

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

NINETIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Saturday, June 15, 2013

The Senate met at 10:30 a.m.

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

Secretary Greg Schmidt at the Desk.

Assistant Secretary Zachary L. Twilla reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.

The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE

ROLL CALL

The roll was called and the following Senators answered to their names:

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

Quorum present.

(NOTE: Senators Berryhill and Liu will be excused this day due to illness.)



PRAYER

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

Members and guests have you ever noticed how everyone seems to be in a hurry these days? Between smart phones email, Facebook and other social media it seems like everyone is trying to squeeze more out of every minute. People are texting while driving; most of us have devices at our bedsides. I have even seen guys on the phone in the restroom! At some point you must ask yourself, is it really that serious? During meetings folks will have two or three devices they are monitoring while trying to pay attention to the meeting. I don't know if the new technology is making us more productive or less patient? Have you noticed that the jasmine is fragrant and in bloom around the Capitol building? You will only know that if you "Slo Yo Roll" or take your time. Now you might need some Zyrtec walking in Sacramento this time of year, but you get my point.

The other day I was listening to one of my favorite bands, named for my hometown they are simply known as Chicago. The song and my theme today is, "Does Anybody Really Know What Time It Is?" It is often said, patience is a virtue. In the book of Galatians the apostle Paul wrote, "But the fruit of the spirit is love, joy, peace, patience, kindness goodness and faithfulness." But with all our high tech stuff, we seem to be spending more time and accomplishing less. In the song a verse says "As I was walking down the street one day, a pretty lady looked at me and said her diamond watch had stopped cold dead, and I said, does anybody really know what time it is, does anybody really care? If so I can't imagine why we've all got time enough to cry."

Members, patience is one of the virtues mentioned in all major religions. Patience and fortitude are prominent in both the Talmud and the Torah. The story of Micah for example, is that he suffers many challenging conditions and yet endures. The Christian Bible references patience in Proverbs, Ecclesiastes and several other places. Perhaps most prominent is in 1 Timothy "Jesus might display his unlimited patience as an example for those who would believe in him and receive eternal life."

In the Quran it is written, "Muslims should persevere in patience and consistency and be steadfast in patience." Incidentally, the word Jihad is not used anywhere in the Quran to mean war in the sense of launching an offensive. It is used rather to mean struggle, the action most consistently called for in the Quran is the exercise of patience. In Buddhism and



Hinduism there is an emphasis on mindfulness that is conducive to patient, effective and well organized thought.

God teach me to be patient, teach me to go slow,

Teach me how to wait on You when my way I do not know.

Teach me sweet forbearance when things do not go right

So I remain unruffled when others grow uptight.

Teach me how to quiet my racing heart,

So I might hear the answer You are trying to impart.

Teach me to let go dear God, and pray undisturbed until

My heart is filled with inner peace and I learn to know Your will.

So members, does anybody really know what time it is this morning?
Does anybody really care? If so I can't imagine why we all have time enough to die.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 15, 2013

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

SB 73

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 Judiciary

Senate Chamber, June 15, 2013

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

AB 566

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

Assembly Bill 566—An act to add Section 71621 to the Government Code, relating to courts.

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

Date of Hearing, June 12, 2013

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

AB 115

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

HILL, Chair

Above measure ordered to second reading.

Date of Hearing, June 12, 2013

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

AB 118

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

HILL, Chair

Above measure ordered to second reading.

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

Assembly Bill 34—An act to amend Section 5024.6 of, and to add Section 5029.6 to, the Public Resources Code, relating to historical resources.

Bill read second time.

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

Assembly Bill 165—An act to amend, renumber, and add Section 8491 of, and to repeal Section 8490 of, the Fish and Game Code, relating to commercial fishing.

Bill read second time.

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

Assembly Joint Resolution 20—Relative to student loan interest rates.

Resolution read second time and ordered to third reading.

RECESS

At 10:47 a.m., the Senate recessed in order to convene in the First Extraordinary Session.



REASSEMBLED

At 11:08 a.m., the Senate reconvened.

