

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWO HUNDRED NINTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, June 4, 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:

Beall, Block, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Liu, Mitchell, Monning, Morrell, Nielsen, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, and Wyland—31.

Quorum present.

*(NOTE: Senators Anderson and Cannella will be excused this day on legislative business, Senator Berryhill will be excused this day due to illness in the family, and Senators Calderon, Hueso, Lieu, Padilla, Wright, and Yee will be excused this day on personal business.)*

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

June 4, 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

DIANA TOCHE, has been appointed Undersecretary of Health Care Services at the California Department of Corrections and Rehabilitation. Toche has been acting undersecretary of administration and offender services at the California Department of Corrections and Rehabilitation since 2013, where she has served in multiple positions since 2009, including acting director of the Division of Health Care Services and statewide dental director. She was dental director at Central Valley Indian Health Inc. from 1991 to 2008 and an associate dentist at the Office of Dr. Michael Crookham from 1989 to 1991 and at the Office of Dr. Gene Towery from 1989 to 1990. Toche earned a Doctor of Dental Surgery degree from the University of the Pacific. Appointed 05/20/2014. Effective 05/20/2014.

Undersecretary of Health Care Services at the California Department of Corrections and Rehabilitation, vice, none. New position. Term ending at the pleasure of the Governor.

SUSAN J. HUSARI, has been appointed to the California State Board of Forestry and Fire Protection. Husari served as a pacific west regional fire management officer for the U.S. National Park Service from 2002 to 2012 and held multiple positions at the U.S. Department of Agriculture Forest Service from 1991 to 2002, including deputy director of fire and aviation management and assistant director of fire and aviation management. Husari served in multiple positions at Everglades National Park from 1987 to 1991, including fire management officer and assistant fire management officer and was a forestry technician at Pinnacles National Park from 1981 to 1983. She was a firefighter and engine operator at Lassen National Forest from 1976 to 1981 and a seasonal firefighter at Klamath National Forest in 1975. Appointed 05/07/2014. Effective 05/13/2014.

Member of the California State Board of Forestry and Fire Protection, vice, Stan L. Dixon, resigned 12/31/2013. Term ending 01/15/2018.

HUGH E. CROOKS JR., has been appointed to the California Veterans Board. Crooks was an operations manager at the Los Angeles County Registrar-Recorder/County Clerk Human Resource Division from 2000 to 2005 and at the Los Angeles County Natural History Museum from 1994 to 2000. He held multiple positions at the Natural History Museum of Los Angeles County from 1971 to 2000, including operations manager and safety police chief. Crooks was a booking clerk at the Los Angeles County Sheriff's Department from 1969 to 1971 and served as a rifleman in the U.S. Army from 1967 to 1969. He is a member of the Veterans of Foreign Wars and was state commander of the



American Legion from 2011 to 2012. Appointed 04/25/2014. Effective 05/07/2014.

Member, California Veterans Board, vice, Vernon Chong, M.D., term expired. Term ending 01/15/2017.

SEAN P. SARGEANT, has been appointed to the California Veterans Board. Sargeant has been deputy probation officer at the Orange County Probation Department since 1997 and has served as master sergeant in the U.S. Marine Corp since 2010, where he has served in multiple positions since 1988, including gunnery sergeant and staff sergeant. Sargeant is a member of the Veterans of Foreign Wars. Appointed 04/25/2014. Effective 05/21/2014.

Member, California Veterans Board, vice, Leo P. Burke, term expired. Term ending 01/15/2015.

