamber, April 22, 2013

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

SB 222

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

EVANS, Chair

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

**Senate Bill 222**—An act to add Section 56.19 to the Civil Code, relating to genetic information.

Bill read second time.

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

**Committee on Appropriations**

Senate Chamber, April 22, 2013

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

SB 319

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

DE LEÓN, Chair

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

**Senate Bill 319**—An act to amend Sections 4519.5 and 4629.5 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time.

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

Senate Chamber, April 18, 2013

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 44	SB 234	SB 262	SB 328
SB 106	SB 238	SB 270	SB 378
SB 215	SB 261	SB 303	SB 815

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

DE LEÓN, Chair

Above measures ordered to second reading.

Senate Chamber, April 18, 2013

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 324                      SB 398



Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and be placed on the Consent Calendar.

DE LEÓN, Chair

Above measures ordered to second reading.

**Committee on Energy, Utilities and Communications**

Date of Hearing, April 16, 2013

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 64

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

PADILLA, Chair

Above measure ordered to second reading.

Date of Hearing, April 16, 2013

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 35

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

PADILLA, Chair

Above measure ordered to second reading.

Date of Hearing, April 16, 2013

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 448

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Transportation and Housing.

PADILLA, Chair

Above measure ordered to second reading.

**Committee on Banking and Financial Institutions**

Date of Hearing, April 17, 2013

Mr. President: The Committee on Banking and Financial Institutions, to which was referred:

SB 318

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

CORREA, Chair

Above measure ordered to second reading.



**Committee on Business, Professions and Economic Development**

Senate Chamber, April 22, 2013

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which were referred:

SB 484

SB 822

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

PRICE, Chair

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

**Senate Bill 484**—An act to amend Sections 22251, 22252, 22253, 22255, and 22259 of, and to add Sections 22251.1, 22251.2, 22251.2.5, 22251.3, 22252.2, 22253.3, 22253.4, and 22258.1 to, the Business and Professions Code, relating to business.

Bill read second time.

**Senate Bill 822**—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.

Bill read second time.

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

**Committee on Judiciary**

Date of Hearing, April 16, 2013

Mr. President: The Committee on Judiciary, to which was referred:

SB 123

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

EVANS, Chair

Above measure ordered to second reading.

Date of Hearing, April 16, 2013

Mr. President: The Committee on Judiciary, to which was referred:

SB 196

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

EVANS, Chair

Above measure ordered to second reading.





Date of Hearing, April 16, 2013

Mr. President: The Committee on Judiciary, to which was referred:

SB 612

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

EVANS, Chair

Above measure ordered to second reading.

**Committee on Governance and Finance**

Date of Hearing, April 17, 2013

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 142

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

WOLK, Chair

Above measure ordered to second reading.

Date of Hearing, April 17, 2013

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 279

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

WOLK, Chair

Above measure ordered to second reading.

Senate Chamber, April 22, 2013

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

SB 792

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 792**—An act to add Sections 66537, 66537.1, 66537.2, 66537.3, 66537.4, 66537.5, 66537.6, and 66537.7 to the Government Code, relating to planning.

Bill read second time.

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



**Committee on Transportation and Housing**

Senate Chamber, April 22, 2013

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

SCR 35

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

DESAULNIER, Chair

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

**Senate Concurrent Resolution 35**—Relative to the Pinnacles National Park Highway.

Resolution 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, April 22, 2013

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

SB 694

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 694**—An act to amend Section 5203 of the Business and Professions Code, relating to outdoor advertising.

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****SECOND READING OF SENATE BILLS**

**Senate Bill 581**—An act to amend Sections 15280 and 15286 of the Education Code, relating to school bonds.

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

**Senate Bill 669**—An act to add Section 4119.3 to the Business and Professions Code, to add Section 1714.23 to the Civil Code, and to add Section 1797.197a to the Health and Safety Code, relating to emergency medical care.

Bill read second time.