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

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Budget and Fiscal Review to meet on Monday, June 17, 2013, without four days notice in the Daily File.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 82—An act to amend Section 680 of the Business and Professions Code, to amend Sections 6254, 26605.6, 26605.7, and 26605.8 of the Government Code, to amend Sections 1180.6, 1250.2, 1254, 1254.1, 1266.1, 1275.1, 1275.5, 1324.9, 1373, 111792, 123870, 123929, 123940, and 123955 of, and to add Section 104151 to, the Health and Safety Code, to amend Sections 10125, 10127, 12693.70, 12698, 12737, and 12739.61 of the Insurance Code, and to amend Sections 359, 708, 4005.7, 4080, 5150, 5151, 5157, 5202, 5326.9, 5358, 5366.1, 5404, 5405, 5585.21, 5585.50, 5585.55, 5675, 5675.1, 5675.2, 5751.7, 5768, 5840, 5845, 5846, 5909, 6007, 6551, 7100, 14105.22, 14105.3, 14131.10, 14134, 14707.5, and 15911 of, to add Sections 14005.275, 14100.3, 14100.51, 14100.52, 14132.86, and 14132.89 to, to add Part 3.3 (commencing with Section 15800) to Division 9 of, to add and repeal Section 14005.281 of, and to repeal Section 14131.07 of, the Welfare and Institutions Code, relating to health, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Motion to Amend Set #1

Senator Anderson moved the adoption of amendments to AB 82.

Amendments read.

MOTION TO LAY ON THE TABLE

Senator Corbett moved that the amendments to AB 82 be laid on the table.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (25)—Senators Beall, Block, Calderon, Corbett, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Lieu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Torres, Wolk, and Wright.

NOES (8)—Senators Anderson, Fuller, Gaines, Huff, Knight, Nielsen, Walters, and Wyland.



Motion to Amend Set #2

Senator Emmerson moved the adoption of amendments to AB 82.
Amendments read.

MOTION TO LAY ON THE TABLE

Senator Corbett moved that the amendments to AB 82 be laid on the table.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (23)—Senators Block, Calderon, Corbett, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Lieu, Monning, Padilla, Price, Roth, Steinberg, Torres, Wolk, and Yee.

NOES (10)—Senators Anderson, Cannella, Emmerson, Fuller, Gaines, Huff, Knight, Nielsen, Walters, and Wyland.

Consideration of Assembly Bill 82

Assembly Bill 82—An act to amend Section 680 of the Business and Professions Code, to amend Sections 6254, 26605.6, 26605.7, and 26605.8 of the Government Code, to amend Sections 1180.6, 1250.2, 1254, 1254.1, 1266.1, 1275.1, 1275.5, 1324.9, 1373, 111792, 123870, 123929, 123940, and 123955 of, and to add Section 104151 to, the Health and Safety Code, to amend Sections 10125, 10127, 12693.70, 12698, 12737, and 12739.61 of the Insurance Code, and to amend Sections 359, 708, 4005.7, 4080, 5150, 5151, 5157, 5202, 5326.9, 5358, 5366.1, 5404, 5405, 5585.21, 5585.50, 5585.55, 5675, 5675.1, 5675.2, 5751.7, 5768, 5840, 5845, 5846, 5909, 6007, 6551, 7100, 14105.22, 14105.3, 14131.10, 14134, 14707.5, and 15911 of, to add Sections 14005.275, 14100.3, 14100.51, 14100.52, 14132.86, and 14132.89 to, to add Part 3.3 (commencing with Section 15800) to Division 9 of, to add and repeal Section 14005.281 of, and to repeal Section 14131.07 of, the Welfare and Institutions Code, relating to health, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Senator Leno.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 15, 2013

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

SB 78

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.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****Consideration of Assembly Amendments**

