

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

---

---

# SENATE DAILY JOURNAL

ONE HUNDRED SEVENTIETH LEGISLATIVE DAY

---

## IN SENATE

---

Senate Chamber, Sacramento  
Thursday, March 20, 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, Cannella, Corbett, Correa, De León, Evans, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Torres, Vidak, Walters, Wolk, and Wyland—33.

Quorum present.

*(NOTE: Senator Steinberg will be excused this day on legislative business, Senator Yee will be excused this day due to illness in the family, Senators Calderon, Fuller, and Wright will be excused this day on personal business, and Senator DeSaulnier will be excused this day due to illness.)*



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

*O God who lights our path and guides our steps,*

This Saturday will mark the official season opening of the great American pastime, baseball. The legendary philosopher and catcher, Yogi Berra gave us this sage advice when he said: "If you don't know where you're going, you'll end up someplace else."

His humorous irony speaks to the vital importance of having goals and seeing not just what is in front of us, but also to look up and out, towards the far horizon. It is easy to become so immersed in the daily tasks of getting done just what needs to be done, that we can lose sight of where it is that we are heading.

May it be Your will O God, to give us clarity of vision, and a good sense of direction. May we never lose sight of our ideals, or our faith in a bright future. And let us say, AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

**Assembly Bill 582**—An act to add Section 5451.7 to the Government Code, relating to local finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Galgiani moved that **AB 816** be placed on the inactive file.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill 777**—An act to amend Section 19605.75 of, and to add Sections 19605.76, 19605.77, and 19605.78 to, the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Hernandez.

The question being: Shall the Senate concur in the Assembly amendments to SB 777?

**Urgency Clause**

The urgency clause was read and adopted by the following vote:

AYES (29)—Senators Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, Evans, Gaines, Galgiani, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Pavley, Roth, Vidak, Walters, Wolk, and Wyland.

NOES (0)—None.



**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (29)—Senators Anderson, Beall, Berryhill, Block, Cannella, Corbett, Correa, Evans, Gaines, Galgiani, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Pavley, Roth, Vidak, Walters, Wolk, and Wyland.

NOES (0)—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 99**—Relative to Autism Awareness Month.

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Resolution 32**—Relative to National Surveyors Week.

Resolution read third time and presented by Senator Vidak.

**Roll Call**

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senator Jackson Presiding****MOMENT OF SILENCE**

Senator Evans requested that the Senate observe a moment of silence in recognition of the passing of Mendocino County Deputy Sheriff Ricky Del Fiorentino.

**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 illness in the family: Senator Yee.

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

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

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

At 9:34 a.m., on motion of Senator Mitchell, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Mitchell 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, March 24, 2014.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

March 20, 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

JOHN DOYLE, has been appointed chief deputy director at the California Department of Developmental Services. Doyle has served in multiple positions at the California Department of Finance since 2004, including assistant program budget manager and principal program budget analyst. He was a manager at the California Department of Rehabilitation from 1997 to 2004 and served in multiple positions at the California Department of Toxic Substances Control from 1990 to 1997, including associate budget analyst and manager. Doyle was a senior budget analyst at Lockheed Missiles and Space Company from 1980 to 1989. Appointed 01/21/2014. Effective 01/21/2014.

Chief Deputy Director, California Department of Developmental Services, vice, Mark Hutchinson, reassigned. Term ending at the pleasure of the Governor.



DIANE O. WITTENBERG, has been appointed to the California State Park and Recreation Commission. Wittenberg was executive director at the California Plug-in Electric Vehicle Collaborative from 2010 to 2012. She was executive director at the Climate Registry from 2007 to 2010 and president of the California Climate Action Registry from 2001 to 2006. Wittenberg held multiple positions at Edison International from 1985 to 2000, including vice president of corporate communications, president of Edison EV, president of the Edison Utility Alliances and vice president of corporate communications at Southern California Edison. She is a member of the Partners in Care Foundation Board of Directors. Appointed 02/21/2014. Effective 03/13/2014.

Member, California State Park and Recreation Commission, vice, K. Maurice Johannessen, term expired. Term ending 01/15/2018.

