

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, May 15, 2013

The Senate met at 9 a.m.

Hon. Alex Padilla, of the 20th 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, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Fuller, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Walters, Wolk, Wright, Wyland, and Yee—35.

Quorum present.

*(NOTE: Senator Gaines will be excused this day on legislative business and Senators Evans and Price will be excused this day on personal business.)*

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

State Capitol, May 15, 2013

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

**Appropriations**—AB 508, SB 43, SB 777.



**Committee on Appropriations**

Senate Chamber, May 15, 2013

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

SB 2

SB 396

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 2**—An act to amend Sections 84101, 84103, 84107, 84200, 84200.6, 84202.3, 84215, 84218, 84252, 84305.5, 84510, 85701, 85704, 90002, 90003, and 91013 of, to add Sections 84200.1, 84202.8, 84202.9, and 84503.5 to, to repeal Sections 84200.7, 84200.8, 84202.5, and 84202.7 of, and to repeal and add Section 84200.5 of, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

**Senate Bill 396**—An act to amend Sections 16350, 16740, 32310, 32400, 32405, and 32435 of the Penal Code, relating to firearms.

Bill read second time.

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

Senate Chamber, May 15, 2013

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

SB 3

SB 505

SB 11

SB 43

SB 777

SB 604

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 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 Section 84620 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

**Senate Bill 505**—An act to amend Section 11800 of the Education Code, relating to education technology.

Bill read second time.

**Senate Bill 11**—An act to amend Sections 41081, 44060.5, 44225, 44229, 44272, 44275, 44280, 44281, 44282, 44283, 44287, 44299.1, and 44299.2 of, and to add Sections 43018.9, 43867.5, and 43867.6 to, the



Health and Safety Code, to amend Sections 42885 and 42889 of the Public Resources Code, and to amend Sections 9250.1, 9250.2, 9261.1, and 9853.6 of the Vehicle Code, relating to vehicular air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Senate Bill 43**—An act to amend Section 25019 of the Corporations Code, and to amend Sections 216 and 218 of, and to add Chapter 7.6 (commencing with Section 2831) to Part 2 of Division 1 of, the Public Utilities Code, relating to energy.

Bill read second time.

**Senate Bill 777**—An act to amend Sections 12556, 12726, 25147.7, and 25205.3 of, to add Sections 12599.5 and 12635.5 to, and to add Chapter 3.5 (commencing with Section 12559) to Part 2 of Division 11 of, the Health and Safety Code, and to amend Section 15301 of the Vehicle Code, relating to public safety, and making an appropriation therefor.

Bill read second time.

**Senate Bill 604**—An act to amend Section 22520.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

#### **Committee on Rules**

State Capitol, May 15, 2013

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

**Banking and Financial Institutions**—AB 434.

**Business, Professions and Economic Development**—AB 630, AB 916.

**Education**—AB 388, AB 447.

**Environmental Quality**—AB 215, AB 221, AB 997.

**Health**—AB 297, AB 804, AB 926.

**Insurance**—AB 402.

**Judiciary**—AB 157, AB 1402.

**Public Employment and Retirement**—AB 1381.

**Public Safety**—AB 169.

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

**Business, Professions and Economic Development and Health**—AB 1215.



**Business, Professions and Economic Development and Insurance**—AB 1236.

**Business, Professions and Economic Development and Judiciary**—AB 370.

**Health and Education**—AB 314.

**Human Services and Judiciary**—AB 506.

**Labor and Industrial Relations and Appropriations**—AB 1373.

**Natural Resources and Water and Governance and Finance**—AB 1259.

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

**Transportation and Housing**—SB 338.

State Capitol, May 15, 2013

The Committee on Rules has ordered the following measures to third reading:

ACR 13, ACR 31, ACR 32, ACR 36, ACR 43, ACR 49, AJR 3, AJR 15, AJR 16, SCR 40, SCR 41.

#### CONSIDERATION OF DAILY FILE

#### SECOND READING OF SENATE BILLS

**Senate Bill 279**—An act to amend Section 66704.05 of the Government Code, relating to the San Francisco Bay Restoration Authority.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 718**—An act to add Section 6401.8 to the Labor Code, relating to employment safety.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 36**—An act to add Section 901 to the Insurance Code, relating to workers' compensation.

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

**Senate Bill 46**—An act to amend Sections 1798.29 and 1798.82 of the Civil Code, relating to personal information.

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



**Senate Bill 126**—An act to amend Section 1374.73 of the Health and Safety Code, and to amend Sections 10144.51 and 10144.52 of the Insurance Code, relating to health care coverage.

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

**Senate Bill 161**—An act to add Article 5 (commencing with Section 10752) to Chapter 8 of Part 2 of Division 2 of the Insurance Code, relating to insurance.

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

**Senate Bill 204**—An act to add Section 4076.3 to the Business and Professions Code, relating to pharmacy.

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

**Senate Bill 205**—An act to amend Section 4076 of the Business and Professions Code, relating to pharmacy.

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

**Senate Bill 362**—An act to add Section 19006 to the Elections Code, relating to voting.

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

**Senate Bill 363**—An act to amend Sections 25100 and 32015 of, and to add Chapter 4 (commencing with Section 25240) to Division 4 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

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

**Senate Bill 746**—An act to amend Section 1385.04 of the Health and Safety Code, relating to health care coverage.

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

**Senate Bill 237**—An act to amend Sections 51430 and 51442 of the Education Code, relating to retroactive high school diplomas.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and placed on the Consent Calendar.

**Senate Bill 185**—An act to add Sections 60063.3 and 60063.5 to the Education Code, relating to instructional materials.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.



