

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, February 18, 2014

The Senate met at 2 p.m.

Hon. Hannah-Beth Jackson, of the 19th 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, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senator Hernandez will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

We turn our hearts towards the Creator of all humanity, and give thanks for the blessing of living in this great country. This week we celebrate the birth of our first President, a man whose courage and humility, whose wisdom and restraint, has set the standard for public leadership for over two centuries.

President Washington was a man who understood the importance of living with honor and integrity. He once said: "Make sure you are doing what God wants you to do—then do it with all your strength."

I believe he was speaking about more than finding one's calling, he was also talking about how to pursue that calling. We must live and act with a mindfulness that each of us will ultimately be accountable for the choices we make and the paths that we follow.

May it be Your will O God to reveal to each of us our calling in life. May You grant us the vision to pursue it, and the strength to fulfill it to its greatest potential. 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.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 14, 2014

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

ACR 88

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 88—Relative to Abraham Lincoln's birthday.

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

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.

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.



UNFINISHED BUSINESS**Consideration of Governor's Appointment**

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

JANEA A. SCOTT, Member, State Energy Resources Conservation and Development Commission.

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 (34)—Senators Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, DeSaulnier, Evans, Fuller, Gaines, Hancock, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Nielsen, Padilla, Roth, Steinberg, Torres, Vidak, Walters, Wolk, Wright, Wyland, and Yee.

NOES (0)—None.

MOMENT OF SILENCE

Senators Berryhill, Vidak, and Steinberg requested that the Senate observe a moment of silence in recognition of the passing of California Highway Patrol Officers Brian Law and Juan Gonzalez.

LEAVES OF ABSENCE FOR THE DAY

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

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

At 2:25 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 Wednesday, February 19, 2014.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Agriculture**

Date of Hearing, February 18, 2014

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

AB 1414

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

GALGIANI, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Banking and Financial Institutions

Senate Chamber, February 18, 2014

Madam President: The Chair of the Committee on Banking and Financial Institutions, to which was referred:

SB 896

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

CORREA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 896—An act to add Sections 22066 and 22067 to the Financial Code, relating to finance lenders.

Bill read second time.

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

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 1035: By Senator Huff—An act to amend Section 17001 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 1036: By Senator Pavley—An act to add Section 10631.2 to the Water Code, relating to urban water management.

Senate Bill 1037: By Senator Hernandez—An act to amend Section 101 of the Streets and Highways Code, relating to highways.

Senate Bill 1038: By Senator Leno—An act to amend Section 782 of, and to add Section 786 to, the Welfare and Institutions Code, relating to juveniles.

Senate Bill 1039: By Senator Hernandez—An act to amend Section 4115 of, and to add Sections 4119.6 and 4119.7 to, the Business and Professions Code, and to amend Section 11150 of the Health and Safety Code, relating to pharmacies.

Senate Bill 1040: By Senator Evans—An act to amend Section 25237 of the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 1041: By Senator Jackson—An act to amend Sections 109.5, 1155, 1503, 2101, 2105, 2107, 2112, 2204, 3304, 5120, 5817, 6211, 6611, 6810, 8211, 8611, 8810, 12571, 12631, 12670, 15901.09, 15901.16, 15902.01, 15902.04, 15902.07, 15903.06, 15906.05, 15909.06, 15909.07, 15911.06, 16309, 16906, 16915, 16953, 16959, 16960, 17701.09,



17701.15, 17702.02, 17702.03, 17702.06, 17707.08, 17708.06, 17710.06, 17710.14, and 18210 of the Corporations Code, to amend Section 14101.6 of the Financial Code, and to amend Section 12261 of the Government Code, relating to business.

Senate Bill 1042: By Senator Calderon—An act to amend Section 114276 of the Health and Safety Code, relating to food facilities.

Senate Bill 1043: By Senator Torres—An act to amend Sections 5100, 18201, 18202, 18203, 18204, 18600, 18601, 18603, 18604, 18610, 18611, 18612, 18613, 18614, 18620, 18621, 18622, 18630, 18631, 18640, 18650, 18660, and 18661 of, and to add Section 338.5 to, the Elections Code, relating to elections.

Senate Bill 1044: By Senator Fuller—An act relating to disease prevention, and making an appropriation therefor.

Senate Bill 1045: By Senator Beall—An act to amend Section 14021.6 of the Welfare and Institutions Code, relating to Medi-Cal.

Senate Bill 1046: By Senator Beall—An act to add Section 10144.53 to the Insurance Code, relating to insurance.

Senate Bill 1047: By Senator Walters—An act to amend Sections 1622 and 42127 of the Education Code, relating to education finance.

Senate Bill 1048: By Senator Roth—An act to amend Section 35551 to the Vehicle Code, relating to vehicles.

Senate Bill 1049: By Senator Pavley—An act to amend Sections 10537 and 10538 of, and to add Section 10551 to, the Water Code, relating to water.