ADAM DAY, has been appointed to the California State University Board of Trustees. Mr. Day was the assistant tribal manager for the Sycuan Band of the Kumeyaay Nation since 2002. He was general manager at NCG Porter Novelli from 2000 to 2002 and vice president at the Flannery Group from 1999 to 2000. He was chief of staff for San Diego County Supervisor Dianne Jacob from 1996 to 1999, senior policy advisor from 1993 to 1995 and campaign manager for Dianne Jacob for Supervisor from 1992 to 1993. Day was deputy chief of staff for San Diego County Supervisor Greg Cox from 1995 to 1996, policy advisor for San Diego County Supervisor George Bailey from 1990 to 1992 and defense and foreign affairs legislative assistant for U.S. Senator Pete Wilson in 1990. Appointed 03/13/2014. Effective 03/14/2014.

Member, California State University Board of Trustees, vice, Peter Mehas, Ed.D., deceased 09/27/2013. Term ending 03/01/2015.

DEBRA FARAR, ED.D., has been reappointed to serve on the California State University Board of Trustees. She has served since 1999. Farar has been an education consultant in private practice since 1993. She was a national finance chair for Hillary Clinton for President in 2008, finance chair for Barbara Boxer for United States Senate in 1992, 1998, 2004 and 2010 and senior advisor on education policy in the Office of Lieutenant Governor Gray Davis from 1995 to 1998. Farar earned a Master of Arts degree in education from California State University, Northridge and a Doctor of Education degree from Pepperdine University. Reappointed 03/13/2014. Effective 03/14/2014.

Member, California State University Board of Trustees, vice, self, reappointed. Term ending 03/01/2022.



LILLIAN KIMBELL-DEL BOSQUE, has been appointed to the California State University Board of Trustees. She has been legal counsel and manager of Spanish Language Authors and Publisher Relations at Gardels and Associates since 2011. She was legal counsel and business manager at the Center for the Study of Democratic Institutions from 1997 to 2011 and a law clerk for the Honorable Harry Pregerson at the U.S. Court of Appeals, Ninth Circuit in 1985. Kimbell-Del Bosque earned a Juris Doctor degree from the University of California, Los Angeles School of Law. Appointed 03/13/2014. Effective 03/14/2014.

Member, California State University Board of Trustees, vice, Henry Mendoza, resigned, 08/30/2013. Term ending 03/01/2016.

RICHARD C. BLUM, has been reappointed to the University of California, Board of Regents. Where he has served since 2002 and was chair from 2007 to 2009. Blum founded Blum Capital Partners L.P. in 1975 and serves as chairman and president. He has been chairman of the CB Richard Ellis Group Inc. Board of Directors since 2001. Blum has been a member of the University of California, Berkeley Haas School of Business Advisory Board since 1984 and was chair from 2012 to 2013. He is a member of the Federal Reserve Bank Economic Advisory Council and the National Democratic Institute's Board of Directors and an appointee to the President's Global Development Council. Blum is a founding member of National Geographic's International Council of Advisors and founder of the American Himalayan Foundation and the Blum Center for Developing Economies at the University of California, Berkeley. He is the Honorary Consul of Nepal and a member of the board of trustees at the Brookings Institution, the California Academy of Sciences, the Carter Center, the Glide Foundation, the Wilderness Society and Central European University. Blum earned a Master of Business Administration degree from the University of California, Berkeley. Reappointed 03/02/2014. Effective 03/14/2014.

Member, University of California Board of Regents, reappointed, vice, self. Term ending 03/01/2026.

MONICA C. LOZANO, has been reappointed to the University of California, Board of Regents. Lozano has held multiple positions at ImpreMedia LLC since 2004, including chief executive officer, chair of the board and senior vice president of newspapers. She has held multiple positions at La Opinion L.P. since 1985, including owner, chief executive officer and publisher. She was a member of the California State Board of Education from 1998 to 2001. Lozano is a director at the Bank of America Corporation, the Walt Disney Company, the Rockefeller Foundation and the Weingart Foundation. Reappointed 03/02/2014. Effective 03/10/2014.

Member, University of California Board of Regents, vice, David Crane, not confirmed. Term ending 03/01/2022.

Above appointments referred to the Committee on Rules.



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 20, 2014

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

SB 124

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, March 20, 2014

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

AB 1512

AB 1591

Assembly Chamber, March 20, 2014

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

AB 1124

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 1512**—An act to amend Section 4115.5 of the Penal Code, relating to corrections.