Senate Bill 78—An act to add Section 12009 to, to add Article 4 (commencing with Section 12240) to Chapter 3 of Part 7 of Division 2 of, to add and repeal Section 12207 of, to add and repeal Article 5 (commencing with Section 6174) of Chapter 2 of Part 1 of Division 2 of, and to repeal, add and repeal, and add Sections 12201, 12204, 12251, 12253, 12254, 12257, 12258, 12260, 12301, 12302, 12303, 12304, 12305, 12307, 12412, 12413, 12421, 12422, 12423, 12427, 12428, 12429, 12431, 12433, 12434, 12491, 12493, 12494, 12601, 12602, 12631, 12632, 12636, 12636.5, 12679, 12681, 12801, 12951, 12977, 12983, 12984, and 13108 of, the Revenue and Taxation Code, and to add Section 14301.11 to the Welfare and Institutions Code, relating to health, and 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 78?

Urgency Clause

The roll was called and the urgency clause was adopted by the following vote:

AYES (27)—Senators Beall, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Lieu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Torres, Wolk, Wright, and Yee.

NOES (10)—Senators Anderson, Cannella, Emmerson, Fuller, Gaines, Huff, Knight, Nielsen, Walters, and Wyland.

Roll Call

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

AYES (27)—Senators Beall, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso,



Jackson, Lara, Leno, Lieu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Torres, Wolk, Wright, and Yee.

NOES (10)—Senators Anderson, Cannella, Emmerson, Fuller, Gaines, Huff, Knight, Nielsen, Walters, and Wyland.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 85—An act to amend Sections 17600.10, 17600.15, 17600.20, 17601.25, 17603, 17604, and 17606.10, to amend, repeal, and add Section 17600 of, to add Sections 11450.025, 14301.5 17600.50, 17600.60, 17601.50, 17601.75, and 17609.02 to, to add a heading to Article 2.5 (commencing with Section 17601.25) of Chapter 6 of Part 5 of Division 9 of, and to add Article 6.6 (commencing with Section 14199.1) to Chapter 7 of Part 3 of Division 9 of, and Article 11 (commencing with Section 17610), Article 12 (commencing with Section 17612.1), and Article 13 (commencing with Section 17613.1) to Chapter 6 of Part 5 of Division 9 of, the Welfare and Institutions Code, relating to health and human services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

AYES (24)—Senators Beall, Block, Calderon, Corbett, De León, DeSaulnier, Evans, Galgiani, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Lieu, Padilla, Pavley, Price, Roth, Steinberg, Torres, Wolk, Wright, and Yee.

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

Bill ordered transmitted to the Assembly.

Senator Steinberg Presiding

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 14, 2013

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

SB 139 SB 120 SB 769

Above measures ordered enrolled.

Assembly Chamber, June 15, 2013

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

SB 94 SB 72

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

Above measures ordered to unfinished business file.



Assembly Chamber, June 14, 2013

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

AB 50

AB 1199

Assembly Chamber, June 14, 2013

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

ACR 50

Assembly Chamber, June 14, 2013

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 74

AB 75

AB 76

AB 89

AB 92

AB 97

AB 98

AB 490

AB 522

Assembly Chamber, June 14, 2013

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

AB 110

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 50—An act to amend Section 15926 of, to amend and repeal Sections 14016.5 and 14016.6 of, and to add Section 14011.66 to, the Welfare and Institutions Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 1199—An act to add Section 84750.9 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Assembly Concurrent Resolution 50—Relative to “Parks Make Life Better!” Month.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 94—An act to add Sections 69515.5, 89762, 92493, 92494, 92495, 92495.5, and 92496 to, to add Article 22 (commencing with Section 70020) to Chapter 2 of Part 42 of Division 5 of, to add Article 10 (commencing with Section 89290) and Article 10.5 (commencing with Section 89295) to Chapter 2 of Part 55 of Division 8 of, to add Article 7.5 (commencing with Section 92670) and Article 7.7 (commencing with Section 92675) to Chapter 6 of Part 57 of Division 9 of, Title 3 of, the



