

## CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-THIRD LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, August 12, 2014

The Senate met at 9 a.m.

Hon. Ricardo Lara, of the 33rd 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, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Mitchell, Monning, Morrell, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Walters, Wolk, and Wyland—36.

Quorum present.

*(NOTE: Senators Calderon, Wright, and Yee will be excused this day on personal business and Senator Hancock will be excused this day due to illness.)*

### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 11, 2014

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

ACR 155

E. DOTSON WILSON, Chief Clerk of the Assembly

### FIRST READING OF ASSEMBLY MEASURES

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

**Assembly Concurrent Resolution 155**—Relative to childhood brain development.



**REPORTS OF STANDING COMMITTEES**  
**Committee on Governance and Finance**

Date of Hearing, August 12, 2014

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

SB 718

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

WOLK, Chair

Above measure ordered to unfinished business.

**Committee on Veterans Affairs**

Date of Hearing, August 12, 2014

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

AJR 44

Reports the same back with the recommendation: Be adopted.

HUESO, Chair

Above resolution ordered to third reading.

**Committee on Rules**

State Capitol, August 12, 2014

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

ACR 149, SR 56.

**Committee on Transportation and Housing**

Date of Hearing, August 12, 2014

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

ACR 118

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

DESAULNIER, Chair

Above measure ordered to second reading.

Date of Hearing, August 12, 2014

Mr. President: The Committee on Transportation and Housing, to which were referred:

SCR 139

ACR 158

ACR 162



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

DESAULNIER, Chair

Above measures re-referred to the Committee on Appropriations.

### **Committee on Rules**

Senate Chamber, August 12, 2014

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

SB 1079

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 1079**—An act to amend Section 63049.2 of the Government Code, relating to tobacco settlement moneys.

Bill read second time.

### **Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 1079 pursuant to Joint Rule 58.

SENATOR VIDAK

### **Permission of Rules Committee**

Senate Chamber, August 12, 2014

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1079.

STEINBERG, Chair

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

### **CONSIDERATION OF DAILY FILE**

### **SECOND READING OF SENATE BILLS**

**Senate Concurrent Resolution 72**—Relative to the David M. Gonzales Medal of Honor World War II Memorial Interchange.

Resolution read second time, ordered engrossed, and to Consent Calendar.

**Senate Concurrent Resolution 129**—Relative to Pain Awareness Month and Women In Pain Awareness Day.

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

**Senate Concurrent Resolution 128**—Relative to California Runaway and Homeless Youth Month.

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



**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 2247**—An act to add Section 66014.8 to the Education Code, relating to postsecondary education.

Bill read second time and ordered to third reading.

**Assembly Bill 2685**—An act to amend Section 13963 of the Government Code, to amend Section 1191.15 of the Penal Code, and to amend Sections 216 and 9202 of the Probate Code, relating to crime victims.

Bill read second time.

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

**Assembly Bill 2040**—An act to amend Sections 12463 and 53892 of, and to add Article 10.5 (commencing with Section 53908) to Chapter 4 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to local government.

Bill read second time.

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

**Assembly Bill 1537**—An act to amend, repeal, and add Section 65583.2 of the Government Code, relating to land use.

Bill read second time.

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

**Assembly Bill 1787**—An act to add Section 50479 to the Government Code, relating to airports.

Bill read second time.

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

**Assembly Bill 614**—An act to amend Sections 1012.2 and 1012.3 of the Military and Veterans Code, relating to veterans.

Bill read second time and ordered to third reading.

**Assembly Bill 1147**—An act to amend Section 460 of, and to add and repeal Chapter 10.5 (commencing with Section 4600) of Division 2 of, the Business and Professions Code, and to amend Section 51034 of the Government Code, relating to healing arts.

Bill read second time and ordered to third reading.

**Assembly Bill 1179**—An act to add Section 42872.6 to the Public Resources Code, relating to recycling.

Bill read second time and ordered to third reading.



**Assembly Bill 1658**—An act to amend Section 10618.6 of the Welfare and Institutions Code, relating to foster care.

Bill read second time and ordered to third reading.

**Assembly Bill 1864**—An act to add and repeal Section 1687 of the Vehicle Code, relating to registration of vehicles and certificates of title.

Bill read second time and ordered to third reading.

**Assembly Bill 2029**—An act to add Section 27491.42 to the Government Code, relating to inquests.

Bill read second time and ordered to third reading.

**Assembly Bill 2453**—An act to add Part 8.2 (commencing with Section 37900) to Division 13 of the Water Code, relating to water.

