

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, January 29, 2014

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,
De León, DeSaulnier, Evans, Fuller, Galgiani, Hancock, Hernandez, Hill,
Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning,
Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wyland, and
Yee—34.

Quorum present.

(NOTE: Senators Correa and Wolk will be excused this day on legislative business, Senators Gaines and Wright will be excused this day on personal business, and Senator Nielsen will be excused this day due to illness.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

January 29, 2014

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

CARL A. COHN, ED.D., has been reappointed to the California State Board of Education, where he has served since 2011. Cohn has been a professor and co-director of the Urban Leadership Program at Claremont Graduate University since 2009. He was a distinguished leader in residence at San Diego State University from 2007 to 2008 and superintendent of schools at the San Diego Unified School District from 2005 to 2007. Cohn was a clinical professor at the University of Southern California Rossier School of Education from 2002 to 2005 and superintendent of schools at the Long Beach Unified School District from 1992 to 2002. He is a member of the Association of California School Administrators. Cohn earned a Doctor of Education degree in administration and policy studies from the University of California, Los Angeles and a Master of Arts degree in counseling from Chapman University. Reappointed 01/16/2014. Effective 01/16/2014.

Member, California State Board of Education, vice, self, reappointed. Term ending 01/15/2018.

MICHAEL W. KIRST, PH.D., has been reappointed to the California State Board of Education, where he has served since 2011. Kirst is professor emeritus at Stanford University, where he has been a member of the faculty since 1969. He was director of program planning for the U.S. Office of Education and staff director for the U.S. Senate Subcommittee on Manpower, Employment, and Poverty from 1967 to 1969. Kirst served on the California State Board of Education from 1975 to 1982. He earned a Doctor of Philosophy degree in political economy from Harvard University. Reappointed 01/16/2014. Effective 01/16/2014.

Member, California State Board of Education, vice, self, reappointed. Term ending 01/15/2018.

PATRICIA A. RUCKER, has been reappointed to the California State Board of Education, where she has served since 2011. Rucker has been a legislative advocate for the California Teachers Association since 2008. She was a consultant to the California Teachers Association on instruction and professional development from 1997 to 2008 and was a teacher in the Del Paso Heights School District from 1983 to 1997.



Rucker earned a Master of Education degree in curriculum and instruction from California State University, Sacramento. Reappointed 01/16/2014. Effective 01/16/2014.

Member, California State Board of Education, vice, self, reappointed. Term ending 01/15/2018.

PRESTON M. PRINCE, has been appointed to the California Housing Finance Agency Board of Directors. Prince has been chief executive officer and executive director at the Fresno Housing Authority since 2007. He was executive director at the Aurora Housing Authority from 2002 to 2007 and senior housing development program manager at the Seattle Housing Authority from 1999 to 2002. Prince was director of housing development at Kitsap County Consolidated Housing Authority from 1995 to 1999 and a housing developer at Common Ground from 1990 to 1995. He is president of the National Association of Housing and Redevelopment Officials. Prince earned a Master of Arts degree in urban affairs and policy analysis from the New School. Appointed 12/16/2013. Effective 01/06/2014.

Member, California Housing Finance Agency Board of Directors, vice, Ruben Smith, term expired. Term ending 09/26/2019.

ALEX A. SANCHEZ, has been appointed to and designated chair of the California Housing Partnership Corporation. Sanchez has been executive director at the Santa Clara County Housing Authority since 2001. He served as director of the City of San Jose Department of Housing from 1988 to 2001, director of housing for the City of Santa Ana from 1981 to 1988 and deputy director of the City of Bell Gardens Redevelopment Agency from 1974 to 1981. Appointed 12/17/2013. Effective 01/14/2014.

Member, California Housing Partnership Corporation, vice, Ronald Garcia, resigned, no date. Term ending 01/01/2016.

JAMES V. MADAFFER JR., has been appointed to the California Transportation Commission. Madaffer has been president of Madaffer Enterprises since 2009 and publisher at Mission Publishing Group LLC since 1995. He was a councilmember for the City of San Diego from 2000 to 2008, chief of staff to San Diego city councilmember Judy McCarty from 1993 to 2000, owner of JVM and Associates from 1988 to 1993 and general manager at the Delta Coast Corporation from 1981 to 1988. Madaffer is a member of the Lambda Alpha International San Diego Chapter, the San Diego Press Club, the Boy Scouts of America San Diego-Imperial Council Board of Directors and the Aircraft Owners and Pilots Association. Appointed 01/06/2014. Effective 01/14/2014.