Above appointments referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary

Senate Chamber, June 4, 2014

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

AB 1847

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

JACKSON, Chair

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

**Assembly Bill 1847**—An act to amend Sections 52.5 and 1587 of the Civil Code, to amend Sections 328, 352, 372, 373, and 1447 of the Code of Civil Procedure, to amend Section 56850 of the Education Code, to amend Sections 2310, 2312, 2313, 2332, and 7901 of the Family Code, to amend Sections 854.2, 1001, 6276.30, 6276.34, 6276.38, 7579.1, 12428, 26640, 26643, and 26749 of, and to repeal Section 203 of, the Government Code, to amend Sections 1250, 1250.2, 1267.8, 1275.5, 1276.5, 1276.9, 1505.5, 1566.3, 1568.0831, 1569.5, 1569.85, 11812.6, 11834.23, 13113, 36130, 50680, 50684, 50685.5, 50688, and 50689 of the Health and Safety Code, to amend Section 10235.8 of the Insurance Code, to amend Section 4662 of the Labor Code, to amend Sections 2672 and 11151 of the Penal Code, to amend Sections 9201 and 19201 of the Probate Code, to amend Section 734 of the Public Utilities Code, to amend Sections 5301, 18014, 18395, and 35466 of the Streets and Highways Code, to amend Section 26306 of the Water Code, and to amend Sections 1752.6, 1756, 4011, 4016, 4021, 4022, 4042, 4080, 4109.5, 4119, 4120, 4121, 4132, 4135, 4136, 4200, 4202.5, 4240, 4241, 4243, 4244, 4304, 4308, 4320, 4410, 4417, 4440, 4681.1, 5002, 5004, 5004.5, 5115, 5116, 5250, 5301, 5304, 5326.5, 5340, 5350, 5400, 5500, 5511, 5585.10, 5600, 5653, 5696, 5699, 5714, 5802, 6000, 6002, 6002.10, 6250, 6254, 6551, 6825, 7100, 7200, 7201, 7226, 7227, 7275, 7276, 7277, 7278, 7280, 7283, 7284, 7294, 7300, 7329,

7352, 7354, 7357, 7362, 7500, and 7501.5 of, and to repeal Section 5366 of, the Welfare and Institutions Code, relating to mental health disorders.

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**

Senate Chamber, June 4, 2014

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

AB 1765

AB 1963

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**

**Assembly Bill 1765**—An act to add and repeal Article 22 (commencing with Section 18900.20) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

**Assembly Bill 1963**—An act to amend Section 34191.3 of the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

#### **Committee on Governmental Organization**

Senate Chamber, June 4, 2014

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

AB 609

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**

**Assembly Bill 609**—An act to add and repeal Chapter 2.5 (commencing with Section 13989) of Part 4.5 of Division 3 of Title 2 of the Government Code, relating to state government.

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, June 4, 2014

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

AB 2442

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 2442**—An act to amend Section 13304 of the Water Code, relating to water quality.

Bill read second time.

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

Date of Hearing, June 4, 2014

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

AB 1846

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

HILL, Chair

Above measure re-referred to the Committee on Appropriations.

**Committee on Human Services**

Senate Chamber, June 4, 2014

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

AB 388

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

BEALL, Chair

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

**Assembly Bill 388**—An act to amend Sections 1534 and 1536 of, and to add Section 1538.7 to, the Health and Safety Code, and to amend Sections 241.1, 628, 628.1, 635, 636, 730.6, 4096.5, and 11469 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, June 4, 2014

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

AB 333

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 333**—An act to amend Sections 117605, 117665, 117695, 117700, 117710, 117725, 117747, 117765, 117775, 117805, 117820, 117835, 117885, 117890, 117900, 117903, 117904, 117918, 117920, 117924, 117935, 117938, 117940, 117943, 117945, 117950, 117960, 117970, 117990, 118000, 118025, 118027, 118029, 118032, 118045, 118135, 118150, 118155, 118160, 118205, 118215, 118220, 118222, 118240, 118245, 118275, 118280, 118286, 118307, 118321.1, 118321.5, 118335, and 118345 of, to add Sections 117636, 117647, 117663, 117664, 117946, 117967, and 117976 to, to repeal Sections 117620, 117635, 117748, 117755, 117777, 117895, 117915, 117933, 117955, 117980, 117985, 118005, 118030, and 118040 of, and to repeal and add Sections 117630, 117662, 117690, 117750, 117770, 117780, and 117975 of, the Health and Safety Code, relating to medical waste.

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, June 4, 2014

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

SB 1309

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 1309**—An act to amend Section 10720 of the Elections Code, relating to elections.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 1309 pursuant to Joint Rule 58.

SENATOR STEINBERG



**Permission of Rules Committee**

Senate Chamber, June 4, 2014

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1309.

STEINBERG, Chair

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

**Committee on Education**

Date of Hearing, June 4, 2014

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

ACR 95

Reports the same back with the recommendation: Be adopted.

LIU, Chair

Above resolution ordered to third reading.

Date of Hearing, June 4, 2014

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

AB 2445

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

LIU, Chair

Above measure ordered to second reading.

Date of Hearing, June 4, 2014

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

AB 2127

Reports the same back with the recommendation: Do pass.

