

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 7, 2014

The Senate met at 9 a.m.

Hon. Jerry Hill, of the 13th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary Zachary L. Twilla reading.

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, Liu, Mitchell, Monning, Morrell, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, and Wyland—36.

Quorum present.

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

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, May 7, 2014

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 980

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

DE LEÓN, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 980—An act to amend Sections 1405 and 1417.9 of, and to add Section 1405.1 to, the Penal Code, relating to DNA testing.

Bill read second time.

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

Senate Chamber, May 7, 2014

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1314

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

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1314—An act to amend Sections 1328 and 1334 of the Unemployment Insurance Code, relating to unemployment insurance.

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

Date of Hearing, May 7, 2014

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 1331

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

HILL, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 6, 2014

Mr. President: The Committee on Judiciary, to which was referred:

SR 40

Reports the same back with the recommendation: Be adopted.

JACKSON, Chair

Above resolution ordered to third reading.

Date of Hearing, May 6, 2014

Mr. President: The Committee on Judiciary, to which was referred:

SB 1304



Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

JACKSON, Chair

Above measure ordered to second reading.

Date of Hearing, May 6, 2014

Mr. President: The Committee on Judiciary, to which were referred:

SB 1171

SB 1188

SB 1407

Reports the same back with the recommendation: Do pass.

JACKSON, Chair

Above bills ordered to second reading.

Committee on Appropriations

Senate Chamber, May 7, 2014

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 894

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

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 894—An act to amend Sections 1569.335 and 1569.525 of the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time.

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

Senate Chamber, May 7, 2014

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1074

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and be amended and placed on the Consent Calendar.

DE LEÓN, Chair

Above measure ordered to second reading.

Committee on Governance and Finance

Date of Hearing, May 7, 2014

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

SB 1037



Reports the same back with the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

Senate Chamber, May 7, 2014

Mr. President: The Chair of the Committee on Governance and Finance, to which was referred:

SB 1152

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

WOLK, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1152—An act to amend Section 215.1 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, May 7, 2014

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 1250

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

PAVLEY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1250—An act to repeal and add Division 26.7 (commencing with Section 79700) of the Water Code, and to repeal Section 2 of Chapter 3 of the Seventh Extraordinary Session of the Statutes of 2012, relating to a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California, and for the handling and disposition of those funds, 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.

Committee on Health

Date of Hearing, May 7, 2014

Mr. President: The Committee on Health, to which was referred:

SB 1004



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

HERNANDEZ, Chair

Above measure re-referred to the Committee on Appropriations.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 26: By Senators De León, Hernandez, Lara, and Torres—Relative to Chinese Americans in California.

Senate Resolution 41: By Senator Morrell—Relative to the 36th anniversary of Proposition 13.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 845—An act to add Section 69505.8 to the Education Code, relating to postsecondary education.

Bill read second time.

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

Senate Bill 1043—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.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1116—An act to amend Sections 2436.5 and 2455.1 of the Business and Professions Code, relating to physicians and surgeons, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1151—An act to add Section 42011 to the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1159—An act to amend Section 30 of the Business and Professions Code, and to amend Section 19528 of the Revenue and Taxation Code, relating to professions and vocations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1220—An act to amend Sections 22109.5, 22119.3, 22121, 22131, 22134, 22134.5, 22135, 22136, 22146.2, 22516, 22655, 22662, 22663, 22664, 22801, 22826, 22828, 22905, 22909, 23104, 24001, 24101, 24105, 24107, 24201.5, 24203.5, 24203.6, 24204, 24205, 24210, 24211, 24212, 24213, 24214.5, 24300, 24300.1, 24307, 24309, 24310,