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



**Senate Bill 310**—An act to add Section 2924.26 to, and to add and repeal Section 2924.25 of, the Civil Code, relating to mortgages.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

**Senate Bill 526**—An act to add Section 23026.5 to the Financial Code, relating to deferred deposit transactions.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

**Senate Bill 233**—An act to add Title 1.6C.5 (commencing with Section 1788.50) to Part 4 of Division 3 of the Civil Code, and to amend Sections 700.010, 706.103, 706.104, 706.108, and 706.122 of, and to add Section 581.5 to, the Code of Civil Procedure, relating to debt buyers.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

**Senate Bill 62**—An act to amend Section 802.5 of the Business and Professions Code, relating to coroners.

Bill read second time.

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

**Senate Bill 130**—An act to amend Sections 868.5 and 868.8 of the Penal Code, relating to witnesses.

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

#### **SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 113**—An act to amend the Budget Act of 2012 by amending Items 0890-001-0001 and 0890-001-0228 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.

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

#### **MOTION TO TAKE MEASURE FROM INACTIVE FILE**

Senator Correa moved that **SCR 34** be taken from the inactive file and placed on the second reading file.

Motion carried.



**CONSIDERATION OF DAILY FILE (RESUMED)**  
**UNFINISHED BUSINESS**

**Consideration of Governor's Appointment**

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

MALCOLM X. DOUGHERTY, Director, Department of Transportation.

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

NOES (3)—Senators Anderson, Nielsen, and Wyland.

**Consideration of Assembly Amendments**

**Senate Bill 140**—An act to add Section 30015 to the Penal Code, relating to firearms, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Leno.

The question being: Shall the Senate concur in the Assembly amendments to SB 140?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (37)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 22**—Relative to Sexual Assault Awareness Month and Denim Day California.

Resolution read third time and presented by Senator Evans.

**Roll Call**

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

AYES (37)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans,

Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, and Wyland.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill 26**—An act to amend Section 84305.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time and presented by Senator Correa.

#### Roll Call

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

AYES (29)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Lara, Leno, Lieu, Liu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Wolk, and Yee.

NOES (8)—Senators Anderson, Emmerson, Gaines, Knight, Nielsen, Walters, Wright, and Wyland.

Bill ordered transmitted to the Assembly.

**Senate Bill 118**—An act to amend Sections 14000, 14005, 14010, 14013, and 14020 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time and presented by Senator Lieu.

#### Roll Call

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

AYES (35)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (3)—Senators Anderson, Fuller, and Knight.

Bill ordered transmitted to the Assembly.

**Senate Bill 365**—An act to add Section 41 to the Revenue and Taxation Code, relating to taxation.

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 (22)—Senators Beall, Block, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Hill, Jackson, Lara, Leno, Lieu, Liu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Wolk, and Yee.

NOES (11)—Senators Anderson, Berryhill, Cannella, Emmerson, Fuller, Gaines, Huff, Knight, Nielsen, Walters, and Wyland.

Bill ordered transmitted to the Assembly.



**Senate Bill 352**—An act to amend Section 2069 of the Business and Professions Code, relating to healing arts.

Bill read third time and presented by Senator Pavley.

**Roll Call**

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

AYES (36)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, and Wyland.

NOES (2)—Senators Hancock and Yee.

Bill ordered transmitted to the Assembly.

**Senate Bill 59**—An act to amend Sections 261, 286, 288a, and 289 of, and to add Section 261.1 to, the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Evans.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (38)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, 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 (38)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 152**—An act to amend Sections 6775, 6799, 7860, and 7887 of, to add Section 7839.2 to, and to repeal Sections 6760, 7848, and 7848.1 of, the Business and Professions Code, relating to professions and vocations.

Bill read third time and presented by Senator Roth.

**Roll Call**

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

AYES (35)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines,



Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Anderson.

Bill ordered transmitted to the Assembly.

**Senate Bill 194**—An act to amend Section 23124 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Galgiani.

#### Roll Call

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

AYES (35)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Lara, Leno, Lieu, Liu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (3)—Senators Anderson, Knight, and Nielsen.

Bill ordered transmitted to the Assembly.

**Senate Bill 743**—An act to amend Section 739.1 of the Public Utilities Code, relating to electricity.

Bill read third time and presented by Senator Steinberg.