**Assembly Bill 1591**—An act to amend Section 8103 of the Welfare and Institutions Code, relating to firearms.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, March 20, 2014

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

SB 1006

SB 1016

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 1006**—An act to add Section 51008.5 to the Education Code, relating to school curriculum.

Bill read second time.

**Senate Bill 1016**—An act to amend Section 17070.30 of the Education Code, relating to school facilities.

Bill read second time.



**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 1016 pursuant to Joint Rule 58.

SENATOR WYLAND

**Permission of Rules Committee**

Senate Chamber, March 20, 2014

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1016.

STEINBERG, Chair

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

**Committee on Elections and Constitutional Amendments**

Senate Chamber, March 20, 2014

Madam President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

SB 831

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

TORRES, Chair

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

**Senate Bill 831**—An act to amend Sections 82015, 89506, and 89515 of, and to add Sections 87106, 89512.7, and 89515.5 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

**Committee on Governance and Finance**

Date of Hearing, March 19, 2014

Madam President: The Committee on Governance and Finance, to which was referred:

SB 827

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

WOLK, Chair

Above measure ordered to second reading.

**Committee on Public Safety**

Senate Chamber, March 20, 2014

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

SB 950



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 950**—An act to amend Section 803 of the Penal Code, relating to bribery.

Bill read second time.

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

**Committee on Human Services**

Senate Chamber, March 20, 2014

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

SB 909

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

YEE, Chair

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

**Senate Bill 909**—An act to amend Section 369 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.

Senate Chamber, March 20, 2014

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

SB 1029

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

YEE, Chair

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

**Senate Bill 1029**—An act to amend Section 18901.3 of, to add Section 18901.35 to, to repeal Section 17012.5 of, and to repeal and add Section 11251.3 of, the Welfare and Institutions Code, relating to social services.

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 20, 2014

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

SB 834

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**

**Senate Bill 834**—An act to add Section 21080.38 to the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

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 measure was introduced, read the first time and transmitted to the Committee on Rules for assignment:

**Senate Bill 1465:** By the Committee on Health (Senators Hernandez (Chair), Anderson, Beall, De León, DeSaulnier, Evans, Monning, Nielsen, and Wolk)—An act to amend Sections 8880.5, 14670.3, and 14670.5 of the Government Code, to amend Section 1797.98b of the Health and Safety Code, to amend and renumber Section 10961 of the Insurance Code, to amend Sections 667.5, 830.3, 830.5, and 3000 of the Penal Code, to amend Section 2356 of the Probate Code, and to amend Sections 736, 5328.15, 6000, 6002, 6600, 6601, 6608.7, 6609, 9717, 10600.1, 14043.26, 14105.192, 14169.51, 14169.52, 14169.53, 14169.55, 14169.56, 14169.58, 14169.59, 14169.61, 14169.63, 14169.65, 14169.66, 14169.72, 14312, 14451, 15657.8, 16541, and 17608.05 of the Welfare and Institutions Code, relating to health, and declaring the urgency thereof, to take effect immediately.

**MEASURE WITHDRAWN FROM COMMITTEE**

Without objection, **SCR 100** was withdrawn from Committee and placed on third reading.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Block requested that when the Senate adjourns this day it do so in memory of Rev. Dr. Timothy J. Winters and Alfred Strohlein of San Diego.

Senator Correa requested that when the Senate adjourns this day it do so in memory of Vu Anh of Westminster.

Senator Evans requested that when the Senate adjourns this day it do so in memory of Deputy Sheriff Ricky Del Fiorentino of Fort Bragg.



Senator Galgiani requested that when the Senate adjourns this day it do so in memory of Lauren David Ustick II of Stockton.

Senator Jackson requested that when the Senate adjourns this day it do so in memory of Lorenzo Dall'Armi of Santa Barbara.

Senator Monning requested that when the Senate adjourns this day it do so in memory of Cliff Price of San Luis Obispo.

Senator Padilla requested that when the Senate adjourns this day it do so in memory of Julian R. Felix of Mission Hills.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of A. Richard Grossman of Thousand Oaks.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of David Joseph Aggio of Rohnert Park.

#### **ADJOURNMENT**

At 3:30 p.m., on motion of Senator Mitchell, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 24, 2014.

PAULA K. ROSSETTO, Minute Clerk

O