Bill read second time and ordered to third reading.

**Assembly Bill 2503**—An act to amend Sections 7500.2, 7502.2, 7505.3, 7507.3, 7507.115, 7508.1, 7508.4, and 7508.5 of, and to amend and renumber Section 7505.2 of, the Business and Professions Code, to amend Section 41612 of the Government Code, and to amend Sections 28, 4000, and 11705 of, and to add Section 10856 to, the Vehicle Code, relating to repossession, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 2647**—An act to add Section 34182.1 to the Health and Safety Code, relating to redevelopment.

Bill read second time and ordered to third reading.

**Assembly Concurrent Resolution 67**—Relative to highways.

Resolution read second time and ordered to third reading.

**Assembly Concurrent Resolution 145**—Relative to highways.

Resolution read second time and ordered to third reading.

**Assembly Bill 1711**—An act to amend Sections 11346.2, 11346.3, and 11357 of the Government Code, relating to administrative regulations.

Bill read second time and ordered to Consent Calendar.

**Assembly Bill 2228**—An act to amend Sections 1502, 1516, 1526.8, and 1596.792 of the Health and Safety Code, relating to crisis nurseries.

Bill read second time and ordered to Consent Calendar.

**Assembly Concurrent Resolution 156**—Relative to the Itliong-Vera Cruz Memorial Bridge.

Resolution read second time and ordered to Consent Calendar.



**Assembly Bill 1153**—An act to amend Sections 7312, 7316, 7320, 7324, and 7423 of, and to add Sections 7320.6 and 7324.5 to, the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time and ordered to third reading.

**Assembly Bill 1646**—An act to amend, repeal, and add Section 12810.3 of, and to add Section 1666.7 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

**Assembly Bill 1916**—An act to add Section 12012.95 to the Government Code, relating to gaming.

Bill read second time and ordered to third reading.

**Assembly Bill 2128**—An act to amend Sections 926.1, 926.2, 926.3, and 12939.2 of the Insurance Code, relating to insurer investments.

Bill read second time and ordered to third reading.

**Assembly Bill 2161**—An act to amend Sections 50560, 50561, 50562, and 50563 of, and to add Section 50565 to, the Health and Safety Code, relating to housing.

Bill read second time and ordered to third reading.

**Assembly Bill 2415**—An act to add Chapter 14.5 (commencing with Section 22260) to Division 8 of the Business and Professions Code, and to amend Section 12195 of the Government Code, relating to property tax agents.

Bill read second time and ordered to third reading.

**Assembly Bill 1951**—An act to amend Section 102425 of, to add Section 102425.1 to, and to repeal Section 102150 of, the Health and Safety Code, relating to vital records.

Bill read second time.

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

**Assembly Bill 2730**—An act to add Article 7 (commencing with Section 9190) to Chapter 1 of Part 1 of Division 5 of the Food and Agricultural Code, relating to animals.

Bill read second time and ordered to third reading.

**Assembly Bill 1850**—An act to amend Section 136.2 of the Penal Code, relating to restraining orders.

Bill read second time and ordered to third reading.

**Assembly Bill 1705**—An act to amend Sections 7201 and 10261 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.



**Assembly Bill 2010**—An act to amend Section 23104.2 of, and to repeal and add Section 23389 of, the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 2365**—An act to add Section 1670.8 to the Civil Code, relating to contracts.

Bill read second time and ordered to third reading.

**Assembly Bill 2151**—An act to add Sections 26614.6 and 26614.7 to the Government Code, relating to local government.

Bill read second time and ordered to third reading.

**Assembly Bill 400**—An act to add Sections 336.8 and 9011.5 to the Elections Code, relating to petitions.

Bill read second time and ordered to third reading.

**Assembly Bill 2219**—An act to amend Sections 9031 and 9115 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

**Assembly Joint Resolution 40**—Relative to the federal poverty level measurement.

Resolution read second time and ordered to third reading.

**Assembly Bill 334**—An act to amend and repeal Section 101850 of the Health and Safety Code, relating to the Alameda Health System, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 1942**—An act to amend Section 70901 of, and to add Section 72208 to, the Education Code, relating to community colleges.

Bill read second time and ordered to third reading.

**Assembly Bill 2064**—An act to amend Sections 10089.6 and 10089.26 of, to amend, add, and repeal Sections 10083 and 10086 of, to amend, repeal, and add Section 10089.28 of, and to add Section 10089.42 to, the Insurance Code, relating to earthquake insurance.

