

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED TWENTIETH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, September 4, 2013

The Senate met at 1:30 p.m.  
Hon. Jean Fuller, of the 18th 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, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee—39.

Quorum present.



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

This evening at sundown, Jews around the world will be celebrating the holiday of Rosh HaShanah, the Jewish New Year. On this day we cease our work in order to celebrate and give thanks for creation and life itself. Jews will gather and pray for a year of health and goodness, life, and peace. We will pray that over the last year, our good deeds have outweighed our mistakes. And most of all, we will pray that God will look upon all humanity with kindness and compassion, and judge us all with mercy.

May the Holy One of Blessing, grant each of us, and all of our loved ones a year filled with the joy of friendship and the comfort of family. May we be blessed with enough prosperity so that we are able to share our good fortune with others. And may we be blessed with a year filled with health and with peace. May this be God's will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, September 3, 2013

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

ACR 77

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read the first time and referred to the Committee on Rules:

**Assembly Concurrent Resolution 77**—Relative to Filipino American History Month.

**REPORTS OF STANDING COMMITTEES****Committee on Business, Professions and Economic Development**

Date of Hearing, September 4, 2013

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

SB 667

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

LIEU, Chair

Above measure ordered to unfinished business.



**Committee on Appropriations**

Date of Hearing, August 30, 2013

Madam President: The Committee on Appropriations, to which were referred:

AB 260

AB 628

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

DE LEÓN, Chair

Above measures ordered to second reading.

**Committee on Rules**

Senate Chamber, September 4, 2013

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

AB 1222

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 1222**—An act relating to hazardous substances.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 1222 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BLOOM

**Permission of Rules Committee**

Senate Chamber, September 4, 2013

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1222.

STEINBERG, Chair

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

Senate Chamber, September 4, 2013

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

AB 1309

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 1309**—An act to amend Section 3600.5 of the Labor Code, relating to workers' compensation.

Bill read second time.

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

**Committee on Rules**

State Capitol, September 4, 2013

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

**Public Employment and Retirement**—AB 1222.

**Committee on Appropriations**

Date of Hearing, August 30, 2013

Madam President: The Committee on Appropriations, to which were referred:

AB 484

AB 881

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

DE LEÓN, Chair

Above measures ordered to second reading.

Date of Hearing, August 30, 2013

Madam President: The Committee on Appropriations, to which was referred:

AB 1299

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, September 4, 2013

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

SB 587

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 587**—An act to amend Section 1170.3 of the Penal Code, relating to sentencing.

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 ASSEMBLY BILLS**

**Assembly Bill 1398**—An act to amend Sections 42649.1 and 42649.3 of the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

**Assembly Bill 1425**—An act to amend Sections 23055, 23356.8, and 23356.9 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

**Assembly Bill 1418**—An act to amend Sections 81008, 83109, and 84102 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

**Assembly Bill 1108**—An act to add Section 3003.6 to the Penal Code, relating to sex offenders.

Bill read second time and ordered to third reading.

**Assembly Bill 1358**—An act to amend Section 76060.5 of the Education Code, relating to community colleges.

Bill read second time and ordered to third reading.

**Assembly Bill 1008**—An act to add Section 31552.4 to the Government Code, and to amend Section 101850 of, and to add Section 101851 to, the Health and Safety Code, relating to Alameda County Medical Center, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 602**—An act to add Section 13515.30 to the Penal Code, and to amend Sections 4427.5 and 15630 of the Welfare and Institutions Code, relating to disabled persons.

Bill read second time and ordered to third reading.

**Assembly Bill 730**—An act to amend Section 106062 of, and to repeal Section 106061 of, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

**Assembly Bill 1133**—An act to add Section 17739 to the Welfare and Institutions Code, relating to foster children.

Bill read second time and ordered to third reading.

**Assembly Bill 500**—An act to amend Sections 11106, 16520, 16540, 16850, 23510, and 28220 of, and to add Sections 17060, 25135, and 28255 to, the Penal Code, relating to firearms.