24402, 24412, 24415, 24600, 25015, 25100, 26113, 26803, 27201, and 33050 of, to amend and renumber Sections 22106.2, 24300.2, 24300.5, 24300.6, 24301, 24302, 24303, 24304, 24305, 24305.5, 24306, 24306.5, 24306.7, 24308, 24311, 24312, 24312.1, and 24313 of, to amend, renumber, and add Section 22106.1 of, to amend and repeal Section 22119.5 of, to amend, renumber, and repeal Section 24305.3 of, and to add Sections 24347 and 24348 to, the Education Code, and to amend Section 1 of Chapter 559 of the Statutes of 2013, relating to state teachers' retirement.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1226—An act to amend Section 83123.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1273—An act to amend Sections 11629.7, 11629.71, 11629.72, 11629.73, 11629.745, 11629.75, 11629.76, 11629.77, 11629.81, 11629.84, 11629.85, and 11629.87 of the Insurance Code, relating to insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1345—An act to amend Section 4597.22 of the Public Resources Code, and to amend Sections 8704.2 and 73514 of the Water Code, relating to natural resources.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1380—An act to amend Section 51226.3 of, and to add Sections 51221.45 and 51226.4 to, the Education Code, relating to pupil instruction.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1433—An act to amend Sections 20209.5, 20209.7, and 20209.11 of, and to repeal Sections 20209.12 and 20209.14 of, the Public Contract Code, relating to transit contracts, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1441—An act to amend Section 82015 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1298—An act to amend Section 149.7 of, and to repeal and add Section 149.9 of, the Streets and Highways Code, relating to transportation.

Bill read second time.

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



Senate Bill 1238—An act to add Section 1250.9 to the Health and Safety Code, relating to health facilities.

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.

Senate Bill 985—An act to amend Sections 10561, 10562, and 10573 of, and to add Section 10561.5 to, the Water Code, relating to stormwater.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed and ordered to third reading.

Senate Bill 1217—An act to add Section 12805.4 to the Government Code, relating to climate change.

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 Appropriations.

Senate Bill 1268—An act to add Chapter 4.3 (commencing with Section 39740) to Part 2 of Division 26 of the Health and Safety Code, relating to greenhouse gases.

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 Appropriations.

Senate Bill 918—An act to add Sections 14104.1 and 14106 to the Government Code, to amend Section 10120 of the Public Contract Code, and to add Section 172 to the Streets and Highways Code, relating to transportation.

Bill read second time.

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

Senate Bill 836—An act to add Chapter 15 (commencing with Section 92985) to Part 57 of Division 9 of Title 3 of the Education Code, relating to brain research.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.



Senate Bill 949—An act to add Article 4 (commencing with Section 104670) to Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to nutrition.

Bill read second time.

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

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 Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1067—An act to amend Section 17251 of, and to add Section 17212.3 to, the Education Code, relating to schoolsites.

Bill read second time.

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

Senate Bill 1196—An act to add Sections 66010.96 and 66010.97 to the Education Code, relating to public postsecondary education.

Bill read second time.

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

Senate Bill 1412—An act to amend Sections 1367, 1369.1, 1370.5, and 1375.5 of, and to add Sections 1368.2, 1370.02, and 1370.03 to, the Penal Code relating to crimes.

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 838—An act to add Section 290.1 to the Penal Code, and to amend Sections 676 and 707 of the Welfare and Institutions Code, relating to juveniles.

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 1371—An act to add Article 3 (commencing with Section 975) to Chapter 4.5 of Part 1 of Division 1 of the Public Utilities Code, relating to natural gas.

Bill read second time.

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

Senate Bill 1317—An act to add Sections 47604.1 and 47604.2 to the Education Code, relating to charter schools.

Bill read second time.

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

Senate Bill 1262—An act to add Article 25 (commencing with Section 2525) to Chapter 5 of Division 2 of the Business and Professions Code, and to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to medical marijuana.

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.

Senate Bill 1149—An act to amend Section 69432.7 of the Education Code, relating to student financial aid.

Bill read second time.

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

Senate Bill 1264—An act to add Article 7.7 (commencing with Section 69630) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

Bill read second time.

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

Senate Bill 1347—An act to add Section 20112.5 to the Public Contract Code, relating to public contracts.

Bill read second time.

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



Senate Bill 999—An act to add Article 7 (commencing with Section 79220) to Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code, and to amend Section 18926.5 of the Welfare and Institutions Code, relating to social services.

Bill read second time.

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

Senate Bill 1270—An act to amend Sections 607, 677, 2006, 2207, 2208, 2209, 2210, 2732.5, 2733, 2770, 2772, 2773.1, 2774, 2774.1, 2774.3, and 2774.4 of, and to add Section 2006.5 to, the Public Resources Code, relating to mining.

Bill read second time.

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

Senate Bill 1400—An act to amend Section 76030 of the Education Code, relating to community colleges.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1068—An act to add Section 72209 to, and to add and repeal Section 72210 of, the Education Code, relating to community colleges.