#### Roll Call

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

AYES (38)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 292**—An act to amend Section 12940 of the Government Code, relating to employment.

Bill read third time and presented by Senator Corbett.

#### Roll Call

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

AYES (38)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**SPECIAL CONSENT CALENDAR**

**Senate Bill 504**—An act to amend Section 43003 of the Food and Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 110**—An act to add Section 14521.5 to the Government Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 348**—An act to amend Sections 52322, 52323, 52324, and 52325 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 139**—An act to repeal Section 51015 of the Financial Code, relating to exchange facilitators.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Special Consent Calendar Roll Call**

The roll was called and the above measures on the Special Consent Calendar passed by the following vote:

AYES (38)—Senators Anderson, Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**REQUEST TO BE ADDED TO ROLL CALL**

April 22, 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 26—Aye	SB 118—Aye	SB 365—Aye
SB 352—Aye	SB 59—Aye	

DARRELL STEINBERG, President pro Tempore

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

At 2:06 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 Tuesday, April 23, 2013.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, April 22, 2013

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

AB 121	AB 394	AB 1030	AB 483
AB 219	AB 508	AB 1195	AB 957
AB 334	AB 701		

Assembly Chamber, April 18, 2013

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

ACR 28	ACR 34	AJR 13
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Assembly Chamber, April 22, 2013

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

ACR 14	ACR 16
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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 for assignment:

**Assembly Bill 121**—An act to add Section 25536.3 to the Government Code, relating to local government.

**Assembly Bill 219**—An act to add Section 1367.656 to the Health and Safety Code, and to add Section 10123.206 to the Insurance Code, relating to health care coverage.

**Assembly Bill 334**—An act to amend Section 11045 of the Government Code, relating to public employment.

**Assembly Bill 394**—An act to amend Section 18766 of the Revenue and Taxation Code, relating to personal income tax.

**Assembly Bill 508**—An act to add Section 1463.012 to the Penal Code, relating to debt collection.



**Assembly Bill 701**—An act to amend Section 63021.5 of, and to add Section 63024.2 to, the Government Code, relating to economic development.

**Assembly Bill 1030**—An act to amend Section 72023.5 of the Education Code, relating to community colleges.

**Assembly Bill 1195**—An act to amend Section 6254 of the Government Code, relating to public records.

**Assembly Bill 483**—An act to amend Section 402.5 of the Revenue and Taxation Code, relating to taxation.

**Assembly Bill 957**—An act to amend Section 129 of the Code of Civil Procedure, relating to courts.

**Assembly Concurrent Resolution 28**—Relative to the Armed Forces.

**Assembly Concurrent Resolution 34**—Relative to Child Abuse Prevention Month.

**Assembly Joint Resolution 13**—Relative to Job Corps students.

**Assembly Concurrent Resolution 14**—Relative to the Deputy Tony Diaz, Yolo County Sheriff's Office, Memorial Rest Area.

**Assembly Concurrent Resolution 16**—Relative to the Gerald "Blackie" Sawyer Memorial Highway.

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

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

Senate Chamber, April 22, 2013

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

SB 3

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

CORREA, Chair

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

**Senate Bill 3**—An act to amend Sections 84100, 84101, 84103, 84108, 84200.6, 84203, 84203.3, 84204, 84215, 84220, 84300, 84602, 84605, and 91013 of, to amend and renumber Sections 82036 and 82036.5 of, and to add Sections 84202.8, 84202.9, and 84620 to, the Government Code, relating to the Political Reform Act of 1974.

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, April 22, 2013

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

SB 418

SB 804

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**

**Senate Bill 418**—An act to add Section 1091.5 to the Public Utilities Code, relating to energy.

Bill read second time.

**Senate Bill 804**—An act to amend Sections 25301, 25741, 40106, 40116.1, 40117, 40194, 40201, 44017, and 50001 of, and to add Sections 40005, 40116.2, 40182.5, and 43036 to, the Public Resources Code, relating to solid waste.

Bill read second time.

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

Date of Hearing, April 16, 2013

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 380

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

PADILLA, Chair

Above measure ordered to second reading.

