

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-SIXTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, April 1, 2014

The Senate met at 12 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, 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 Wyland—35.

Quorum present.

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



**PRAYER**

Upon invitation of the President, the following prayer was offered by Rev. Dr. Pamela Anderson, Countryside Community Church of Esparto:

A child asked Mother Teresa,

“When you pray, what do you say to God?”

The “Saint of the Gutters” replied, “I don’t say anything. I listen.”

My dear Senators, when you are in times of deep discernment, may you listen to the still, small voice that calls us all to integrity.

Let us pray:

*Eternal God*, we pray for our California Senate today. As they listen to the voices of their constituents and to each other, may they hear Your voice in the midst of their deliberations. This prayer we pray.—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, March 28, 2014

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

ACR 94

ACR 109

ACR 114

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:

**Assembly Concurrent Resolution 94**—Relative to emergency services.

**Assembly Concurrent Resolution 109**—Relative to Latino Education and Advocacy Days.

**Assembly Concurrent Resolution 114**—Relative to César Chávez.

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

Senate Chamber, April 1, 2014

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

SB 1372

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 1372**—An act to amend Section 17151 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Senate Chamber, April 1, 2014

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

SB 1239

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 1239**—An act to amend Section 49427 of the Education Code, relating to pupil health.

Bill read second time.

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

**Committee on Public Employment and Retirement**

Senate Chamber, April 1, 2014

Madam President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

SB 1219

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 1219**—An act to amend Sections 19144 and 21202 of, and to repeal and add Article 8 (commencing with Section 21220) of Chapter 12 of Part 3 of Division 5 of Title 2 of, the Government Code, relating to public employees' retirement.

Bill read second time.

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

**Committee on Public Safety**

Date of Hearing, April 1, 2014

Madam President: The Committee on Public Safety, to which were referred:

SB 910

SB 950

SB 952

SB 1154



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

HANCOCK, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 1, 2014

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

SB 1310

Reports the same back with the recommendation: Do pass.

HANCOCK, Chair

Above bill ordered to second reading.

#### **Committee on Health**

Senate Chamber, April 1, 2014

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

SB 1322

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 1322**—An act to add Section 14132.04 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

#### **Committee on Energy, Utilities and Communications**

Date of Hearing, April 1, 2014

Madam President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 1211

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

PADILLA, Chair

Above measure re-referred to the Committee on Governance and Finance.



Date of Hearing, April 1, 2014

Madam President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 1364

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

PADILLA, Chair

Above measure re-referred to the Committee on Appropriations.

#### **CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS**

**Senate Bill 1278**—An act to amend Section 830.9 of the Penal Code, relating to animal control officers.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**Senate Bill 1014**—An act to add Section 4068.1 to the Business and Professions Code, to amend Section 117700 of, and to add Section 117670.1 to, the Health and Safety Code, and to add Article 3.4 (commencing with Section 47120) to Chapter 1 of Part 7 of Division 30 of the Public Resources Code, relating to pharmaceutical waste.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed, and re-referred to the Committee on Business, Professions and Economic Development.

**Senate Bill 1055**—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.

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 Education.

#### **SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 759**—An act to amend Sections 6980.12 and 7590.2 of the Business and Professions Code, relating to alarm companies, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.



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

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

CHRISTOPHER R. COPPOLA, Member, California Arts Council.

PATRICK J. O'BRIEN, Member, California Exposition and State Fair Board of Directors.

REGINALD S. PAGALING, Member, Native American Heritage Commission.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

**Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (31)—Senators Anderson, Beall, Berryhill, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Hancock, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, and Walters.

NOES (0)—None.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 97**—Relative to California Heroes Month.

Resolution read third time and presented by Senator Anderson.

**Roll Call**

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution 98**—Relative to Gerald Ford Day.

Resolution read third time and presented by Senator Wyland.

**Roll Call**

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

AYES (28)—Senators Anderson, Beall, Berryhill, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hill, Huff, Knight, Lara, Leno, Lieu, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, and Wyland.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



**Senate Bill 1360**—An act to amend Section 226.7 of the Labor Code, relating to compensation.

Bill read third time and presented by Senator Padilla.

**Roll Call**

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

AYES (23)—Senators Beall, Cannella, Corbett, De León, DeSaulnier, Evans, Galgiani, Hancock, Hill, Jackson, Lara, Leno, Lieu, Liu, Mitchell, Monning, Padilla, Pavley, Roth, Steinberg, Torres, Wolk, and Wyland.

NOES (7)—Senators Anderson, Fuller, Huff, Knight, Nielsen, Vidak, and Walters.

Bill ordered transmitted to the Assembly.

**CONSENT CALENDAR**

**Senate Bill 1229**—An act to amend Section 44015.1 of the Education Code, relating to Week of the School Administrator.

Bill read third time.

**Consent Calendar Roll Call**

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

AYES (34)—Senators Anderson, Beall, Berryhill, 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, and Wyland.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**LEAVES OF ABSENCE FOR THE DAY**

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

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

At 1:31 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, April 2, 2014.

Motion carried.



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, April 1, 2014

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

AB 1450

AB 1686

AB 1772

Assembly Chamber, April 1, 2014

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

AJR 31

Assembly Chamber, April 1, 2014

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

AB 467

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 1450**—An act to amend Section 48900 of the Education Code, relating to pupils.

