

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, August 27, 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, Fuller, Gaines, Galgiani, Hancock,  
Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu,  
Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak,  
Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

*(NOTE: Senator Evans will be excused this day on personal business.)*

### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 26, 2013

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

SCR 42

SJR 7

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.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, August 27, 2013

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

AB 102

AB 105

AB 640

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**

**Assembly Bill 102**—An act relating to the Budget Act of 2013.

Bill read second time.

**Assembly Bill 105**—An act relating to the Budget Act of 2013.

Bill read second time.

**Assembly Bill 640**—An act to add Section 6720 to the Labor Code, relating to employee safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Committee on Appropriations**

Date of Hearing, August 19, 2013

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

AB 119

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

DE LEÓN, Chair

Above measure ordered to second reading.

**Committee on Public Employment and Retirement**

Date of Hearing, August 26, 2013

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

ACR 61

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

BEALL, Chair

Above measure re-referred to the Committee on Appropriations.



Date of Hearing, August 26, 2013

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

SR 18

Reports the same back with the recommendation: Be adopted as amended.

BEALL, Chair

Above measure ordered to second reading.

#### **Committee on Judiciary**

Date of Hearing, August 26, 2013

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

AB 1159

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

EVANS, Chair

Above measure re-referred to the Committee on Appropriations.

#### **Committee on Appropriations**

Senate Chamber, August 22, 2013

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

AB 755

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

DE LEÓN, Chair

Above measure ordered to second reading.

Senate Chamber, August 27, 2013

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

SCR 60

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 Concurrent Resolution 60**—Relative to the Lance Corporal Javier Olvera Memorial Highway.

Resolution read second time.

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



Date of Hearing, August 26, 2013

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

AB 1273

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

DE LEÓN, Chair

Above measure ordered to second reading.

#### **Committee on Rules**

Senate Chamber, August 27, 2013

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

AB 101

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**

**Assembly Bill 101**—An act relating to the Budget Act of 2013.

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**

Date of Hearing, August 27, 2013

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

AB 423

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

DESAULNIER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, August 27, 2013

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

SCA 4

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

DESAULNIER, Chair

Above measure ordered to second reading.



Date of Hearing, August 27, 2013

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

SCA 8

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

DESAULNIER, Chair

Above measure re-referred to the Committee on Rules.

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

**Senate Concurrent Resolution 67**—Relative to School Attendance Awareness Month.

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

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 274**—An act to add Sections 8221.5, 8227.3, 8262.1, and 8262.3 to the Education Code, relating to child care and development services.

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 64**—An act to add Section 35400.6 to the Vehicle Code, relating to vehicles.

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 409**—An act to add Sections 87500.3 and 87500.4 to the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 1186**—An act to amend Sections 18625, 18627, and 18702 of, and to add Section 18770 to, the Business and Professions Code, relating to business, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 1428**—An act to amend Section 1043 to the Government Code, relating to health care coverage, 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 234**—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 433**—An act to amend Sections 7026.12 and 7057 of, and to add and repeal Section 7026.13 of, the Business and Professions Code, and to add Section 13110 to the Health and Safety Code, relating to contractors.

Bill read second time and ordered to third reading.

**Assembly Bill 980**—An act to add Section 18944.18 to the Health and Safety Code, relating to health care facilities.

Bill read second time and ordered to third reading.

**Assembly Bill 1177**—An act to amend Sections 8698, 8698.1, and 8698.6 of the Business and Professions Code, relating to structural fumigation.

Bill read second time and ordered to third reading.

**Assembly Bill 1019**—An act to amend Section 2053.4 of, and to add Section 2053.5 to, the Penal Code, relating to state prisons.

Bill read second time and ordered to third reading.

**Assembly Bill 538**—An act to amend Sections 26384, 26405, 27600, 28000, 28160, 28210, and 28215 of, and to add Sections 26620, 27620, and 31835 to, the Penal Code, relating to firearms.

