

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED ELEVENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, August 20, 2013

The Senate met at 9 a.m.  
Hon. Jerry Hill, of the 13th 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, Evans, Fuller, Gaines, Galgiani,  
Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Lieu, Liu,  
Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak,  
Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

*(NOTE: Senator Leno will be excused this day on legislative business.)*

### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 19, 2013

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

ACR 19      ACR 25      ACR 71      AJR 28

Assembly Chamber, August 19, 2013

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

SCR 20      SCR 58



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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

### **FIRST READING OF ASSEMBLY MEASURES**

The following measures were read the first time and referred to the Committee on Rules:

**Assembly Concurrent Resolution 19**—Relative to Japanese American state employees.

**Assembly Concurrent Resolution 25**—Relative to Sikh American Awareness and Appreciation Month.

**Assembly Concurrent Resolution 71**—Relative to Africana studies.

**Assembly Joint Resolution 28**—Relative to Sickle Cell Anemia Awareness Month.

### **REPORTS OF STANDING COMMITTEES**

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

Date of Hearing, August 19, 2013

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 1159

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

LIEU, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, August 19, 2013

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 1186

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

LIEU, Chair

Above measure re-referred to the Committee on Appropriations.

#### **Committee on Appropriations**

Senate Chamber, August 20, 2013

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

AB 1080



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**

**Assembly Bill 1080**—An act to add Part 1.87 (commencing with Section 34191.50) to Division 24 of the Health and Safety Code, relating to economic development.

Bill read second time.

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

**Committee on Governmental Organization**

Date of Hearing, August 20, 2013

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

AB 199

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

WRIGHT, Chair

Above measure re-referred to the Committee on Appropriations.

**Committee on Rules**

Senate Chamber, August 20, 2013

Mr. President: The Committee on Rules has examined:

SB 5	SB 234	SB 311	SB 745
SB 152	SB 262	SB 325	SB 771
SB 169	SB 295	SB 551	SB 824
SB 185			

And reports that the same have been correctly enrolled, and presented to the Governor on the 20th day of August, 2013, at 12:30 p.m.

STEINBERG, Chair

**Committee on Appropriations**

Date of Hearing, August 19, 2013

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

AB 865

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

DE LEÓN, Chair

Above measure ordered to second reading.



**Committee on Rules**

Senate Chamber, August 20, 2013

Mr. President: The Committee on Rules has examined:

SCR 29	SCR 40	SCR 48
SCR 50	SJR 1	SJR 11

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 20th day of August, 2013, at 2:30 p.m.

STEINBERG, Chair

**Committee on Governance and Finance**

Date of Hearing, August 14, 2013

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

AB 32

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.

**Committee on Elections and Constitutional Amendments**

Date of Hearing, August 20, 2013

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

SJR 14

Reports the same back with the recommendation: Be adopted.

TORRES, Chair

Above resolution ordered to third reading.

Date of Hearing, August 20, 2013

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

SCA 5

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

TORRES, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, August 20, 2013

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

AB 409



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

TORRES, Chair

Above measure re-referred to the Committee on Appropriations.

#### **Committee on Rules**

Senate Chamber, August 20, 2013

Mr. President: The Committee on Rules has examined:

SB 14

And reports that the same has been correctly enrolled, and presented to the Governor on the 20th day of August, 2013, at 3:15 p.m.

STEINBERG, Chair

#### **Committee on Appropriations**

Senate Chamber, August 20, 2013

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

AB 498

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**

**Assembly Bill 498**—An act to amend Section 14166.151 of the Welfare and Institutions Code, relating to Medi-Cal.

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:

**Senate Concurrent Resolution 69:** By Senator Galgiani—Relative to prisoners.

**Senate Concurrent Resolution 70:** By Senators Galgiani and Wolk (Principal coauthor: Senator Cannella) (Principal coauthors: Assembly Members Eggman, Olsen, and Yamada) (Coauthors: Senators Berryhill and Lieu) (Coauthors: Assembly Members Atkins, Dahle, Pan, and Quirk)—Relative to the University of California, Davis.

#### **CONSIDERATION OF DAILY FILE**

#### **SECOND READING OF SENATE BILLS**

**Senate Bill 369**—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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



**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 227**—An act to amend Section 25249.7 of the Health and Safety Code, relating to toxic substances, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Assembly Bill 595**—An act to add Sections 66025.91 and 66025.95 to the Education Code, relating to postsecondary education.