Bill read second time and ordered to third reading.



**Assembly Bill 501**—An act to amend Section 25250.51 of the Health and Safety Code, to amend Section 42950 of the Public Resources Code, and to amend Sections 12200, 12204, and 34601 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

**Assembly Bill 1417**—An act to amend Sections 303.3, 3004, 3114, 3122, 3201, 3203, 10735, 13306, 13309, and 19206 of, to add Section 8147.5 to, and to repeal Section 13301 of, the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

**Assembly Bill 933**—An act to amend Section 23363.1 of, and to add Section 23363.3 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

**Assembly Bill 1024**—An act to amend Sections 11003.4 and 11013.1 of, and to add Section 11013.6 to, the Business and Professions Code, and to amend Section 5100 of the Civil Code, relating to land use.

Bill read second time and ordered to third reading.

**Assembly Bill 224**—An act to amend Section 47000 of, and to add Article 6 (commencing with Section 47060) to Chapter 10.5 of Division 17 of, the Food and Agricultural Code, and to amend Section 113735 of the Health and Safety Code, relating to agricultural products.

Bill read second time and ordered to third reading.

**Assembly Bill 888**—An act to amend Section 17206 of, and to add Sections 6126.8 and 6126.9 to, the Business and Professions Code, relating to the State Bar, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

#### **SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill 260**—An act to amend Sections 8335.1, 8335.4, 8335.5, 8335.7, 8344, and 8346 of, and to add Article 15.4 (commencing with Section 8347) to Chapter 2 of Part 6 of Division 1 of Title 1 of 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 628**—An act to add Section 63045.2 to the Government Code, and to add Chapter 13 (commencing with Section 25990) to Division 15 of the Public Resources Code, relating to energy.

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 484**—An act to amend Sections 60601, 60602, 60603, 60604, 60607, 60610, 60611, 60612, 60614, 60630, 60640, 60640.2, 60641, 60642.5, 60643, 60648, 99300, and 99301 of, to amend the heading of Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4 of Title 2 of, to add Sections 60602.5, 60640.3, 60642.6, 60642.7, 60642.8, and 60648.5 to, to repeal Sections 60605.5, 60606, 60643.1, 60643.5, and 60645 of, and to repeal, add, and repeal Section 60649 of, the Education Code, relating to pupil assessments, 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 881**—An act to amend, repeal, and add Sections 8670.40 and 8670.41 of, and to add Section 8670.43 to, the Government Code, relating to oil spills.

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 1299**—An act to amend Section 281 of the Public Utilities Code, relating to telecommunications.

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.

#### **MOTIONS TO REFER MEASURES TO INACTIVE FILE**

Senator Liu moved that **AB 420** be placed on the inactive file.

Senator De León moved that **AB 278** be placed on the inactive file.

Senator Lara moved that **AB 496** be placed on the inactive file.

Motions carried.

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

Senator Roth moved that **AB 417** be taken from the inactive file and placed on the second reading file.

Motion carried.

#### **REQUEST TO RETURN BILL TO ASSEMBLY**

On the request of Senator De León, **SB 313** was returned to the Assembly for further action.



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

**Consideration of Assembly Amendments**

**Senate Bill 598**—An act to add Section 4073.5 to the Business and Professions Code, relating to pharmacy.

Bill presented by Senator Hill.

The question being: Shall the Senate concur in the Assembly amendments to SB 598?

**Roll Call**

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

AYES (30)—Senators Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, De León, Emmerson, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Nielsen, Pavley, Roth, Steinberg, Vidak, Walters, Wolk, Wyland, and Yee.

NOES (2)—Senators Calderon and Wright.

Above bill ordered enrolled.

**Senate Bill 814**—An act to amend Sections 8405.2 and 12025 of the Fish and Game Code, to amend Sections 607, 2774, 2790, 30333, 30620, and 71205.3 of the Public Resources Code, and to amend Section 2810.2 of the Vehicle Code, relating to administration of public resources.