**Senate Bill 490**—An act to amend Section 99301 of the Education Code, relating to postsecondary education.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 682**—An act to add Section 60053 to the Education Code, relating to instructional materials.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 128**—An act relating to community facilities districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and placed on the Consent Calendar.

**Senate Bill 250**—An act to add Chapter 29 (commencing with Section 79800) to Part 2 of Division 22 of the Food and Agricultural Code, relating to olive oil, and making an appropriation therefor.

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

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill 238**—An act to add Section 6250.7 to, and to repeal Section 6273 of, the Family Code, and to amend Section 646.91 of the Penal Code, relating to protective orders.

Bill read second time.

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

**Assembly Bill 406**—An act to amend Section 18961.7 of the Welfare and Institutions Code, relating to child abuse reporting.

Bill read second time and ordered to third reading.

**Assembly Bill 492**—An act to amend Section 1203.9 of the Penal Code, relating to probation.

Bill read second time and ordered to third reading.

**Assembly Bill 624**—An act to add Section 4019.1 to the Penal Code, relating to county jails.

Bill read second time and ordered to third reading.



**Assembly Bill 685**—An act to add Section 26613 to the Penal Code, and to amend Section 10334 of the Public Contract Code, relating to state goods.

Bill read second time and ordered to third reading.

**Assembly Bill 752**—An act to amend Section 1208 of the Penal Code, relating to work furlough.

Bill read second time and ordered to third reading.

**Assembly Bill 805**—An act to amend Section 1275 of the Penal Code, relating to bail.

Bill read second time and ordered to third reading.

#### **MEASURE WITHDRAWN FROM COMMITTEE**

Without objection, **SB 313** was withdrawn from Committee and placed on second reading.

#### **SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday, May 20, 2013:

SB 203	SB 759	SB 339	SB 315
SB 127	SB 801	SB 725	SB 551
SB 263	SB 806	SB 585	SB 652
SB 418	SB 822	SCR 28	SB 375
SB 457	SB 680	SB 236	SB 536
SB 723	SB 702		

#### **TO SPECIAL CONSENT CALENDAR**

Without objection, the following resolutions were placed on a Special Consent Calendar:

SCR 41      ACR 49      ACR 36      ACR 43

#### **CONSIDERATION OF DAILY FILE (RESUMED)**

##### **THIRD READING OF SENATE BILLS**

**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 third time.

##### **Amendments Adopted**

Amendments to SB 233 proposed by Senator Leno were read and adopted and the measure ordered printed, engrossed, and to second reading.

**Senate Bill 684**—An act to amend Section 5273 of the Business and Professions Code, relating to advertising displays, and declaring the urgency thereof, to take effect immediately.

Bill read third time.



**Amendments Adopted**

Amendments to SB 684 proposed by Senator Hill were read and adopted and the measure ordered printed, engrossed, and to second reading.

**Senate Bill 658**—An act to amend Section 8 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to water quality, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to SB 658 proposed by Senator Correa were read and adopted and the measure ordered printed, engrossed, and to second reading.

**SENATE COMMITTEE ROLL CALLS**  
**Committee on Appropriations****SB 36—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 46—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 126—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 161—Do pass**

AYES (4)—Senators De León, Lara, Padilla, and Steinberg.

NOES (1)—Senator Hill.

**SB 204—Do pass**

AYES (4)—Senators De León, Lara, Padilla, and Steinberg.

NOES (1)—Senator Hill.

**SB 205—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 360—Do pass as amended**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 362—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 363—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.





**SB 491—Do pass as amended**

AYES (4)—Senators De León, Hill, Lara, and Steinberg.

NOES (0)—None.

**SB 718—Do pass as amended**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

**SB 746—Do pass**

AYES (5)—Senators De León, Hill, Lara, Padilla, and Steinberg.

NOES (0)—None.

Date of Hearing: 5/13/2013

De León (Chair)

**Committee on Governance and Finance****SB 16—Do pass as amended and re-refer to Committee on Public Safety**

AYES (7)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, Liu, and Wolk.

NOES (0)—None.

**SCA 3—Be adopted as amended and re-refer to Committee on Elections and Constitutional Amendments**

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (2)—Senators Emmerson and Knight.

**SCA 4—Be adopted as amended and re-refer to Committee on Rules**

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (1)—Senator Knight.

**SCA 7—Be adopted and re-refer to Committee on Elections and Constitutional Amendments**

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (2)—Senators Emmerson and Knight.

**SCA 8—Be adopted as amended and re-refer to Committee on Rules**

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (2)—Senators Emmerson and Knight.

**SCA 9—Be adopted as amended and re-refer to Committee on Elections and Constitutional Amendments**

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (1)—Senator Knight.

**SCA 11—Be adopted as amended and re-refer to Committee on Elections and Constitutional Amendments**

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (1)—Senator Knight.



**SCR 25—Be adopted**

AYES (2)—Senators Emmerson and Knight.

NOES (0)—None.

Failed Passage

**SCR 25—Reconsideration granted**

AYES (7)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, Liu, and Wolk.

NOES (0)—None.

**AB 72—Do pass, to Consent Calendar**

AYES (7)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, Liu, and Wolk.

NOES (0)—None.

**AB 121—Do pass**

AYES (7)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, Liu, and Wolk.

NOES (0)—None.

**AB 246—Do pass**

AYES (7)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, Liu, and Wolk.

NOES (0)—None.

**AB 254—Do pass**

AYES (7)—Senators Beall, DeSaulnier, Emmerson, Hernandez, Knight, Liu, and Wolk.

NOES (0)—None.

Date of Hearing: 5/15/2013

Wolk (Chair)

**LEAVES OF ABSENCE FOR THE DAY**

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

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, May 16, 2013.

PAULA K. ROSSETTO, Minute Clerk

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