

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-SEVENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento

Monday, March 17, 2014

The Senate met at 3 p.m.

Hon. Ellen Corbett, of the 10th 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, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, and Yee—36.

Quorum present.

*(NOTE: Senators Calderon, Wright, and Wyland will be excused this day on personal business.)*



### PRAYER

Upon invitation of the President, the following prayer was offered by Father Madigan, St. Joseph's Church in Clarksburg:

Once upon a time, a young man was captured by pirates and taken off to a foreign land where he spent six years as a slave looking after sheep. At the end of that time, he escaped and returned to his own people. Later, in a dream he saw the people of the land of his captivity calling him to come and walk once more among them. He returned to that people and spent his life telling them about the love and mercy of God who was his strength during those years when he tended sheep on the mountainside.

This person is St. Patrick and the following is one of his prayers:

May the Strength of God guide us.

May the Power of God preserve us.

May the Wisdom of God instruct us.

May the Hand of God protect us.

May the Way of God direct us.

May the Shield of God defend us.

May the Angels of God guard us—

Against the snares of the evil one.

Today St. Patrick sends down a very special blessing on all the Irish followers—his 4½ million people in Ireland—and his 42 million Americans who claim Irish ancestry. And lest you feel excluded from St. Patrick's special blessing—be assured you are not. To everyone gathered here today in this august chamber he says:

As you slide down the bannister of life, for you may the wood splinters be always pointing away from you.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

State Capitol, March 12, 2014

The Committee on Rules has referred the following measures to committee:

**Agriculture**—SB 1399.

**Banking and Financial Institutions**—SB 1459.

**Budget and Fiscal Review**—SB 1359.

**Education**—SB 1330, SB 1346, SB 1349, SB 1369, SB 1380, SB 1387, SB 1394, SB 1396, SB 1400, SB 1403, SB 1419, SB 1425.

**Elections and Constitutional Amendments**—SB 1365.

**Energy, Utilities and Communications**—SB 1364, SB 1371, SB 1389.

**Environmental Quality**—SB 1383, SB 1415, SB 1458.



**Governance and Finance**—SB 1347, SB 1353, SB 1367, SB 1376, SB 1386, SB 1413, SB 1462.

**Governmental Organization**—SB 1342, SB 1366, SB 1417, SB 1428, SB 1432.

**Health**—SB 1334, SB 1340, SB 1341, SB 1384, SB 1452, SB 1457.

**Human Services**—SB 1460.

**Judiciary**—SB 1171, SB 1337, SB 1348, SB 1355, SB 1356, SB 1385.

**Labor and Industrial Relations**—SB 1360, SB 1373, SB 1435.

**Natural Resources and Water**—SB 1345, SB 1390, SB 1410, SB 1420, SB 1424, SB 1434, SB 1454.

**Public Safety**—SB 1354, SB 1388, SB 1412, SB 1456, SB 1461.

**Rules**—SB 1333, SB 1335, SB 1338, SB 1343, SB 1344, SB 1352, SB 1357, SB 1358, SB 1361, SB 1362, SB 1363, SB 1372, SB 1374, SB 1375, SB 1377, SB 1378, SB 1379, SB 1382, SB 1392, SB 1393, SB 1395, SB 1397, SB 1401, SB 1402, SB 1404, SB 1406, SB 1407, SB 1408, SB 1409, SB 1414, SB 1416, SB 1421, SB 1422, SB 1423, SB 1426, SB 1427, SB 1429, SB 1431, SB 1436, SB 1437, SB 1441, SB 1442, SB 1443, SB 1444, SB 1445, SB 1447, SB 1448, SB 1449, SB 1450, SB 1451, SB 1453.

**Transportation and Housing**—SB 1350, SB 1368, SB 1418, SB 1430, SB 1433, SB 1446.

**Veterans Affairs**—SB 1440.

The Committee on Rules has referred the following measures to two or more committees:

**Agriculture and Environmental Quality**—SB 1332, SB 1411.

**Banking and Financial Institutions and Judiciary**—SB 1351.

**Education and Environmental Quality**—SB 1405.

**Education and Governance and Finance**—SB 1455.

**Education and Health and Judiciary**—SB 1266.

**Education and Public Safety**—SB 1391.

**Health and Agriculture and Judiciary**—SB 1381.

**Health and Public Safety**—SB 1339, SB 1438.

**Insurance and Judiciary**—SB 1331.

**Natural Resources and Water and Environmental Quality and Governance and Finance**—SB 1370.



**Natural Resources and Water and Rules**—SB 1398.

**Transportation and Housing and Judiciary**—SB 1439.

The Committee on Rules has re-referred the following measures to committee:

**Banking and Financial Institutions**—SJR 19.

**Governmental Organization**—SCR 95.

**Health**—AB 503.

**Public Safety**—SB 838.

The Committee on Rules has ordered the following measures to third reading:

AJR 29, SCR 93, SCR 94, SCR 96, SCR 97, SCR 98, SCR 99, SR 32.

State Capitol, March 13, 2014

The Committee on Rules has referred the following measures to committee:

**Rules**—SB 919, SB 921, SB 925, SB 929, SB 1042, SB 1118, SB 1180, SB 1223, SB 1225, SB 1254, SB 1279, SB 1318, SB 1321, SB 1329, SB 1336.

Senate Chamber, March 17, 2014

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

SB 979

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

STEINBERG, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 979**—An act to amend Section 256 of 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 Environmental Quality**

Senate Chamber, March 17, 2014

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

AB 515

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

HILL, Chair



**Second Reading of Bills—Author's Amendments**

**Assembly Bill 515**—An act to amend Section 21168.9 of the Public Resources Code, relating to environmental quality.

Bill read second time.