Bill presented by Senator Pavley.

The question being: Shall the Senate concur in the Assembly amendments to SB 814?

**Roll Call**

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

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

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 558**—An act to amend Section 1986.1 of the Code of Civil Procedure, relating to reporters.

Bill presented by Senator Lieu.

The question being: Shall the Senate concur in the Assembly amendments to SB 558?





**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, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

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

Bill presented by Senator Corbett.

The question being: Shall the Senate concur in the Assembly amendments to SB 46?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 220**—An act to amend Sections 9353, 20636, 20636.1, 20677.4, 20683.2, 20691, 20692, 20693, 20731, 20737, 20891, 20909, 21010, 21011, 21033, 21052, 21060, 21070.5, 21070.6, 21070.7, 21092, 21150, 22760, 75005, and 75505 of, to add Section 20004 to, the Government Code, relating to public employees' retirement.

Bill presented by Senator Beall.

The question being: Shall the Senate concur in the Assembly amendments to SB 220?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.



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

Bill presented by Senator Hancock.

The question being: Shall the Senate concur in the Assembly amendments to SB 279?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 286**—An act to amend Sections 21655.9 and 42001.6 of, and to amend and repeal Section 5205.5 of, the Vehicle Code, relating to vehicles.

Bill presented by Senator Yee.

The question being: Shall the Senate concur in the Assembly amendments to SB 286?

**Roll Call**

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

AYES (30)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, De León, DeSaulnier, Emmerson, Evans, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Pavley, Roth, Steinberg, Wolk, Wright, Wyland, and Yee.

NOES (8)—Senators Anderson, Correa, Fuller, Huff, Nielsen, Torres, Vidak, and Walters.

Above bill ordered enrolled.

**Senate Bill 363**—An act to amend Sections 25100, 25200, 32000, and 32015 of the Penal Code, relating to firearms.

Bill presented by Senator Wright.

The question being: Shall the Senate concur in the Assembly amendments to SB 363?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 379**—An act to amend Section 46146.5 of, to amend the heading of Chapter 14 (commencing with Section 11300) of Part 7 of Division 1 of Title 1 of, and to add Section 11302 to, the Education Code, relating to school attendance.

Bill presented by Senator Hancock.

The question being: Shall the Senate concur in the Assembly amendments to SB 379?

#### Roll Call

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 555**—An act to amend Section 95020 of the Government Code, and to amend Sections 4512, 4642, 4643, and 4646 of the Welfare and Institutions Code, relating to developmental services.

Bill presented by Senator Correa.

The question being: Shall the Senate concur in the Assembly amendments to SB 555?

#### Roll Call

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

AYES (34)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Roth, Steinberg, Torres, Vidak, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Anderson and Knight.

Above bill ordered enrolled.

**Senate Bill 571**—An act to add and repeal Article 19 (commencing with Section 18891) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill presented by Senator Liu.

The question being: Shall the Senate concur in the Assembly amendments to SB 571?



**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Nielsen, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (2)—Senators Anderson and Knight.

Above bill ordered enrolled.

**Senate Bill 609**—An act to amend Sections 9714, 9714.5, and 9732 of the Welfare and Institutions Code, relating to public social services.

Bill presented by Senator Wolk.

The question being: Shall the Senate concur in the Assembly amendments to SB 609?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 613**—An act to amend Section 30959 of, and to add Section 30951.1 to, the Streets and Highways Code, relating to toll bridges.

Bill presented by Senator DeSaulnier.

The question being: Shall the Senate concur in the Assembly amendments to SB 613?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.



**Senate Bill 652**—An act to amend Section 1102.6 of the Civil Code, relating to real property.

Bill presented by Senator DeSaulnier.

The question being: Shall the Senate concur in the Assembly amendments to SB 652?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 672**—An act to add Section 18901.1 to the Welfare and Institutions Code, relating to CalFresh.