Member, California Transportation Commission, vice, James Waring, withdrawn from the Senate. Term ending 02/01/2015.

Above appointments referred to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 29, 2014

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

AB 43	AB 896	AB 495	AB 1104
AB 148	AB 1101	AB 504	AB 1163
AB 357	AB 129	AB 659	AB 1193
AB 468	AB 194	AB 690	AB 1256
AB 474	AB 264	AB 777	AB 1271
AB 520	AB 330	AB 802	AB 1327
AB 569	AB 365	AB 883	AB 1356

Assembly Chamber, January 29, 2014

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

SCR 38	SCR 53	SCR 57
SCR 60		

Above resolutions ordered enrolled.

Assembly Chamber, January 29, 2014

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

SCR 64

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.

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 43—An act to amend Section 6901 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 148—An act to amend Sections 2940 and 2942 of the Fish and Game Code, relating to the Salton Sea.

Assembly Bill 357—An act to add Article 7.5 (commencing with Section 124167) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, and to repeal Chapter 13 (commencing with Section 12693.90) of Part 6.2 of Division 2 of the Insurance Code, relating to child health.

Assembly Bill 468—An act to amend Sections 4593.2, 4593.3, 4593.8, 4593.9, 4593.11, 4594, and 4594.7 of the Public Resources Code, relating to forest resources.



Assembly Bill 474—An act to amend Section 30324 of the Public Resources Code, relating to coastal resources.

Assembly Bill 520—An act to amend Section 25503.5 of, and to add Section 25503.57 to, the Business and Professions Code, relating to alcoholic beverages.

Assembly Bill 569—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.

Assembly Bill 896—An act to add Section 1506 to the Fish and Game Code, relating to wildlife management.

Assembly Bill 1101—An act to amend Section 35401.7 of the Vehicle Code, relating to vehicles.

Assembly Bill 129—An act to amend Section 107 of the Corporations Code, relating to business associations.

Assembly Bill 194—An act to amend Section 54960.1 of the Government Code, relating to local government.

Assembly Bill 264—An act to amend Section 11450 of the Welfare and Institutions Code, relating to public social services.

Assembly Bill 330—An act to amend Sections 69433.2, 94910, and 94929.5 of the Education Code, relating to student financial aid.

Assembly Bill 365—An act to amend Section 273 of, and to add Section 275 to, the Code of Civil Procedure, relating to court reporting.

Assembly Bill 495—An act to add Article 6.5 (commencing with Section 12099.20) to Chapter 1.6 of Part 2 of Division 3 of Title 2 to the Government Code, relating to community investment.

Assembly Bill 504—An act to amend Section 8405.4 of the Fish and Game Code, relating to commercial fishing.

Assembly Bill 659—An act to amend Section 51226.3 of the Education Code, relating to pupil instruction.

Assembly Bill 690—An act to add the heading of Chapter 1 (commencing with Section 99500) to, to add Chapter 2 (commencing with Section 99520) and Chapter 3 (commencing with Section 99530) to, Title 20 of, and to repeal Chapter 8 (commencing with Section 8700) and Chapter 8.1 (commencing with Section 8710) of Division 1 of Title 2 of, the Government Code, relating to state government.

Assembly Bill 777—An act to add and repeal Section 242 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.



Assembly Bill 802—An act to amend Section 1281.96 of the Code of Civil Procedure, relating to consumer arbitration.

Assembly Bill 883—An act to add and repeal Article 7 (commencing with Section 18974) of Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to child sexual abuse, and making an appropriation therefor.

Assembly Bill 1104—An act to add and repeal Section 21080.23.5 of the Public Resources Code, relating to environmental quality.

Assembly Bill 1163—An act to add Section 20100 to the Government Code, relating to public employees' retirement.

Assembly Bill 1193—An act to amend Sections 890.4 and 891 of the Streets and Highways Code, relating to bikeways.