LIU, Chair

Above bill ordered to second reading.

Date of Hearing, June 4, 2014

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

AB 1590

AB 1806

AB 2560

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.

LIU, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, June 4, 2014

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

AB 2324



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

LIU, Chair

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

**Assembly Bill 2324**—An act to amend Section 66602 of the Education Code, relating to postsecondary education.

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, June 4, 2014

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

AB 577

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 577**—An act to repeal Sections 30648 and 130265 of the Public Utilities Code, relating to transportation.

Bill read second time.

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

**Committee on Labor and Industrial Relations**

Senate Chamber, June 4, 2014

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which were referred:

AB 1556

AB 1797

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**

**Assembly Bill 1556**—An act to amend Section 316 of, and to add Sections 320.3, 1253.92, and 1326.5 to, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

Bill read second time.





**Assembly Bill 1797**—An act to add Section 14017 to the Unemployment Insurance Code, relating to the California Workforce Investment Board.

Bill read second time.

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

**Committee on Environmental Quality**

Senate Chamber, June 4, 2014

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

AB 371

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 371**—An act to amend Section 13274 of the Water Code, relating to sewage sludge.

Bill read second time.

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

**Committee on Education**

Senate Chamber, June 4, 2014

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

AB 1927

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

LIU, Chair

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

**Assembly Bill 1927**—An act to add Section 69505.7 to the Education Code, relating to student financial aid.

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**

Senate Chamber, June 4, 2014

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1678



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

PADILLA, Chair

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

**Assembly Bill 1678**—An act to amend Sections 8281, 8282, 8283, 8284, 8285, and 8286 of, and to amend the heading of Article 5 (commencing with Section 8281) of Chapter 7 of Division 4 of, the Public Utilities Code, relating to public utilities.

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, June 4, 2014

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

AB 1928

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**

**Assembly Bill 1928**—An act to add Section 25600.3 to Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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

**Committee on Banking and Financial Institutions**

Date of Hearing, June 4, 2014

Mr. President: The Committee on Banking and Financial Institutions, to which was referred:

AB 2742

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

EVANS, Chair

Above measure ordered to second reading.

Date of Hearing, June 4, 2014

Mr. President: The Committee on Banking and Financial Institutions, to which was referred:

AB 129

Reports the same back with the recommendation: Do pass.

EVANS, Chair

Above bill ordered to second reading.



**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

**Senate Concurrent Resolution 127:** By Senator Huff—Relative to California Manufacturing Week.

**SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, June 5, 2014:

AB 745	ACR 115	ACR 127	ACR 138
AB 600	ACR 133	ACR 84	ACR 146
AB 2149	AJR 41	ACR 128	AJR 45
ACR 110	AB 747	ACR 131	

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

Without objection, **AB 692** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

**MEASURE WITHDRAWN FROM COMMITTEE**

Without objection, **AB 1591** was withdrawn from the Committee on Appropriations and ordered to second reading.

**SENATE COMMITTEE ROLL CALLS****Committee on Education**

**AB 330**—Do pass as amended and re-refer to Committee on Business, Professions and Economic Development

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 675**—Do pass as amended

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 1590**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 1781**—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 1806**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.



**AB 1825**—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 1906**—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 2127**—Do pass

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 2408**—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 2445**—Do pass, to Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 2512**—Do pass as amended

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 2560**—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**AB 2600**—Do pass as amended, to Consent Calendar

AYES (6)—Senators Block, Hancock, Huff, Liu, Monning, and Wyland.

NOES (0)—None.

**ACR 95**—Be adopted

AYES (4)—Senators Block, Hancock, Liu, and Monning.

NOES (2)—Senators Huff and Wyland.

Date of Hearing: 6/4/2014

Liu (Chair)



**Committee on Environmental Quality**

**AB 380**—Do pass as amended and re-refer to Committee on Rules

AYES (6)—Senators Gaines, Hancock, Hill, Jackson, Leno, and Pavley.

NOES (0)—None.

**AB 1102**—Do pass as amended and re-refer to Committee on Natural Resources and Water

AYES (4)—Senators Gaines, Jackson, Leno, and Pavley.

NOES (2)—Senators Hancock and Hill.

**AB 1846**—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

Date of Hearing: 6/4/2014

Hill (Chair)

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day due to legislative business: Senators Anderson and Cannella.

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

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, June 5, 2014.

PAULA K. ROSSETTO, Minute Clerk

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