**Assembly Bill 1686**—An act to amend Section 602 of the Penal Code, relating to trespass.

**Assembly Bill 1772**—An act to amend Section 15155 of the Government Code, relating to state government.

**Assembly Joint Resolution 31**—Relative to child nutrition programs.

**REPORTS OF STANDING COMMITTEES****Committee on Agriculture**

Date of Hearing, April 1, 2014

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

SB 835

SB 1018

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

GALGIANI, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 1, 2014

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

SB 1332



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

GALGIANI, Chair

Above measure re-referred to the Committee on Environmental Quality.

Date of Hearing, April 1, 2014

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

SB 1399

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

GALGIANI, Chair

Above measure re-referred to the Committee on Appropriations.

#### **Committee on Veterans Affairs**

Senate Chamber, April 1, 2014

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

SB 1440

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

HUESO, Chair

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

**Senate Bill 1440**—An act to amend Section 1012.3 of the Military and Veterans Code, relating to veterans.

Bill read second time.

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

Senate Chamber, April 1, 2014

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

SB 1113

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

HUESO, Chair

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

**Senate Bill 1113**—An act to amend Section 890.3 of the Military and Veterans Code, and to amend Section 5097 of the Revenue and Taxation Code, relating to taxation.

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, April 1, 2014

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

SB 1432

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 1432**—An act to add Section 8753.6 to the Government Code, relating to state government, and making an appropriation therefor.

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, April 1, 2014

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

SB 1439

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**

**Senate Bill 1439**—An act to add Section 7060.8 to the Government Code, relating to residential real property.

Bill read second time.

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

**Committee on Judiciary**

Date of Hearing, April 1, 2014

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

SB 940

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

JACKSON, Chair

Above measure re-referred to the Committee on Appropriations.



Date of Hearing, April 1, 2014

Madam President: The Committee on Judiciary, to which was referred:  
SB 1051

Reports the same back with the recommendation: Do pass.

JACKSON, Chair

Above bill ordered to second reading.

Date of Hearing, April 1, 2014

Madam President: The Committee on Judiciary, to which was referred:  
SCR 83

Reports the same back with the recommendation: Be adopted and be placed  
on the Consent Calendar.

JACKSON, Chair

Above measure ordered to second reading.

#### **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 104:** By Senator Huff—Relative to  
Mitochondrial Disease Awareness Week.

**Senate Concurrent Resolution 105:** By Senator Lieu—Relative to  
Financial Aid and Literacy Month.

**Senate Concurrent Resolution 106:** By Senator Fuller—Relative  
to Chiari Malformation Awareness Month.

#### **MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 970** and **SB 1088** were withdrawn from the  
Committee on Public Safety and re-referred to the Committee on Rules;

**SB 1148** was withdrawn from the Committee on Business, Professions  
and Economic Development and re-referred to the Committee on Rules;

**SB 1158** was withdrawn from the Committee on Judiciary and  
re-referred to the Committee on Rules;

**SB 1218** was withdrawn from the Committee on Human Services and  
re-referred to the Committee on Rules;

**SB 1325** was withdrawn from the Committee on Education and  
re-referred to the Committee on Rules;

**SCA 15** was withdrawn from the Committee on Public Employment and  
Retirement and re-referred to the Committee on Rules;

**AB 1035** was withdrawn from the Committee on Governance and  
Finance and re-referred to the Committee on Rules; and

**SR 25** was withdrawn from the Committee on Judiciary and re-referred  
to the Committee on Rules.



**SENATE COMMITTEE ROLL CALLS****Committee on Agriculture**

**SB 835**—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

**SB 1018**—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

**SB 1332**—Do pass and re-refer to Committee on Environmental Quality

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

NOES (0)—None.

**SB 1399**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

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

NOES (0)—None.

Date of Hearing: 4/1/2014

Galgiani (Chair)

**Committee on Judiciary**

**SB 827**—Do pass as amended

AYES (5)—Senators Corbett, Jackson, Lara, Leno, and Monning.

NOES (2)—Senators Anderson and Vidak.

**SB 907**—Do pass as amended

AYES (7)—Senators Anderson, Corbett, Jackson, Lara, Leno, Monning, and Vidak.

NOES (0)—None.

**SB 940**—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Anderson, Corbett, Jackson, Lara, Leno, Monning, and Vidak.

NOES (0)—None.

**SB 1051**—Do pass

AYES (7)—Senators Anderson, Corbett, Jackson, Lara, Leno, Monning, and Vidak.

NOES (0)—None.

**SCR 83**—Be adopted, to Consent Calendar

AYES (7)—Senators Anderson, Corbett, Jackson, Lara, Leno, Monning, and Vidak.

NOES (0)—None.

Date of Hearing: 4/1/2014

Jackson (Chair)



**Committee on Public Safety****SB 910**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Anderson, Hancock, Knight, Liu, Mitchell, and Steinberg.

NOES (0)—None.

**SB 950**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Anderson, Hancock, Knight, Liu, Mitchell, and Steinberg.

NOES (0)—None.

**SB 952**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Anderson, Hancock, Knight, Liu, Mitchell, and Steinberg.

NOES (0)—None.

**SB 1154**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Anderson, Hancock, Liu, Mitchell, and Steinberg.

NOES (0)—None.

**SB 1310**—Do pass

AYES (6)—Senators Anderson, Hancock, Knight, Liu, Mitchell, and Steinberg.

NOES (0)—None.

Date of Hearing: 4/1/2014

Hancock (Chair)

**REQUEST TO ADJOURN IN MEMORIAM**

Senator De León requested that when the Senate adjourns this day it do so in memory of Josephine Serrano Collier of Los Angeles.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Steinberg, the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, April 2, 2014.

PAULA K. ROSSETTO, Minute Clerk

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