Education Code, and to add Section 13313 to the Government Code, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 77—An act to amend Section 1352 of, to add Section 2850.5 to, and to repeal Section 712.5 of, the Fish and Game Code, to amend Sections 927.9, 11549.3, and 51018 of the Government Code, to amend Section 44299.91 of the Health and Safety Code, to amend Section 12211 of the Public Contract Code, to amend Sections 4785, 5018.1, 5080.18, 5096.650, 14538, 14539, 14549.5, 14553, 14572, 14591, 25751, 26052, 26055, 26060, 26062, 26063, 35600, 35605, 35625, 42977, 48704, 71300, 71301, 71302, 71303, 71304, and 71305 of, to add Sections 25711.5 and 25711.7 to, and to repeal Sections 4124 and 4515 of, the Public Resources Code, to amend Sections 309.5, 2851, and 5900 of, and to add Sections 318, 740.5, 854.5, and 2120 to, the Public Utilities Code, to add Section 104.22 to the Streets and Highways Code, to amend Section 85200 of, and to add Section 10001.7 to, the Water Code, and to repeal Section 34 of Chapter 718 of the Statutes of 2010, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Leno.

Roll Call

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

AYES (25)—Senators Beall, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Jackson, Leno, Lieu, Monning, Padilla, Pavley, Price, Roth, Steinberg, Torres, Wolk, Wright, and Yee.

NOES (10)—Senators Anderson, Cannella, Emmerson, Fuller, Gaines, Huff, Knight, Nielsen, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 73—An act to amend Section 25415 of, and to add Chapter 5 (commencing with Section 26225) to Division 16.3 of, the Public



Resources Code, relating to energy, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Senator Leno.

The question being: Shall the Senate concur in the Assembly amendments to SB 73?

Roll Call

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

AYES (33)—Senators Beall, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Leno, Monning, Nielsen, Padilla, Pavley, Price, Roth, Steinberg, Torres, Walters, Wolk, Wright, Wyland, and Yee.

NOES (1)—Senator Anderson.

Above bill ordered enrolled.

MOTION TO PRINT IN JOURNAL

Senator Leno moved that the following letter be printed in the Journal. Motion carried.

June 14, 2013

The Honorable Darrell Steinberg

President pro Tempore of the Senate

Dear President Pro Tem Steinberg:

I respectfully submit this letter to the Senate Journal regarding Assembly Bill 94 relative to the State Budget Act of 2013–14 and the General Fund support to the University of California in Item 6440-001-0001.

It is my intent as the manager of this measure, and as Chair of the Senate Committee on Budget and Fiscal Review, that the moneys allocated from Item 6440-001-0001 of Section 2.00 of the Budget Act of 2013–14, in the sum of fifteen million dollars (\$15,000,000), be allocated to the Regents of the University of California for the School of Medicine at the University of California, Riverside (UCR), on an ongoing basis.

In allocating these funds, I recognize that ongoing funding for the School of Medicine at UCR is critical, not only to provide for the planning and startup costs associated with academic programs, but also for the ongoing operating support for faculty, staff and other annual expenses necessary to ensure the success of the program.

Furthermore, it is also my intent that the Regents of the University of California shall only use the moneys allocated from Item 6440-001-0001 of Section 2.00 of the Budget Act of 2013–14, in the sum of fifteen million dollars (\$15,000,000), for the sole purpose of funding the School of Medicine at the University of California, Riverside, and shall not redirect or otherwise expend these moneys for any other purpose. Nor shall the



funding be used to supplant other funding of the Regents of the University of California for the School of Medicine at UCR.

The ongoing allocation of fifteen million dollars of state funding to the UCR medical school will add more physicians to underserved areas in inland southern California and help California meet the objectives of the federal Patient Protection and Affordable Care Act (Public Law 111-148) in the short-term and the long-term by expanding the physician workforce.

I am confident the Regents of the University of California will honor the intent on this allocation.

Sincerely,

Mark Leno, Chair

Budget and Fiscal Review Committee

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to illness: Senators Berryhill and Liu.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12:35 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 adjourn until Monday, June 17, 2013.

Motion carried.

ADJOURNMENT

At 12:35 p.m., on motion of Senator Steinberg, the Senate adjourned until 12 p.m., Monday, June 17, 2013.

PAULA K. ROSSETTO, Minute Clerk

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