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

**Committee on Health**

Senate Chamber, March 17, 2014

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

SB 959

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**

**Senate Bill 959**—An act to amend Sections 1357.503 and 1399.849 of the Health and Safety Code, and to amend Sections 10753.05 and 10965.3 of the Insurance Code, relating to health care coverage.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, March 17, 2014

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 977

SB 980

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

STEINBERG, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 977**—An act to amend Section 391 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time.

**Senate Bill 980**—An act to amend Section 1405 of the Penal Code, relating to DNA testing.

Bill read second time.

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



**Committee on Public Safety**

Senate Chamber, March 17, 2014

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

SB 982

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

HANCOCK, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 982**—An act to amend Sections 261.9 and 647 of the Penal Code, relating to sex offenses.

Bill read second time.

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

**Committee on Transportation and Housing**

Senate Chamber, March 17, 2014

Madam President: The Chair of the Committee on Transportation and Housing, to which was referred:

AB 600

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

DESAULNIER, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 600**—An act to amend Section 22928 of the Business and Professions Code, relating to business.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 600 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BONTA

**Permission of Rules Committee**

Senate Chamber, March 17, 2014

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 600.

STEINBERG, Chair

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

**Committee on Rules**

Senate Chamber, March 17, 2014

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 994

SB 1010



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

STEINBERG, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 994**—An act to amend Section 31 of the Vehicle Code, relating to vehicles.

Bill read second time.

**Senate Bill 1010**—An act to amend Section 11006 of the Penal Code, relating to the Department of Justice.

Bill read second time.

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

**Committee on Public Safety**

Senate Chamber, March 17, 2014

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

SB 926

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

HANCOCK, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 926**—An act to amend Section 801.1 of the Penal Code, relating to crimes.

Bill read second time.

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

**Committee on Governmental Organization**

Senate Chamber, March 17, 2014

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

SB 975

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 975**—An act to add Section 10343 to the Public Contract Code, relating to public contracts.

Bill read second time.

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



**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill 27**—An act to amend Section 9084 of the Elections Code, and to amend Sections 82015, 82048.7, 84105, and 88001 of, and to add Sections 84222 and 84223 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Correa.

The question being: Shall the Senate concur in the Assembly amendments to SB 27?

**Urgency Clause**

Urgency clause read.

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.

**Senator Padilla Presiding**

**SENATE RULE 55 WAIVED**

Without objection, Senate Rule 55 was waived to allow lobbyists on the floor for a special presentation.

**REQUEST FOR UNANIMOUS CONSENT (SCR 96)**

Senator Yee asked for, and was granted, unanimous consent to take up SCR 96 at this time, without reference to file.

**Consideration of Senate Concurrent Resolution 96**

**Senate Concurrent Resolution 96**—Relative to Sunshine Week.

Resolution read and presented by Senator Yee.

**Roll Call**

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.





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

**Senate Concurrent Resolution 80**—Relative to Irish American Heritage Month.

Resolution read third time and presented by Senator Corbett.

**Roll Call**

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

AYES (33)—Senators Anderson, Beall, Block, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution 92**—Relative to California Agriculture Day.

Resolution read third time and presented by Senator Galgiani.

**Roll Call**

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 27)**

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

**Urgency Clause**

The names of the absentees were called and the urgency clause to SB 27 was refused adoption by the following vote:

AYES (26)—Senators Beall, Block, 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 (4)—Senators Anderson, Berryhill, Knight, and Walters.

**Motion to Reconsider**

Senator Correa moved to reconsider the vote whereby the urgency clause to SB 27 was refused adoption.



**Roll Call**

The roll was called and reconsideration was granted by the following vote:

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

NOES (0)—None.

Bill ordered returned to unfinished business.

**REQUEST TO BE ADDED TO ROLL CALL**

March 17, 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:

SCR 96—Aye                      SCR 92—Aye

Reconsideration—SB 27—Aye

DARRELL STEINBERG, President pro Tempore

**LEAVES OF ABSENCE FOR THE DAY**

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

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

At 4:02 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 4:15 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 4:15 p.m., the Senate will adjourn until Tuesday, March 18, 2014.

Motion carried.

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**IN JOINT CONVENTION  
2014 State of the Judiciary Address**

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Assembly Chamber, Sacramento  
Monday March 17, 2014

At 4 p.m., the Senate and Assembly met in Joint Convention.

Hon. John A. Pérez, Speaker of the Assembly, presiding.

(NOTE: For text of address see Appendix to Assembly Journal for March 17, 2014)



**ADJOURNMENT OF JOINT CONVENTION**

At 4:25 p.m., there being no further business, Speaker Pérez declared the Joint Convention adjourned *sine die*.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 17, 2014

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

AB 1574

Assembly Chamber, March 17, 2014

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

AB 1303

Assembly Chamber, March 17, 2014

*The Honorable Greg Schmidt*  
*Secretary of the Senate*

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning Senate Constitutional Amendment No. 5 to the Senate.

Sincerely,

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered held at Desk.

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Bill 1574**—An act to add Section 10354 to the Public Contract Code, relating to public contracts.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Concurrent Resolution 100:** By Senator Knight (Principal coauthors: Assembly Members Gorell, Holden, and Muratsuchi) (Coauthors: Senators Anderson, Berryhill, and Fuller) (Coauthors: Assembly Members Gatto and Grove)—Relative to California Aerospace Week.

**Senate Resolution 36:** By Senator Walters—Relative to prescription drug abuse awareness.

**MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **AB 1175** was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Rules.



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Corbett requested that when the Senate adjourns this day it do so in memory of Gerald Asao Shimada of San Jose.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Joseph L. Sax of San Francisco and Paul Jolly of Chatsworth.

**ADJOURNMENT**

At 4:15 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 18, 2014.

PAULA K. ROSSETTO, Minute Clerk

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