**Committee on Governance and Finance**

Senate Chamber, April 22, 2013

Mr. 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.



Date of Hearing, April 17, 2013

Mr. President: The Committee on Governance and Finance, to which were referred:

SB 246            SB 311            SB 620            SB 692

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

WOLK, Chair

Above measures ordered to second reading.

**Committee on Judiciary**

Senate Chamber, April 22, 2013

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

SB 155            SB 652            SB 686            AB 383

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

EVANS, Chair

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

**Senate Bill 155**—An act to amend Sections 3006, 3008, 3012, 3050, 3050.7, 3052, 3056, 3057, 3062, 3063, 3064, 3065, 3065.1, 3066, 3067, 3069.1, 11713.3, and 11713.13 of the Vehicle Code, relating to vehicles.

Bill read second time.

**Senate Bill 652**—An act to amend Sections 910 and 944 of the Civil Code, relating to construction defect litigation.

Bill read second time.

**Senate Bill 686**—An act to amend Section 11713.18 of, and to add Section 11713.27 to, the Vehicle Code, relating to vehicles.

Bill read second time.

**Assembly Bill 383**—An act to amend Sections 1202, 4836.1, 4999.32, 5096.10, 21609.1, 23958.4, 25502.2, and 25600.2 of the Business and Professions Code, to amend Sections 55.56, 56.16, 1195, 1950.5, 2877, 2923.55, 2924.8, 2924.19, 2950, and 3509 of the Civil Code, to amend Sections 116.940, 425.50, 684.115, and 1282.4 of the Code of Civil Procedure, to amend Section 7237 of, and to amend and renumber the heading of Chapter 5.5 (commencing with Section 15900) of Title 2 of, the Corporations Code, to amend Sections 15282, 17193.5, 17250.25, 18720, 22138.5, 33195, 35583, 38000, 41320.1, 41326, 47660, 48853, 48853.5, 48900, 48902, 48911, 49076, 49548, 52052, 60200.8, 60209, 60605.87, 60852.1, 66407, 81378.1, and 88620 of the Education Code, to amend Sections 2162, 2224, 2225, 3111, 13115, and 21000 of the Elections Code, to amend Sections 3047, 3200.5, and 4055 of the Family Code, to amend Sections 1587 and 15100 of the Fish and Game Code, to amend Sections 4101.3, 4106, 14611, 19447, 55527.6, and 64101 of the Food and Agricultural Code, to amend Sections 3513, 3527, 7522.20, 7522.56,