Bill presented by Senator Leno.

The question being: Shall the Senate concur in the Assembly amendments to SB 672?

**Roll Call**

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

AYES (30)—Senators Beall, Berryhill, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Lara, Leno, Lieu, Liu, Monning, Pavley, Roth, Steinberg, Torres, Wolk, Wright, and Yee.

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

Above bill ordered enrolled.

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

Bill presented by Senator Block.

The question being: Shall the Senate concur in the Assembly amendments to SB 676?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 717**—An act to amend Section 1524 of the Penal Code, relating to search warrants, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator DeSaulnier.

The question being: Shall the Senate concur in the Assembly amendments to SB 717?

#### Roll Call

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

**Senate Bill 806**—An act to amend Section 4853 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill presented by Senator Hueso.

The question being: Shall the Senate concur in the Assembly amendments to SB 806?

#### Roll Call

The roll was called and the Senate concurred in Assembly amendments 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

#### THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution 70**—Relative to the University of California, Davis.

Resolution read third time and presented by Senator Galgiani.



**Roll Call**

The roll was called and the resolution was 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill 384**—An act to amend Section 70010.5 of the Education Code, relating to scholarships, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Gaines.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**UNFINISHED BUSINESS (RESUMED)**

**Consideration of Assembly Amendments**

**Senate Bill 725**—An act to amend Sections 1260, 1261, 1262, 1264, and 1266 of the Military and Veterans Code, relating to veterans.

Bill presented by Senator Anderson.

The question being: Shall the Senate concur in the Assembly amendments to SB 725?

**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, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson,



Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

Above bill ordered enrolled.

### **REQUEST TO DISPENSE WITH JOINT RULES**

The following request was presented by Senator Beall:

Senate Chamber, September 4, 2013

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(a)(12) in order that AB 1222 may meet and report by the Committee on Public Employment and Retirement after the deadline.

SENATOR BEALL

### **Recommendation of Rules Committee**

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

STEINBERG, Chair

### **RESOLUTION TO DISPENSE WITH JOINT RULES**

*Resolved*, That Joint Rule 61(a)(12) be dispensed with as requested.

Resolution read and presented by Senator Steinberg.

### **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, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

### **JOINT RULE 62(a) SUSPENDED**

Senator Beall asked to suspend Joint Rule 62(a) for the purpose of allowing the Committee on Public Employment and Retirement to meet and hear AB 1222 this week without four days notice in the Daily File.

### **Roll Call**

The roll was called and the motion carried 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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.





**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****Consideration of Governor's Appointment**

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

CATHRYN I. RIVERA-HERNANDEZ, Member, Agricultural Labor Relations Board.

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 (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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**Consideration of Governor's Appointment**

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

ANNA M. CABALLERO, Secretary, Business, Consumer Services, and Housing Agency.

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 (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, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

**REQUEST TO BE ADDED TO ROLL CALL**

September 4, 2013

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measure taken up on this day:

SB 571—Aye

BOB HUFF, Minority Floor Leader



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

At 3 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 Thursday, September 5, 2013.

Motion carried.

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

**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 third time.

**Amendments Adopted**

Amendments to AB 219 proposed by Senator Wright were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED  
TO RESCIND ACTION (AB 253)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 253 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

**Consideration of Assembly Bill 253**

**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.

**Motion to Amend**

Amendments to AB 253 proposed by Senator Evans were read and adopted and the measure ordered printed and to second reading.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill 1109**—An act to amend Section 50802 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1109 proposed by Senator Hueso were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 1149**—An act to amend Section 1798.29 of the Civil Code, relating to identity theft.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1149 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 4**—An act to add Chapter 17.1 (commencing with Section 7282) to Division 7 of Title 1 of the Government Code, relating to state government.

Bill read third time.