Bill read second time and ordered to third reading.

**Assembly Bill 47**—An act to add Section 653.01 to the Penal Code, relating to crimes.

Bill read second time.

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

**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.

Bill read second time.

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

**Assembly Bill 114**—An act to add Chapter 6 (commencing with Section 26250) to Division 16.3 of the Public Resources Code, relating to energy.

Bill read second time and ordered to third reading.

**Assembly Bill 253**—An act to amend Sections 11010.8 and 11010.9 of the Business and Professions Code, and to amend Sections 66427.4 and 66428.1 of, and to add Section 66427.6 to, the Government Code, relating to floating home marinas.

Bill read second time and ordered to third reading.

**Assembly Bill 458**—An act to add Sections 17226 and 24343.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

**Assembly Bill 781**—An act to add Sections 7153.6 and 55363.5 to the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

**Assembly Bill 826**—An act relating to state property, and making an appropriation therefor.

Bill read second time and ordered to third reading.



**Assembly Bill 1074**—An act to amend Sections 19531, 19549.2, 19549.6, 19549.7, 19549.9, and 19605.73 of, and to repeal Sections 19532.1 and 19532.2 of, the Business and Professions Code, relating to horse racing.

Bill read second time and ordered to third reading.

**Assembly Bill 1126**—An act to amend Sections 40121, 40180, 40192, 40194, 40200, 40201, 41700, 41721, 41780.05, 41781, and 50001 of, and to add Section 40131.2 to, the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

**Assembly Bill 1412**—An act to amend Section 6901 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

**Assembly Bill 143**—An act to add and repeal Section 6412 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 594**—An act to amend Sections 541.5, 5007, 5010.6, 5010.7, and 5080.42 of the Public Resources Code, relating to state parks, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 753**—An act to repeal and add Chapter 7 (commencing with Section 4362) of Part 3 of Division 4 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 803**—An act to amend Section 5411.5 of, and to add Chapter 4.5 (commencing with Section 8117) to Part 1 of Division 8 of, the Health and Safety Code, and to add Section 13263.7 to the Water Code, relating to recycled water.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 748**—An act to amend Section 3287 of the Civil Code, and to amend Sections 965.5 and 970.1 of the Government Code, relating to judgments.

Bill read second time.

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



**Assembly Bill 272**—An act to amend Section 121690 of the Health and Safety Code, relating to rabies.

Bill read second time.

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

**Assembly Bill 244**—An act to amend Section 5156 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

**Assembly Bill 791**—An act to amend Sections 7505.2, 7506.9, 7507.4, 7507.12, and 7508.2 of, and to add Sections 7508.7 and 7508.8 to, the Business and Professions Code, relating to repossessioners.

Bill read second time and ordered to third reading.

**Assembly Bill 1113**—An act to amend, repeal, and add Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

**Assembly Bill 1132**—An act to amend Sections 14323, 14325, 14903, 15053, and 15061 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

Bill read second time and ordered to third reading.

**Assembly Bill 1297**—An act to amend Section 56.10 of the Civil Code, and to amend Section 7151.15 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.

**Assembly Bill 1419**—An act to amend Sections 338, 2187, 5001, 5002, 5004, 5005, 5200, and 8001 of, and to add Chapter 2.5 (commencing with Section 5150) to Division 5 of, the Elections Code, and to amend Section 85205 of the Government Code, relating to elections.

Bill read second time and ordered to third reading.

**Assembly Bill 1062**—An act to amend Section 17604 of the Family Code, to amend Sections 7299.4, 7299.5, 18502, 18525.3, 18527, 18528, 18532.1, 18533, 18540, 18544, 18575, 18654, 18654.5, 18655, 18661, 18670, 18671.1, 18672, 18674, 18676, 18681, 18682, 18804, 18900, 18900.5, 18900.6, 18903, 18931, 18933, 18934, 18936, 18937, 18938.6, 18950, 18950.1, 18951, 18975, 18976, 19050.4, 19057.1, 19057.2, 19058, 19059, 19062.5, 19082, 19101, 19140, 19140.5, 19141.1, 19143, 19170, 19200, 19253, 19253.5, 19257.5, 19400, 19401, 19402, 19403, 19405, 19574.2, 19582, 19586, 19630, 19680, 19682, 19703, 19763, 19764, 19770, 19775, 19775.1, 19775.8, 19775.9, 19776, 19786, 19793, 19798, 19800, 19801, 19802, 19802.5, 19803, 19804, 19805, 19806, 19807, 19808, 19809, 19815, 19815.6, 19816.6, 19816.12, 19818.14, 19822.5, and 19822.7 of, to add Section 19811 to, to repeal Sections 18538.1, 18807, 18972, 19583.51, 19816, 19818.2, 19818.4, and 19889.4 of, and to repeal





and add Sections 18935, 18940, 18941, and 19052 of, the Government Code, and to amend Section 13601 of the Penal Code, to amend Sections 10605 and 10801 of the Welfare and Institutions Code, relating to human resources.