Bill read second time.

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

Senate Bill 1157—An act to amend Section 101012 of the Education Code, relating to school facilities.

Bill read second time.

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

Senate Bill 1263—An act to add Section 47604.6 to the Education Code, relating to charter schools.

Bill read second time.

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



Senate Bill 922—An act to amend Sections 264, 264.1, 286, 288a, 288.5, 289, and 667.61 of the Penal Code, relating to sex offenses.

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.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SCA 17** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 1324 was withdrawn from the Committee on Transportation and Housing and re-referred to the Committee on Rules; and

SB 1121 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 972** was withdrawn from the Committee on Appropriations and ordered to second reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1456** was re-referred to the Committee on Appropriations.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, May 8, 2014:

SB 997	SB 1236	SB 940	SB 1110
SB 1117	SB 1402	SB 1464	SB 1461
SB 1127	SB 944		

SENATE COMMITTEE ROLL CALLS

Committee on Environmental Quality

AB 1331—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Hancock, Hill, Jackson, Leno, and Pavley.

NOES (2)—Senators Fuller and Gaines.

Date of Hearing: 5/7/2014

Hill (Chair)

Committee on Governance and Finance

SB 1017—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Beall, DeSaulnier, Hernandez, Liu, and Wolk.

NOES (2)—Senators Knight and Walters.

SB 1037—Do pass

AYES (6)—Senators Beall, DeSaulnier, Hernandez, Knight, Liu, and Wolk.

NOES (1)—Senator Walters.



SB 1367—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Knight and Walters.

NOES (4)—Senators Beall, DeSaulnier, Liu, and Wolk.

Failed Passage

SB 1367—Reconsideration granted

AYES (6)—Senators Beall, DeSaulnier, Knight, Liu, Walters, and Wolk.

NOES (0)—None.

SB 1376—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Knight and Walters.

NOES (4)—Senators Beall, DeSaulnier, Liu, and Wolk.

Failed Passage

SB 1376—Reconsideration granted

AYES (6)—Senators Beall, DeSaulnier, Knight, Liu, Walters, and Wolk.

NOES (0)—None.

SB 1378—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Knight and Walters.

NOES (4)—Senators Beall, DeSaulnier, Liu, and Wolk.

Failed Passage

SB 1378—Reconsideration granted

AYES (6)—Senators Beall, DeSaulnier, Knight, Liu, Walters, and Wolk.

NOES (0)—None.

Date of Hearing: 5/7/2014

Wolk (Chair)

Committee on Health**SB 1004**—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Beall, De León, DeSaulnier, Evans, Hernandez, Monning, Morrell, Nielsen, and Wolk.

NOES (0)—None.

SB 1045—Do pass as amended

AYES (9)—Senators Beall, De León, DeSaulnier, Evans, Hernandez, Monning, Morrell, Nielsen, and Wolk.

NOES (0)—None.

SB 1446—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Beall, De León, DeSaulnier, Evans, Hernandez, Monning, Morrell, Nielsen, and Wolk.

NOES (0)—None.

Date of Hearing: 5/7/2014

Hernandez (Chair)



Committee on Judiciary

SB 909—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (0)—None.

SB 924—Do pass as amended and re-refer to Committee on Appropriations

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

NOES (2)—Senators Anderson and Vidak.

SB 977—Do pass as amended

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

NOES (0)—None.

SB 1171—Do pass

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

NOES (0)—None.

SB 1188—Do pass

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

NOES (2)—Senators Anderson and Vidak.

SB 1304—Do pass, to Consent Calendar

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

NOES (0)—None.

SB 1351—Do pass as amended

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

NOES (2)—Senators Anderson and Vidak.

SB 1407—Do pass

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

NOES (2)—Senators Anderson and Vidak.

SB 1439—Do pass as amended

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

NOES (2)—Senators Anderson and Vidak.

SR 40—Be adopted

AYES (6)—Senators Corbett, Jackson, Lara, Leno, Monning, and Vidak.

NOES (1)—Senator Anderson.

Date of Hearing: 5/6/2014

Jackson (Chair)



LEAVES OF ABSENCE FOR THE DAY

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, May 8, 2014.

PAULA K. ROSSETTO, Minute Clerk

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