**Amendments Adopted**

Amendments to AB 4 proposed by Senator De León were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1381**—An act to amend Sections 22115, 22119.2, 22134.5, 22135, 22148, 22327, 22664, 22826, 22901, 22901.3, 22905, 22909, 23855, 24202, 24202.5, 24202.6, 24202.7, 24203, 24205, 24206, 24209, 24210, 24214, 24214.5, 24600, 26139, 26503.5, 26504, 26800, 26810, 26812, and 26813 of, to add Sections 22109.8, 22146.2, 22160.5, 24252, 26132.5, 26135.5, 26135.7, and 26139.5 to, and to repeal and add Section 22119.3 of, the Education Code, relating to public employees' retirement.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1381 proposed by Senator Beall were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 971**—An act to amend Section 15975 of the Government Code, and to amend Sections 11105 and 13300 of the Penal Code, relating to public employment.

Bill read third time.

**Amendments Adopted**

Amendments to AB 971 proposed by Senator De León were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 711**—An act to amend Section 3004.5 of the Fish and Game Code, relating to hunting.

Bill read third time.

**Amendments Adopted**

Amendments to AB 711 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1131**—An act to amend Sections 8100, 8102, 8103, 8104, and 8105 of the Welfare and Institutions Code, relating to firearms.

Bill read third time.



**Amendments Adopted**

Amendments to AB 1131 proposed by Senator Wolk were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1068**—An act to amend Sections 49073 and 49076 of the Education Code, relating to pupil records.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1068 proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 179**—An act to amend Section 31490 of, to amend the heading of Chapter 8 (commencing with Section 31490) of Division 17 of, and to amend the heading of Division 17 (commencing with Section 30000) of, the Streets and Highways Code, relating to transportation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 179 proposed by Senator DeSaulnier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1386**—An act to amend Section 98.2 of the Labor Code, relating to employment.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1386 proposed by Senator Hueso were read and adopted and the measure ordered printed and to second 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 third time.

**Amendments Adopted**

Amendments to AB 1186 proposed by Senator Lieu were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 483**—An act to add Section 53758 to the Government Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to AB 483 proposed by Senator Hueso were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 648**—An act to amend Section 68086 of the Government Code, relating to courts, and making an appropriation therefor.

Bill read third time.

**Amendments Adopted**

Amendments to AB 648 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**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.

Bill read third time.

**Amendments Adopted**

Amendments to AB 701 proposed by Senator Correa were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1008**—An act to add Section 31552.4 to the Government Code, and to amend Section 101850 of, and to add Section 101851 to, the Health and Safety Code, relating to Alameda County Medical Center, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1008 proposed by Senator Corbett were read and adopted and the measure ordered printed and to second reading.

**RE-REFERENCE TO COMMITTEE**

Pursuant to Senate Rule 29.10, **AB 1008** was re-referred to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

State Capitol, September 4, 2013

Madam President: On a vote of 5–0, the Senate Rules Committee has re-referred AB 1008 to the Public Employment and Retirement Committee, pursuant to Senate Rule 29.10.

STEINBERG, Chair

**MEMORANDUM OF UNDERSTANDING**

**Legislative Analyst's Office Fiscal Analysis**

A fiscal analysis dated: September 3, 2013, for the Memorandum of Understanding (MOU), reached with Bargaining Unit 7, was received from the Legislative Analyst's Office and filed with the Secretary of the Senate.



**SENATE COMMITTEE ROLL CALLS****Committee on Business, Professions and Economic Development****SB 667**—That the Assembly amendments be concurred in

AYES (9)—Senators Block, Corbett, Emmerson, Galgiani, Hernandez, Hill, Lieu, Padilla, and Wyland.

NOES (0)—None.

Date of Hearing: 9/4/2013

Lieu (Chair)

**REQUESTS TO ADJOURN IN MEMORIAM**

Senators Steinberg and Wolk requested that when the Senate adjourns this day it do so in memory of Walter “Whitey” A. Schlages of Davis.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Thursday, September 5, 2013.

PAULA K. ROSSETTO, Minute Clerk

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