Bill read second time and ordered to third reading.

**Assembly Bill 1346**—An act to add Section 22896 to the Government Code, relating to postemployment health benefits.

Bill read second time and ordered to third reading.

**Assembly Bill 243**—An act to add Chapter 2.10 (commencing with Section 53399) to Part 1 of Division 2 of Title 5 of the Government Code, and to amend Section 33459 of the Health and Safety Code, relating to local government.

Bill read second time and ordered to third reading.

**Assembly Bill 1391**—An act to amend Sections 131, 662, 739, 739.3, 985, 1011, 1011.1, 1012, 1016, 1070.6, 1216.1, 1624, 1675, 1749.3, 1749.31, 1749.32, 1749.33, 1749.8, 1758.3, 1872.87, 10234.93, 10785, 11620, 12414.25, and 14090.1 of, to add Sections 1758.681 and 12389.7 to, and to repeal Section 668.5 of, the Insurance Code, relating to insurance.

Bill read second time and ordered to third reading.

#### RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 110** was re-referred to the Committee on Rules.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

State Capitol, August 20, 2013

Mr. President: On a vote of 5–0, the Senate Rules Committee has re-referred SB 110 to the Transportation and Housing Committee, pursuant to Senate Rule 29.10.

STEINBERG, Chair

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

Without objection, **AB 49** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

#### MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 1245** was withdrawn from Committee and placed on second reading.

#### MEASURE RE-REFERRED TO COMMITTEE

Without objection, **AB 595** was re-referred to the Committee on Rules.



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

**Assembly Bill 1067**—An act to add Chapter 4.2 (commencing with Section 6315) to Division 7 of Title 1 of the Government Code, relating to economic development.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1067 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 637**—An act to amend Section 51504 of the Health and Safety Code, relating to housing.

Bill read third time.

**Amendments Adopted**

Amendments to AB 637 proposed by Senator Torres were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED  
TO RESCIND ACTION (AB 1280)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1280 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

**Consideration of Assembly Bill 1280**

**Assembly Bill 1280**—An act to add Section 1339.1 to the Unemployment Insurance Code, and to amend Section 11006.2 of the Welfare and Institutions Code, relating to health and human services.

Bill read.

**Motion to Amend**

Amendments to AB 1280 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

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

**Assembly Bill 1371**—An act to amend Section 21750 of, and to add Section 21750.1 to, the Vehicle Code, relating to vehicles.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1371 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 346**—An act to amend Section 1502 of, and to add Section 1502.35 to, the Health and Safety Code, and to amend Sections 319, 361.2, 450, 727, 11400, and 11402 of the Welfare and Institutions Code, relating to community care facilities.

Bill read third time.



**Amendments Adopted**

Amendments to AB 346 proposed by Senator Berryhill were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 68**—An act to amend Section 3550 of the Penal Code, relating to parole.

Bill read third time.

**Amendments Adopted**

Amendments to AB 68 proposed by Senator Wyland were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1252**—An act to amend Sections 113758, 113818, 113903, 113949.2, 113953.3, 113973, 114047, 114099.7, 114268, 114271, 114294, 114295, 114299, 114325, 114332.2, 114335, 114351, 114365, and 114365.2 of, to add Sections 113806, 113807, and 113975 to, and to repeal and add Section 113961 of, the Health and Safety Code, relating to food safety.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1252 proposed by Senator Monning were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 460**—An act to amend Section 1374.55 of the Health and Safety Code, and to amend Section 10119.6 of the Insurance Code, relating to health care coverage.

Bill read third time.

**Amendments Adopted**

Amendments to AB 460 proposed by Senator Jackson were read and adopted and the measure ordered printed and to second reading.

**LEAVES OF ABSENCE FOR THE DAY**

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

**ADJOURNMENT**

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

PAULA K. ROSSETTO, Minute Clerk