7522.57, 7522.72, 8164.1, 11019, 11020, 11435.15, 11552, 12460, 12838.14, 12926, 14837, 15820.922, 19815, 20391, 20410, 20516, 20677.7, 25060, 25062, 65040.7, 65302.5, and 65915 of, to amend the heading of Chapter 3.1 (commencing with Section 8240) of Division 1 of Title 2 of, to amend and renumber Sections 15606.5, 15814.25, and 15819.30 of, to repeal Section 7480 of, and to repeal the heading of Chapter 3 (commencing with Section 15570) of Part 8.5 of Division 3 of Title 2 of, the Government Code, to amend Sections 80.2 and 82 of, and to amend the heading of Chapter 3 (commencing with Section 80) of Division 1 of, the Harbors and Navigation Code, to amend Sections 1339.40, 1339.41, 1367.65, 1531.15, 11378, 11755, 25110.11, 34177, 34183.5, 39053, 39510, 39710, 39712, 39716, 39718, 106985, 114365.5, 114380, 116565, 120365, 123327, 123940, 123955, 125286.20, 128570, 129725, and 136000 of the Health and Safety Code, to amend Sections 676.75, 922.41, 1063.1, 1754, 10113.71, 10124, 10271, 11665, and 12694.1 of the Insurance Code, to amend Sections 980, 4709, and 5502 of the Labor Code, to amend Sections 136.2, 289.6, 496a, 781, 830.41, 830.55, 1001.20, 1170, 1203.097, 1230, 1370.1, 2602, 3000.08, 3060.7, 4024.2, 4115.55, 5072, 6030, 11165.7, 11166, 12022, and 12022.1 of, and to repeal the heading of Title 4.5 (commencing with Section 13600) of Part 4 of, the Penal Code, to amend Sections 10295.6 and 20651.7 of the Public Contracts Code, to amend Sections 4629.5, 4629.9, 6224.5, 21080.37, 21080.5, 21084, and 72410 of the Public Resources Code, to amend Sections 2827.10, 2862, 5142, 5143, 9506, and 185035 of the Public Utilities Code, to amend Sections 2188.6, 7285.3, 17276.20, 18152.5, 18738, 23685, 24416.20 of, and to amend and renumber Section 24900 of, the Revenue and Taxation Code, to amend Sections 1755 and 14211 of the Unemployment Insurance Code, to amend Sections 11205, 12804.11, 16028, 23612, 34510.5, and 40000.20 of the Vehicle Code, to amend Section 85057.5 of the Water Code, to amend Sections 366.21, 366.22, 366.25, 4141, 4427.5, 4648, 4684.53, 5008, 5328.03, 6254, 7295, 12306, 14005.27, 14043.25, 14043.7, 14132.275, 14132.276, 14169.32, 14182, 14182.16, 15630, 15650, and 18969 of, and to repeal Section 4792.1 of, the Welfare and Institutions Code, to amend Section 1 of Chapter 357 of the Statutes of 2012, to amend Section 1 of Chapter 513 of the Statutes of 2012, to amend Section 1 of Chapter 541 of the Statutes of 2012, and to amend Section 2 of Chapter 719 of the Statutes of 2012, relating to maintenance of the codes.

Bill read second time.

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

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

Senate Chamber, April 22, 2013

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

SB 15

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 15**—An act to amend Section 1708.8 of the Civil Code, and to amend Sections 632 and 647 of, and to add Title 14 (commencing with Section 14350) to Part 4 of, the Penal Code, relating to aviation.

Bill read second time.

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

**Committee on Health**

Senate Chamber, April 22, 2013

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

SB 189                      SB 488                      SB 509                      SB 651

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**

**Senate Bill 189**—An act to add and repeal Section 1367.007 of the Health and Safety Code, and to add and repeal Section 10112.7 of the Insurance Code, relating to health care coverage.

Bill read second time.

**Senate Bill 488**—An act to amend Sections 17920.3 and 17961 of the Health and Safety Code, relating to housing.

Bill read second time.

**Senate Bill 509**—An act to add Section 1043 to the Government Code, relating to health care coverage, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Senate Bill 651**—An act to add Section 1424.6 to the Health and Safety Code, and to amend Section 4427.5 of, and to add Sections 4313.5 and 4427.7 to, the Welfare and Institutions Code, relating to health and human services.

Bill read second time.

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



**Committee on Transportation and Housing**

Date of Hearing, April 16, 2013

Mr. President: The Committee on Transportation and Housing, to which was referred:

SB 242

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

DESAULNIER, Chair

Above measure ordered to second reading.

**Committee on Education**

Senate Chamber, April 22, 2013

Mr. President: The Chair of the Committee on Education, to which were referred:

SB 495

SB 595

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**

**Senate Bill 495**—An act to add Sections 89528.5 and 92612.5 to the Education Code, relating to postsecondary education employees.

Bill read second time.

**Senate Bill 595**—An act to add Section 69505.5 to the Education Code, relating to postsecondary education.

Bill read second time.

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

Date of Hearing, April 10, 2013

Mr. President: The Committee on Education, to which was referred:

SB 590

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

LIU, Chair

Above measure ordered to second reading.

Date of Hearing, April 17, 2013

Mr. President: The Committee on Education, to which was referred:

SB 21

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

LIU, Chair

Above measure ordered to second reading.



**Committee on Appropriations**

Date of Hearing, April 22, 2013

Mr. President: The Committee on Appropriations, to which were referred:

SB 31                      SB 202                      SB 609                      SB 721

Reports the same back with the recommendation: Do pass.

DE LEÓN, Chair

Above bills ordered to second reading.

