

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, January 17, 2014

The Senate met at 9 a.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:
Beall, Block, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hill, Hueso, Huff, Jackson, Knight, Lara, Liu, Monning, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, and Yee—29.

Quorum present.

(NOTE: Senators Berryhill, Hancock, Hernandez, Leno, Lieu, Mitchell, Wright, and Wyland will be excused this day on personal business and Senators Anderson and Nielsen will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

This coming Monday our nation will celebrate Martin Luther King, Jr. Day. But on this day we celebrate more than the accomplishments of a single man. We celebrate what his life represented. We celebrate the many men, women, and children who put their own lives on the line to create a more perfect nation for all its citizens, regardless of the color of their skin.

Rev. King's good friend and advisor, the Rev. Ralph Abernathy once said "I don't know what the future may hold, but I know who holds the future." Because Rev. Abernathy was a man of God, it is easy to assume that he simply meant that the future was in God's hands alone.

But the Holy One has given humanity this earth to tend and to till, to protect and to heal.

We hold the future in our hands. Since our nation's founding, we have understood the important truth, that our Creator has endowed us with a sense of right and wrong, and the ability to establish a nation that serves all its people with liberty and justice for all. May the Holy One grant us the strength to continue the work of creating a more perfect union for all of our brothers and sisters.

May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

Senate Bill 712—An act to add Section 25200.7.5 to the Health and Safety Code, relating to hazardous materials.

Bill read second time.

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

Senate Bill 812—An act to amend Section 25200 of, and to add Section 25200.20 to, the Health and Safety Code, relating to hazardous waste.

Bill read second time.

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

Senate Bill 761—An act to amend Section 18897 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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



Senate Bill 782—An act to add and repeal Article 13.51 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Senate Bill 469—An act to amend Section 35110 of, and to add Section 35405 to, the Vehicle Code, relating to vehicles.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 485—An act to amend Sections 110003, 110005, 110006, 110007, 110008, 110009, 110011, and 110021 of, and to amend and repeal Section 6253.2 of, the Government Code, to amend Sections 12300.5, 12300.7, and 14186.35 of, to amend and repeal Sections 10101.1, 12306, and 12306.1 of, and to repeal Section 12302.25 of, the Welfare and Institutions Code, and to amend Section 34 of Chapter 37 of the Statutes of 2013, relating to in-home supportive services.

Bill read second time.

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

MEASURES GIVEN SECOND READING

Without objection, measures reported from policy committee with the recommendation “Do Pass as Amended and re-refer to the Committee on Appropriations” will be given their second reading upon being reported.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution 73—Relative to Martin Luther King, Jr. Day.

Resolution read third time and presented by Senator Steinberg.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (25)—Senators Beall, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Hill, Hueso, Huff, Jackson, Knight, Lara, Liu, Monning, Pavley, Roth, Steinberg, Vidak, Walters, Wolk, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Berryhill, Hancock, Hernandez, Leno, Lieu, Mitchell, Wright, and Wyland.

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

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:26 a.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 Tuesday, January 21, 2014.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 17, 2014

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

AB 319 AB 230 AB 326 AB 769

Assembly Chamber, January 17, 2014

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning Assembly Bill No. 852 to the Senate for further action.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 319—An act to add Article 10 (commencing with Section 53165) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

Assembly Bill 230—An act to add Chapter 2.7 (commencing with Section 18900) to Division 8 of the Business and Professions Code, relating to youth athletic programs.

Assembly Bill 326—An act to amend Section 6409.1 of the Labor Code, relating to occupational safety and health.



Assembly Bill 769—An act to amend Section 402.5 of the Revenue and Taxation Code, relating to taxation.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, January 17, 2014

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

SB 166

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

DE LEÓN, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 166—An act to add Section 634.3 to the Welfare and Institutions Code, relating to juveniles.

Bill read second time.

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

Committee on Public Safety

Date of Hearing, January 14, 2014

Madam President: The Committee on Public Safety, to which was referred:

SB 388

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

HANCOCK, Chair

Above measure ordered to second reading.

Date of Hearing, January 14, 2014

Madam President: The Committee on Public Safety, to which was referred:

SB 794

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

HANCOCK, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, January 17, 2014

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

AB 471

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 471—An act to amend Section 53395.4 of the Government Code, and to amend Sections 34163, 34171, 34177, 34180, 34183, 34191.4, and 34191.5 of the Health and Safety Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, January 14, 2014

Madam President: The Committee on Judiciary, to which was referred:
SB 650

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

EVANS, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, January 15, 2014

Madam President: The Committee on Health, to which was referred:
SB 596

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

HERNANDEZ, Chair

Above measure ordered to second reading.

Senate Chamber, January 17, 2014

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

AB 1124

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1124—An act to repeal and add Section 14124.11 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 388—An act to amend Sections 3253 and 3303 of the Government Code, relating to public employment.

Bill read second time.

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

Senate Bill 596—An act to add Section 124174.7 to the Health and Safety Code, relating to pupil health.

Bill read second time.

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

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 747** was withdrawn from the Committee on Environmental Quality and re-referred to the Committee on Appropriations.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Bill 905: By Senator Knight—An act to amend Section 4501 of the Penal Code, relating to assault.

SENATE COMMITTEE ROLL CALLS

Committee on Environmental Quality

SB 498—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Corbett, Fuller, Hill, Jackson, and Leno.

NOES (1)—Senator Pavley.

SB 674—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Corbett, Fuller, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

SB 712—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Corbett, Fuller, Gaines, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

SB 812—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Corbett, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

Date of Hearing: 1/15/2014

Hill (Chair)



REQUESTS TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Frank Creede Jr. of Fresno and Ernest Armen Bedrosian of Fowler.

Senator Calderon requested that when the Senate adjourns this day it do so in memory of Eva Arranaga of Oceanside.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Marvin L. "Buzz" Oates of Sacramento.

Senator Knight requested that when the Senate adjourns this day it do so in memory of Ralph R. Holmes of Lancaster.

Senator Lieu requested that when the Senate adjourns this day it do so in memory of Mary Louise Carucci of Merced.

Senator Roth requested that when the Senate adjourns this day it do so in memory of Louis VanderMolen of Norco.

Senator Yee requested that when the Senate adjourns this day it do so in memory of Rudy Montecarlo of San Francisco.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Tuesday, January 21, 2014.

PAULA K. ROSSETTO, Minute Clerk

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