

CALIFORNIA LEGISLATURE
2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 30, 2014

The Senate met at 9 a.m.
Hon. Alex Padilla, of the 20th 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, Evans, Fuller, Gaines, Galgiani, Hancock,
Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu,
Mitchell, Monning, Padilla, Pavley, Roth, Steinberg, Torres, Vidak,
Walters, Wolk, Wyland, and Yee—37.

Quorum present.

(NOTE: Senator Wright will be excused this day on personal business and Senator Nielsen will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Creator of Heaven and Earth,

The Psalmist cried out to You: “Sing to the Eternal with thanksgiving; sing praise upon the lyre to our God; Who covers the heaven with clouds, who prepares rain for the earth, who makes grass grow on the mountains. (Psalms 147:7-8)”

We give thanks to You for the blessing of rain. May it continue to fall in the right season, and in the right amounts, nourishing our land, giving sustenance to our fields and filling our lakes and our rivers.

May it be Your will O God to be compassionate upon us so that our Great State continue to be a land of plenty, with white capped mountains, rushing rivers, and green and golden fields. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

Assembly Bill 471—An act to amend Section 53395.4 of the Government Code, and to amend Sections 34171, 34177, 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 and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 31 of Article I thereof, relating to public education.

Resolution read third time and presented by Senator Hernandez.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Hernandez moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 210—An act to amend Sections 1275 and 1318.1 of the Penal Code, relating to criminal procedure.

Bill read third time and presented by Senator Hancock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Beall, Block, Calderon, Corbett, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso, Jackson,



Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Pavley, Steinberg, Torres, Wolk, and Yee.

NOES (9)—Senators Anderson, Berryhill, Fuller, Gaines, Huff, Knight, Vidak, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Jackson.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Jackson moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 268—An act to add Section 32132.7 to the Health and Safety Code, relating to health care districts, 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 (35)—Senators Anderson, Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 593—An act to add and repeal Title 15.5 (commencing with Section 97000) of the Government Code, relating to social impact partnerships.

Bill read third time and presented by Senator Lieu.



Roll Call

The roll was called and the bill was passed by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 16—An act to add Chapter 3.5 (commencing with Section 15205) to Part 6 of Division 3 of Title 2 of the Government Code, relating to counties, 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 (34)—Senators Anderson, Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Anderson, Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wyland, and Yee.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Lieu.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Anderson, Beall, Block, Calderon, Corbett, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Torres, Vidak, Wolk, Wyland, and Yee.

NOES (2)—Senators Gaines and Walters.

Bill ordered transmitted to the Assembly.



Senate Bill 477—An act to amend Sections 9998.1, 9998.6, and 9998.8 of, to add Sections 9998.1.5, 9998.2.5, 9998.10, and 9998.11 to, and to repeal and add Section 9998.2 of, the Business and Professions Code, relating to foreign labor contractors.

Bill read third time and presented by Senator De León.

Roll Call

The roll was called and the bill was passed by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 808—An act to amend Sections 11106, 16520, 23910, and 28230 of, and to add Chapter 3 (commencing with Section 29180) to Division 7 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

Bill read third time and presented by Senator De León.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Beall, Block, Calderon, Corbett, De León, DeSaulnier, Evans, Hancock, Hernandez, Hill, Jackson, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Steinberg, Torres, Wolk, and Yee.

NOES (10)—Senators Anderson, Berryhill, Correa, Fuller, Gaines, Huff, Knight, Vidak, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 240—An act to amend Section 3017 of, and to add Section 3025 to, the Elections Code, relating to elections.

Bill read third time and presented by Senator Yee.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Beall, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Galgiani, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Wolk, and Yee.

NOES (9)—Senators Anderson, Berryhill, Fuller, Gaines, Huff, Knight, Vidak, Walters, and Wyland.

Bill ordered transmitted to the Assembly.

Senate Bill 579—An act to add and repeal Section 4751 of the Welfare and Institutions Code, relating to developmental services.

Bill read third time and presented by Senator Berryhill.



Roll Call

The roll was called and the bill was passed by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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 third time and presented by Senator DeSaulnier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Torres, Wolk, Wyland, and Yee.

NOES (6)—Senators Anderson, Fuller, Gaines, Huff, Vidak, and Walters.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution 18—Relative to unemployment insurance. Resolution read third time and presented by Senator Beall.

Roll Call

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

AYES (29)—Senators Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Liu, Mitchell, Monning, Padilla, Roth, Steinberg, Torres, Vidak, Wolk, Wyland, and Yee.

NOES (3)—Senators Anderson, Knight, and Walters.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SCA 5)**

On motion of Senator Hernandez, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SCA 5 was adopted by the following vote:

AYES (27)—Senators Beall, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso,



Jackson, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Pavley, Roth, Steinberg, Torres, Wolk, and Yee.

NOES (9)—Senators Anderson, Berryhill, Fuller, Gaines, Huff, Knight, Vidak, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 383)**

On motion of Senator Jackson, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 383 was passed by the following vote:

AYES (21)—Senators Calderon, Corbett, Correa, De León, DeSaulnier, Evans, Hancock, Hueso, Jackson, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Pavley, Roth, Steinberg, Wolk, and Yee.

NOES (13)—Senators Anderson, Berryhill, Fuller, Gaines, Galgiani, Hernandez, Hill, Huff, Knight, Torres, Vidak, Walters, and Wyland.

Above bill ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

January 30, 2014

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

- | | | |
|------------|------------|------------|
| SB 210—Aye | SB 268—Aye | SB 593—Aye |
| SB 16—Aye | SB 388—Aye | SB 477—Aye |
| SB 808—Aye | | |

DARRELL STEINBERG, President pro Tempore

January 30, 2014

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

- | | |
|------------|-----------|
| SB 388—Aye | SB 808—No |
|------------|-----------|

BOB HUFF, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

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

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

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

At 11:20 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 Monday, February 3, 2014.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 30, 2014

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

AB 203	AB 369	AB 371	AB 510
AB 548	AB 919	AB 1260	

Assembly Chamber, January 30, 2014

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

AJR 1

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 203—An act to add and repeal Section 30821 of the Public Resources Code, relating to coastal resources.

Assembly Bill 369—An act to amend Section 1373.96 of the Health and Safety Code, and to amend Section 10133.56 of the Insurance Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 371—An act to amend Section 13274 of the Water Code, relating to sewage sludge.

Assembly Bill 510—An act to repeal and add Section 84511 of the Government Code, relating to the Political Reform Act of 1974.

Assembly Bill 548—An act to amend Section 78261.5 of the Education Code, relating to public postsecondary education.

Assembly Bill 919—An act to add Section 6018.2 to the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1260—An act to add Section 27 to the Government Code, relating to businesses.

Assembly Joint Resolution 1—Relative to a federal constitutional convention.



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 929: By Senator Wright—An act to amend Section 17 of the Penal Code, relating to felonies.

MEASURE ORDERED TO THIRD READING

Without objection, **SR 26** was ordered to third reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Joseph White of Hayward.

Senators Evans and Leno requested that when the Senate adjourns this day it do so in memory of Walter Strom of Petaluma.

Senator Yee requested that when the Senate adjourns this day it do so in memory of Guido Perotti 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., Monday, February 3, 2014.

PAULA K. ROSSETTO, Minute Clerk

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