

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FORTY-SEVENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, February 10, 2014

The Senate met at 2 p.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, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee—35.

Quorum present.

*(NOTE: Senator Steinberg will be excused this day on legislative business, Senator Liu will be excused this day on personal business, and Senators Calderon and Hancock will be excused this day due to illness.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Rev. Kevin Ross, Senior Minister, Unity of Sacramento:

Let Us Look Higher to the God of our Recognition and Pray

As we gather in these hallowed halls and contemplate our roles

Let us who live to serve reach, higher for crowns of conscience

And cloak ourselves with compassion

That we may bring from our districts to our desks

And sharp pencil that sketches on our hearts the Faces of Freedom that we represent.

Let us especially marshal to the fore of our memories the

Pioneers of our Progress whose bloodied journey

Summoned an unfamiliar courage that gave rise to a Radical Inclusion

And constructed platforms for a Western state to lead the nation.

Let this space be transformed into an incubator of our best ideas

And not a prison for our poorest politics.

Let our debate take into account the least, the last and the lost

And for this place of power, let we who lead this great State

Stand as innovators of cooperation and distributors of a new America.

We commence this worshipful work conscious that the watchful eye

Lincoln and Martin, Sojourner and Chavez

Rosa and Johnson, Thurgood and Tubman

They crowd the celestial balcony

Rooting for each of us to rise for all of us

And for once build a house united for itself

that stands to create a world that works for all.

This is enough. Let every builder say, "AMEN."

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, February 6, 2014

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

ACR 86

ACR 87

Assembly Chamber, February 10, 2014

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 471



Assembly Chamber, February 10, 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. 467 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:

**Assembly Concurrent Resolution 86**—Relative to American Heart Month and Wear Red Day.

**Assembly Concurrent Resolution 87**—Relative to Ronald Reagan Day.

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

Senator Hill moved that **AB 1303** be taken from the inactive file and placed on the second reading file.

Motion carried.

#### **CONSIDERATION OF DAILY FILE**

#### **THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 76**—Relative to Black History Month.

Resolution read third time and presented by Senator Mitchell.

#### **Roll Call**

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

#### **LEAVES OF ABSENCE FOR THE DAY**

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

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

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



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

At 2:51 p.m., on motion of Senator Fuller, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Fuller 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, February 11, 2014.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

February 10, 2014

*To the Senate of the State of California:*

I hereby respectfully withdraw from consideration, effective close of business February 10, 2014, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Ron Lee Hughes

Chief, Office of Technology Services

Sincerely,

EDMUND G. BROWN JR., Governor

Above transmitted to the Committee on Rules.

**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 964:** By Senator Hernandez—An act to amend Section 1380.3 of, and to add Sections 1380.4, 1380.5, and 1380.6 to, the Health and Safety Code, relating to health care coverage.

**Senate Bill 965:** By Senator Leno—An act to add Section 84750.6 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

**Senate Bill 966:** By Senator Lieu—An act to amend Section 14124.24 of the Welfare and Institutions Code, relating to Medi-Cal.

**Senate Bill 967:** By Senators De León and Jackson (Principal coauthor: Assembly Member Lowenthal) (Coauthors: Senators Beall, Evans, Galgiani, Pavley, and Torres) (Coauthors: Assembly Members Gonzalez and Williams)—An act to add Section 67386 to the Education Code, relating to student safety.

**Senate Bill 968:** By Senator Hill—An act to add Section 6213.5 to the Public Resources Code, relating to public lands.



**Senate Bill 969:** By Senator DeSaulnier—An act to amend Sections 8847 and 8847.1 of, to amend the heading of Chapter 11 (commencing with Section 8847) of Division 1 of Title 2 of, and to add Sections 8849 and 8850 to, the Government Code, relating to public works.

**Senate Bill 970:** By Senator Yee (Coauthors: Senators Evans and Leno) (Coauthor: Assembly Member Bradford)—An act to amend Section 230 of, to amend, repeal, and add Sections 225, 226, and 229 of, and to add Section 208.3 to, the Welfare and Institutions Code, relating to juveniles.