Senate Bill 1050: By Senator Monning—An act to amend Sections 1189 and 1195 of the Civil Code, and to amend Section 8202 of the Government Code, relating to notaries public.

Senate Bill 1051: By Senator Galgiani (Coauthor: Assembly Member Garcia)—An act to amend Section 1103.23 of the Civil Code, relating to real property.

Senate Bill 1052: By Senator Torres—An act to amend Section 100503 of the Government Code, relating to health care coverage.

Senate Bill 1053: By Senator Mitchell—An act to amend Sections 1367.005 and 1367.25 of the Health and Safety Code, and to amend Sections 10112.27 and 10123.196 of the Insurance Code, relating to health care coverage.

Senate Bill 1054: By Senator Steinberg—An act to add Article 4 (commencing with Section 6045) to Chapter 5 of Title 7 of Part 3 of the Penal Code, relating to mentally ill criminal offenders, and making an appropriation therefor.



Senate Bill 1055: By Senator Liu—An act to amend Sections 124174, 124174.2, and 124174.6 of the Health and Safety Code, and to amend Section 1 of Chapter 381 of the Statutes of 2008, relating to public health.

Senate Bill 1056: By Senator Fuller—An act to amend Section 31612 of the Government Code, relating to retirement.

Senate Bill 1057: By Senator Corbett—An act to add Section 60605.84 to the Education Code, relating to pupil curriculum.

Senate Bill 1058: By Senator Leno—An act to amend Section 1473 of the Penal Code, relating to criminal procedure.

Senate Bill 1059: By Senator Wyland—An act to amend Section 2699 of the Labor Code, relating to employment.

Senate Bill 1060: By Senator Liu—An act to amend Section 44277 of the Education Code, relating to school employees.

Senate Bill 1061: By Senator Block—An act to amend Sections 105, 2026, 2033, 2102, 2119, 2137, 2141, 2142, 2151, 2156, 2165, 2166, 2166.5, 2166.7, 2167, 2180, 2181, 2183, 2187, 2189, 2190, 2194, 2200, 2202, 2203, 2204, 2205, 2206, 2212, 2221, 3006, 3007.5, 3009, 3011, 3013, 3019, 3021, 3501, 9094, 14310, 16442, 16462, 17000, and 17001 of, and to add Sections 2101.5, 2101.6, and 2155.1 to, the Elections Code, to amend Sections 6254.4, 23365, 23374.13, and 57051 of the Government Code, to amend Section 12950.5 of, and to add Section 12500.5 to, the Vehicle Code, and to amend Section 60211 of the Water Code, relating to elections.

Senate Bill 1062: By Senator Block—An act to amend Section 3010 of the Elections Code, relating to elections.

Senate Bill 1063: By Senator Block—An act to amend Section 2105.5 of the Elections Code, relating to elections.

Senate Bill 1064: By Senator Hill—An act to add Section 765 to the Public Utilities Code, relating to railroads.

Senate Bill 1065: By Senator Monning—An act to amend Section 116 of the Insurance Code, relating to insurance.

Senate Bill 1066: By Senator Galgiani—An act to relating to missing persons.

Senate Bill 1067: By Senator Beall—An act to amend Section 35292.5 of the Education Code, relating to school maintenance.

Senate Bill 1068: By Senator Beall—An act to amend Section 70901 of the Education Code, relating to community colleges.



Senate Bill 1069: By Senator Torres—An act to amend Section 94920 of the Education Code, relating to private postsecondary institutions.

Senate Bill 1070: By Senator Huff—An act to amend Section 47605 of the Education Code, relating to charter schools.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD 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 third time.

Amendments Adopted

Amendments to AB 485 proposed by Senator Yee were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Agriculture

AB 1414—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Berryhill, Cannella, Galgiani, Lieu, and Wolk.

NOES (0)—None.

Date of Hearing: 2/18/2014

Galgiani (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Block requested that when the Senate adjourns this day it do so in memory of Neil Morgan of La Jolla.

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Dr. Harry Sam Dvorsky of San Leandro.

Senator DeSaulnier requested that when the Senate adjourns this day it do so in memory of Barney Parsons of Antioch.

Senator Knight requested that when the Senate adjourns this day it do so in memory of Father John Bosco Stoner of Valyermo.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Masha Zakheim of San Francisco.

Senator Liu requested that when the Senate adjourns this day it do so in memory of Sue Schechter of La Cañada Flintridge.

Senator Roth requested that when the Senate adjourns this day it do so in memory of Anna Marie Azevedo of Norco.



Senators Vidak and Berryhill requested that when the Senate adjourns this day it do so in memory of CHP Officer Brian Law of Clovis and CHP Officer Juan Gonzalez of Fresno.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, February 19, 2014.

PAULA K. ROSSETTO, Minute Clerk

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