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 786**—An act to amend Sections 2003, 2010, 2011, 2040, 2082, 2084, 2101, and 2102 of, and to add Sections 2174 and 2175 to, the Financial Code, relating to money transmissions.

Bill read second time and ordered to third reading.

**Assembly Bill 650**—An act to add Section 10299.1 to the Public Contract Code, relating to state government, and making an appropriation therefor.

Bill read second time and ordered to third reading.

**Assembly Bill 593**—An act to amend Sections 23986, 24013, and 24014 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.



**Assembly Bill 976**—An act to add and repeal Section 30821 of the Public Resources Code, relating to coastal resources.

Bill read second time and ordered to third reading.

**Assembly Bill 1121**—An act to amend, repeal, and add Sections 1277 and 1278 of the Code of Civil Procedure, and to add Section 103426 to, the Health and Safety Code, relating to gender identity.

Bill read second time and ordered to third reading.

**Assembly Bill 855**—An act to amend Section 19996.2 of the Government Code, relating to public employment.

Bill read second time and ordered to third reading.

**Assembly Bill 633**—An act to add Section 1799.103 to the Health and Safety Code, relating to emergency medical services.

Bill read second time and ordered to third reading.

**Assembly Bill 1226**—An act to add Section 19502 to the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 1422**—An act to amend Sections 26003 and 26011.8 of the Public Resources Code, and to repeal Section 1 of Chapter 677 of the Statutes of 2012, relating to energy.

Bill read second time and ordered to third reading.

#### **THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 451**—An act to amend Sections 4980.72, 4980.74, 4980.78, 4980.80, 4980.90, 4999.57, 4999.58, 4999.59, 4999.60, 4999.61, and 4999.62 of the Business and Professions Code, relating to healing arts.

Bill read third time.

#### **Amendments Adopted**

Amendments to AB 451 proposed by Senator Yee were read and adopted and the measure ordered printed and to second 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 third time.

#### **Amendments Adopted**

Amendments to AB 114 proposed by Senator Lara were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 35**—An act to add Section 22449 to the Business and Professions Code, to amend Section 1264 of the Unemployment Insurance Code, and to amend Section 12801.6 of the Vehicle Code, relating to childhood arrivals.

Bill read third time.

**Amendments Adopted**

Amendments to AB 35 proposed by Senator Lara were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1200**—An act to add Chapter 7.7 (commencing with Section 13590) to Division 7 of the Water Code, relating to recycled water.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1200 proposed by Senator Gaines were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 630**—An act to add Section 5536.4 to the Business and Professions Code, relating to architects.

Bill read third time.

**Amendments Adopted**

Amendments to AB 630 proposed by Senator Galgiani were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS**

**Committee on Judiciary**

**AB 1159**—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Anderson, Corbett, Evans, Jackson, Leno, Monning, and Vidak

NOES (0)—None.

Date of Hearing: 8/26/2013

Evans (Chair)

**Committee on Public Employment and Retirement**

**SR 18**—Be adopted as amended

AYES (4)—Senators Beall, Block, Gaines, and Yee.

NOES (1)—Senator Walters.

**ACR 61**—Be adopted and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Beall, Block, Gaines, Walters, and Yee.

NOES (0)—None.

Date of Hearing: 8/26/2013

Beall (Chair)





**Committee on Transportation and Housing**

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

AYES (7)—Senators Beall, DeSaulnier, Galgiani, Hueso, Lara, Liu, and Pavley.

NOES (2)—Senators Gaines and Wyland.

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

AYES (7)—Senators Beall, DeSaulnier, Galgiani, Hueso, Lara, Liu, and Pavley.

NOES (2)—Senators Gaines and Wyland.

**AB 423**—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Beall, DeSaulnier, Hueso, Lara, Liu, Pavley, and Wyland.

NOES (1)—Senator Gaines.

Date of Hearing: 8/27/2013

DeSaulnier (Chair)

**LEAVES OF ABSENCE FOR THE DAY**

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, August 28, 2013.

PAULA K. ROSSETTO, Minute Clerk

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