Bill read second time and ordered to third reading.

**Assembly Bill 690**—An act to add the heading of Chapter 1 (commencing with Section 99500) to, to add Chapter 2 (commencing with Section 99520) to, Title 20 of, and to repeal Chapter 8.1 (commencing with Section 8710) of Division 1 of Title 2 of, the Government Code, relating to state government.

Bill read second time and ordered to third reading.



**Assembly Bill 2546**—An act to amend Section 31468 of, and to add Section 31552.5 to, the Government Code, and to add Chapter 5.5 (commencing with Section 101852) to Part 4 of Division 101 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.

**Assembly Bill 2735**—An act to amend Sections 10083 and 10086.1 of the Insurance Code, relating to earthquake insurance.

Bill read second time and ordered to third reading.

**Assembly Bill 1471**—An act to add Section 75089 to the Public Resources Code, to add Section 79591 to, and 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 2009, relating to a water quality, supply, and infrastructure improvement 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 and ordered to third reading.

#### **MEASURE WITHDRAWN FROM COMMITTEE**

Without objection, **ACR 162** was withdrawn from the Committee on Appropriations and ordered to third reading.

#### **CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 2104**—An act to amend Section 4735 of the Civil Code, relating to common interest developments.

Bill read third time.

#### **Amendments Adopted**

Amendments to AB 2104 proposed by Senator Nielsen were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1598**—An act to amend Section 8588.10 of the Government Code, to amend Sections 1797.116 and 1797.132 of the Health and Safety Code, and to amend Sections 13514.1 and 13519.12 of the Penal Code, relating to emergency response services.

Bill read third time.

#### **Amendments Adopted**

Amendments to AB 1598 proposed by Senator Torres were read and adopted and the measure ordered printed and to second reading.

#### **UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (AB 2408)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2408 was passed to the Assembly, and that the measure be taken up at this time without reference to file.



**Consideration of Assembly Bill 2408**

**Assembly Bill 2408**—An act to amend Section 52074 of the Education Code, relating to school accountability.

Bill read.

**Motion to Amend**

Amendments to AB 2408 proposed by Senator Vidak were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED  
TO RESCIND ACTION (AB 523)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 523 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

**Consideration of Assembly Bill 523**

**Assembly Bill 523**—An act to add Section 50406.7 to the Health and Safety Code, relating to housing.

Bill read.

**Motion to Amend**

Amendments to AB 523 proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

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

**Assembly Bill 2018**—An act to amend Section 10159.5 of, and to add Sections 10159.6 and 10159.7 to, the Business and Professions Code, relating to real estate licensees.

Bill read third time.

**Amendments Adopted**

Amendments to AB 2018 proposed by Senator Padilla were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 155**—An act to add Section 11.1 to the Monterey County Water Resources Agency Act (Chapter 1159 of the Statutes of 1990), relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to AB 155 proposed by Senator Cannella were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1867**—An act to amend Section 4584 of the Public Resources Code, relating to forestry.

Bill read third time.



**Amendments Adopted**

Amendments to AB 1867 proposed by Senator Vidak were read and adopted and the measure ordered printed and to second reading.

**REQUEST FOR UNANIMOUS CONSENT (AB 881)**

Senator Wolk asked for, and was granted, unanimous consent that AB 881 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 881**

**Assembly Bill 881**—An act to amend, repeal, and add Section 8670.40 of, and to add and repeal Section 8670.43 of, the Government Code, relating to oil spills.

Bill read second time.

**Motion to Amend**

Amendments to AB 881 proposed by Senator Wolk were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS****Committee on Governance and Finance**

**SB 718**—That the Assembly amendments be concurred in

AYES (7)—Senators Beall, DeSaulnier, Hernandez, Knight, Liu, Walters, and Wolk.

NOES (0)—None.

Date of Hearing: 8/12/2014

Wolk (Chair)

**Committee on Judiciary**

**SR 55**—Be adopted as amended

AYES (4)—Senators Jackson, Lara, Leno, and Monning.

NOES (2)—Senators Anderson and Vidak.

Date of Hearing: 8/12/2014

Jackson (Chair)

**Committee on Veterans Affairs**

**AJR 44**—Be adopted

AYES (7)—Senators Block, Correa, Hueso, Knight, Lieu, Nielsen, and Roth.

NOES (0)—None.

Date of Hearing: 8/12/2014

Hueso (Chair)

**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 Yee.

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



**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, August 13, 2014.

PAULA K. ROSSETTO, Minute Clerk

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