Assembly Bill 1256—An act to amend Section 1708.8 of, and to add Section 1708.9 to, the Civil Code, relating to civil law.

Assembly Bill 1271—An act to amend Section 84810.5 of the Education Code, relating to community colleges.

Assembly Bill 1327—An act to add Section 6254.31 to the Government Code, and to add Title 14 (commencing with Section 14350) to Part 4 of the Penal Code, relating to unmanned aircraft systems.

Assembly Bill 1356—An act to amend Section 1708.7 of the Civil Code, relating to stalking.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, January 29, 2014

Mr. President: The Senate Rules Committee made the following changes:

STANDING COMMITTEE APPOINTMENTS

Appointed Senator Corbett as a member of the Budget and Fiscal Review Committee to replace Senator DeSaulnier.

Removed Senator Torres as a member of the Education Committee leaving a vacancy.

Appointed Senator Evans as a member of the Health Committee to replace Senator Pavley.

Appointed Senator Torres as Chair of the Public Employment and Retirement Committee to replace Senator Beall.

Appointed Senator Corbett as Chair of the Budget and Fiscal Review Subcommittee No. 3 to replace Senator Monning who will remain as a member, and appointed Senator Walters to replace Senator DeSaulnier.

Appointed Senator Mitchell as a member of the Budget and Fiscal Review Subcommittee No. 5 to fill the existing vacancy.

STEINBERG, Chair



State Capitol, January 29, 2014

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that she be confirmed:

Janea A. Scott, Member, State Energy Resources Conservation and Development Commission (5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, January 29, 2014

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation that she be confirmed:

Virginia Madueno, Member, Boating and Waterways Commission (5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 922: By Senator Knight—An act to amend Sections 264 and 264.1 of the Penal Code, relating to sex offenses.

Senate Bill 923: By Senator Pavley—An act to add Article 2.3 (commencing with Section 33135) to Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code, relating to educational apprenticeships, and making an appropriation therefor.

Senate Bill 924: By Senators Beall and Lara—An act to amend Section 340.1 of the Code of Civil Procedure, relating to damages.

Senate Bill 925: By Senator Wright—An act to add Section 6546.14 to the Government Code, relating to transportation.

Senate Bill 926: By Senators Beall and Lara (Coauthors: Senators Block and Vidak) (Coauthors: Assembly Members Fox and Hall)—An act to amend Section 801.1 of the Penal Code, relating to crimes.

Senate Bill 927: By Senators Cannella and Vidak—An act to amend Sections 79700, 79702, 79716, 79720, 79720.1, 79720.4, 79721, 79722, 79732, 79744, 79745, 79747, 79749.5, 79770, and 79810 of, to amend the heading of Division 26.7 (commencing with Section 79700) of, to repeal Sections 79720.6 and 79824 of, and to repeal Chapter 9 (commencing with 79750) of Division 26.7 of, the Water Code, relating to the Safe, Clean, and Reliable Drinking Water Supply Act of 2014, and declaring the urgency thereof, to take effect immediately.

Senate Bill 928: By Senators Correa and Huff—An act to add Section 13996.43 to the Government Code, relating to economic development.



Senate Resolution 26: By Senator Steinberg—Relative to the Standing Rules of the Senate for the 2013–14 Regular Session.

Above resolution ordered held at Desk.

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

Senate Bill 466—An act to add and repeal Chapter 4 (commencing with Section 11480) of Title 1 of Part 4 of the Penal Code, relating to the California Institute for Criminal Justice Policy.

Bill read second time.

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

Senate Bill 383—An act to amend Sections 1747.02 and 1747.08 of the Civil Code, relating to credit cards.

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

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SJR 18** was withdrawn from Committee and placed on third reading.

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

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 third time.

Amendments Adopted

Amendments to AB 471 proposed by Senator Wolk were read and adopted and the measure ordered printed and to second reading.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Correa and Wolk.

The following Senators were granted leaves of absence for the day due to personal business: Senators Gaines and Wright.

The following Senator was granted leave of absence for the day due to illness: Senator Nielsen.



ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, January 30, 2014.

PAULA K. ROSSETTO, Minute Clerk

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