**Committee on Public Safety**

Senate Chamber, April 22, 2013

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

SB 676

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 676**—An act to amend Section 10148 of the Business and Professions Code, relating to real estate.

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

**Senate Joint Resolution 10:** By Senator Lieu—Relative to the Workforce Investment Act.

**MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 693** was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Rules.

**SENATE COMMITTEE ROLL CALLS****Committee on Appropriations**

**SB 31**—Do pass

AYES (7)—Senators De León, Gaines, Hill, Lara, Padilla, Steinberg, and Walters.

NOES (0)—None.

**SB 107**—Do pass as amended

AYES (6)—Senators De León, Hill, Lara, Padilla, Steinberg, and Walters.

NOES (0)—None.





**SB 202—Do pass**

AYES (7)—Senators De León, Gaines, Hill, Lara, Padilla, Steinberg, and Walters.

NOES (0)—None.

**SB 609—Do pass**

AYES (6)—Senators De León, Gaines, Lara, Padilla, Steinberg, and Walters.

NOES (0)—None.

**SB 721—Do pass**

AYES (7)—Senators De León, Gaines, Hill, Lara, Padilla, Steinberg, and Walters.

NOES (0)—None.

Date of Hearing: 4/22/2013

De León (Chair)

**Committee on Health**

**SB 357—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar**

AYES (8)—Senators Anderson, Beall, De León, DeSaulnier, Hernandez, Monning, Nielsen, and Wolk.

NOES (0)—None.

**SB 534—Do pass and re-refer to Committee on Human Services**

AYES (8)—Senators Anderson, Beall, De León, DeSaulnier, Hernandez, Monning, Nielsen, and Wolk.

NOES (0)—None.

**SB 588—Do pass and re-refer to Committee on Judiciary**

AYES (8)—Senators Anderson, Beall, De León, DeSaulnier, Hernandez, Monning, Nielsen, and Wolk.

NOES (0)—None.

**SB 639—Do pass and re-refer to Committee on Appropriations**

AYES (6)—Senators Beall, De León, DeSaulnier, Hernandez, Monning, and Wolk.

NOES (2)—Senators Anderson and Nielsen.

**SB 645—Do pass and re-refer to Committee on Appropriations**

AYES (7)—Senators Anderson, Beall, De León, DeSaulnier, Hernandez, Nielsen, and Wolk.

NOES (0)—None.

**SB 648—Do pass and re-refer to Committee on Judiciary**

AYES (6)—Senators Beall, De León, DeSaulnier, Hernandez, Monning, and Wolk.

NOES (2)—Senators Anderson and Nielsen.

**SB 667—Do pass and re-refer to Committee on Appropriations**

AYES (7)—Senators Beall, De León, DeSaulnier, Hernandez, Monning, Nielsen, and Wolk.

NOES (1)—Senator Anderson.



**SB 669**—Do pass as amended and re-refer to Committee on Judiciary

AYES (8)—Senators Anderson, Beall, De León, DeSaulnier, Hernandez, Monning, Nielsen, and Wolk.

NOES (0)—None.

**SB 718**—Do pass and re-refer to Committee on Labor and Industrial Relations

AYES (5)—Senators Beall, De León, DeSaulnier, Hernandez, and Monning.

NOES (2)—Senators Anderson and Nielsen.

**SB 816**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Anderson, Beall, De León, DeSaulnier, Hernandez, Monning, Nielsen, and Wolk.

NOES (0)—None.

Date of Hearing: 4/17/2013

Hernandez (Chair)

### REQUESTS TO ADJOURN IN MEMORIAM

Senator Liu requested that when the Senate adjourns this day it do so in memory of Versie Mae Richardson of Altadena.

Senator Steinberg requested that when the Senate adjourns this day it do so in memory of Laudan Nabizadeh Fariborz of San Francisco and Steve Weiner of Piedmont.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Carmen P. Villanueva of Vallejo, Roger “Terry” Turner and Jay T. Gerber of Davis, and Spencer West Myers of Vacaville.

### ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Tuesday, April 23, 2013.

PAULA K. ROSSETTO, Minute Clerk

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