**Senate Bill 971:** By Senator Cannella—An act to amend Sections 17193.5, 17199.4, 17592.74, 32282, 35186, 35292.5, 41003.3, 44279.2, 44279.25, 44279.7, 44320, 44328, 47613.1, 47630, 47634.3, 47634.4, 47650, 47651, 48660, 60119, 60851, 63000, 63001, and 64000 of, to amend the heading of Article 7 (commencing with Section 60117) of Chapter 1 of Part 33 of Division 4 of Title 2 of, to repeal Sections 315.5, 316.5, 317, 1982.3, 1982.5, 1983.5, 17584.3, 17586, 17588, 17592, 32285, 41376, 41378, 45037, 46306, 47613.2, 47630.5, 47633, 47634.1, 48660.2, 48663, 48664, 60117, 60118, 62002, 62002.5, 62003, 62004, 62005, and 62005.5 of, to repeal Article 11 (commencing with Section 1830) of Chapter 6 of Part 2 of Division 1 of Title 1 of, to repeal Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of, to repeal Article 10.4 (commencing with Section 35294.10) of Chapter 2 of Part 21 of Division 3 of Title 2 of, to repeal Article 4 (commencing with Section 37252) of Chapter 2 of Part 22 of Division 3 of Title 2 of, to repeal Article 1 (commencing with Section 41500), Article 2 (commencing with Section 41505), Article 3 (commencing with Section 41510), Article 4 (commencing with Section 41520), Article 5 (commencing with Section 41530), and Article 7 (commencing with Section 41570) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of, to repeal Article 13 (commencing with Section 41920) of Chapter 5 of Part 24 of Division 3 of Title 2 of, to repeal Article 11 (commencing with Section 44380), Article 12 (commencing with Section 44390), and Article 13 (commencing with Section 44395) of Chapter 2 of Part 25 of Division 3 of Title 2 of, to repeal Article 4.5 (commencing with Section 44500), Article 5 (commencing with Section 44520), Article 6 (commencing with Section 44560), Article 7 (commencing with Section 44570), Article 8 (commencing with Section 44580), Article 10 (commencing with Section 44630), Article 10.5 (commencing with Section 44645), and Article 10.6 (commencing with Section 44650) of Chapter 3 of Part 25 of Division 3 of Title 2 of, to repeal Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25 of Division 3 of Title 2 of, to repeal Article 8.5 (commencing with Section 45370) of Chapter 5 of Part 25 of Division 3 of Title 2 of, to repeal Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 of Title 2 of, to repeal Article 4.5 (commencing with Section 52378), Article 5 (commencing with Section 52381), Article 8 (commencing with Section 52480), and Article 9 (commencing with Section 52485) of Chapter 9 of Part 28 of Division 4 of Title 2 of, to repeal



Article 4 (commencing with Section 52750) of Chapter 11 of Part 28 of Division 4 of Title 2 of, to repeal Article 1 (commencing with Section 52800) of Chapter 12 of Part 28 of Division 4 of Title 2 of, to repeal Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2 of, to repeal Article 3 (commencing with Section 60240) and Article 7 (commencing with Section 60350) of Chapter 2 of Part 33 of Division 4 of Title 2 of, to repeal Chapter 5.1 (commencing with Section 8820) of Part 6 of Division 1 of Title 1 of, to repeal Chapter 13 (commencing with Section 11200) and Chapter 17 (commencing with Section 11600) of Part 7 of Division 1 of Title 1 of, to repeal Chapter 2.5 (commencing with Section 37300) of Part 22 of Division 3 of Title 2 of, to repeal Chapter 3.3 (commencing with Section 44700), Chapter 3.33 (commencing with Section 44720), Chapter 3.34 (commencing with Section 44730), Chapter 3.36 (commencing with Section 44735), Chapter 3.45 (commencing with Section 44755), and Chapter 3.5 (commencing with Section 44760) of Part 25 of Division 3 of Title 2 of, to repeal Chapter 6.8 (commencing with Section 52080), Chapter 6.9 (commencing with Section 52100), Chapter 6.10 (commencing with Section 52120), Chapter 7 (commencing with Section 52130), Chapter 8 (commencing with Section 52200), Chapter 8.3 (commencing with Section 52240), Chapter 8.5 (commencing with Section 52250), Chapter 8.6 (commencing with Section 52270), and Chapter 12.5 (commencing with Section 52920) of Part 28 of Division 4 of Title 2 of, to repeal Chapter 1 (commencing with Section 54000) and Chapter 2 (commencing with Section 54100) of Part 29 of Division 4 of Title 2 of, to repeal Chapter 5 (commencing with Section 58700) of Part 31 of Division 4 of Title 2 of, and to repeal Chapter 4 (commencing with Section 60500) of Part 33 of Division 4 of Title 2 of, the Education Code, relating to school finance.

**Senate Bill 972:** By Senator Torres (Coauthors: Senators Anderson, Beall, Calderon, Correa, De León, Evans, Gaines, Galgiani, Hueso, Lara, Lieu, Liu, and Yee)—An act to amend Section 100500 of the Government Code, relating to the California Health Benefit Exchange.

**Senate Bill 973:** By Senator Hernandez—An act to amend Section 11839.3 of the Health and Safety Code, relating to narcotic treatment.

**Senate Resolution 27:** By Senator Cannella—Relative to National Engineers Week.

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

**Assembly Bill 418**—An act to add the heading of Article 1 (commencing with Section 65089.11) to Chapter 2.65 of, and to add Article 2 (commencing with Section 65089.50) to Chapter 2.65 of, Division 1 of Title 7 of, 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 418 proposed by Senator Hill were read and adopted and the measure ordered printed and to second reading.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Salvatore Peter Tedesco of Castro Valley.

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Reginald L. Moore of Antioch.

Senator Evans requested that when the Senate adjourns this day it do so in memory of John Angelo Parducci of Ukiah.

Senator Roth requested that when the Senate adjourns this day it do so in memory of Michael Molinar of Corona.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Fuller, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, February 11, 2014.

PAULA K. ROSSETTO, Minute Clerk

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