

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, February 5, 2015

The Senate met at 9 a.m.
Hon. Jean Fuller, of the 16th District, presiding.
Secretary Daniel Alvarez at the Desk.
Assistant Secretary Jamie Taylor 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:
Allen, Anderson, Bates, Beall, De León, Fuller, Gaines, Galgiani, Hall,
Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno,
Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen,
Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk—34.

Quorum present.

*(NOTE: Senator Berryhill will be excused this day on personal business.
Senator Block will be excused this day to attend a funeral. Senator
Cannella will be excused this day due to illness.)*



PRAYER

Upon invitation of the President, the following prayer was offered by Rev. Dr. Pamela Anderson of Trinity Cathedral in Sacramento:

There is a great line in the movie, *The Best Exotic Marigold Hotel* that says “everything will be all right in the end . . . if it’s not all right, then it’s not yet the end.” Would you please pray with me:

Eternal and loving God, there are many Californians who have lost hope, who have lost heart, who have lost their way due to economics, job loss, health concerns, and multiple other reasons. And it is our prayer that the deliberations that are discussed in these chambers today will help every Californian know to the core of their being that everything will be all right in the end. This prayer we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Stone led the Senate in the Pledge of Allegiance to the Flag.

PRIVILEGES OF THE FLOOR**SPECIAL INTRODUCTIONS**

Senator Hertzberg introduced the participants of the U.S. Department of State’s International Visitor Leadership Program.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, February 5, 2015

Madam President: The Committee on Rules has examined:

SB 12

SB 18

And reports the same correctly engrossed.

DE LEÓN, Chair

State Capitol, February 4, 2015

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Arnoldo Avalos, Member, California Community Colleges Board of Governors (5–0)

Scott M. Budnick, Member, California Community Colleges Board of Governors (5–0)

Thomas S. Epstein, Member, California Community Colleges Board of Governors (5–0)

Nancy J. Sumner, Col. (Ret.), Member, California Community Colleges Board of Governors (5–0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.



State Capitol, February 4, 2015

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Cecilia V. Estolano, Member, California Community Colleges Board of Governors (4-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, February 4, 2015

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Santi J. Rogers, Director, Developmental Services (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, February 4, 2015

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Jamie Wright, Member, Medical Board of California (5-0)

Felix C. Yip, M.D., Member, Medical Board of California (5-0)

Russell A. Attebery, Member, Native American Heritage Commission (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, February 4, 2015

Madam President: The Committee on Rules has made the following appointments:

Appointed Senator Ben Hueso as a member of the California Broadband Council for a term ending at the pleasure of the Committee.

Appointed Senator Benjamin Allen as a member of the State Coastal Conservancy for a term ending at the pleasure of the Committee.

Appointed Senator Hannah-Beth Jackson as a member of the Judicial Council of California for a term ending December 1, 2016.

Appointed Senator Connie M. Leyva as a member of the Mobilehome Park Inspection Program Task Force for a term ending at the pleasure of the Committee.

Appointed Senator Mike McGuire as a member of the Pacific Fisheries Legislative Task Force for a term ending at the pleasure of the Committee.

Appointed William Craven as an alternate to Senator Fran Pavley of the State Park and Recreation Commission for a term ending at the pleasure of the Committee.

DE LEÓN, Chair



MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

February 2, 2015 February 3, 2015 February 4, 2015
February 5, 2015

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 166: By Senator Gaines—An act to amend Section 21000 of the Public Resources Code, relating to the California Environmental Quality Act.

Senate Bill 167: By Senator Gaines—An act to amend Section 38564 of the Health and Safety Code, relating to greenhouse gas emissions.

Senate Bill 168: By Senator Gaines—An act to amend Section 900 of the Insurance Code, relating to insurance.

Senate Bill 169: By Senator Gaines—An act to amend Section 12288 of the Elections Code, relating to elections.

Senate Bill 170: By Senator Gaines—An act to amend Section 46 of the Civil Code, relating to civil law.

Senate Bill 171: By Senator Gaines—An act to amend Section 4004 of the Penal Code, relating to prisons.

CONSIDERATION OF DAILY FILE**THIRD READING OF SENATE BILLS**

Senate Concurrent Resolution 13—Relative to American Heart Month and Wear Red Day in California.

Resolution read third time and presented by Senator Jackson.

Roll Call

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

AYES (34)—Senators Allen, Anderson, Bates, Beall, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



PRIVILEGES OF THE FLOOR SPECIAL RECOGNITIONS

Senator De León presented a member's resolution to Sandra Gutierrez, a recipient of the James Irvine Foundation Leadership Award.

Senator Leno presented a member's resolution to Bill Pace and Beth Sirull, recipients of the James Irvine Foundation Leadership Award.

Senators McGuire and Hancock presented a member's resolution to Jody Lewen, a recipient of the James Irvine Foundation Leadership Award.

Senator Hancock presented a member's resolution to Nancy O'Malley, a recipient of the James Irvine Foundation Leadership Award.

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on personal business: Senator Berryhill.

The following Senator was granted leave of absence for the day to attend a funeral: Senator Block.

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

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:44 a.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator De León 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, February 9, 2015.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, February 4, 2015

The Committee on Rules has referred the following measures to committee:

Budget and Fiscal Review—SB 70, SB 71, SB 72, SB 115, SB 131.

Education—SB 111, SB 121, SB 136, SB 138.

Environmental Quality—SB 122, SB 143.

Health—SB 125, SB 137, SB 140.

Judiciary—SB 68, SB 134, SB 142.

Natural Resources and Water—SB 113, SB 141, SB 144.

Public Safety—SB 110, SB 124, SB 139.



Rules—SB 73, SB 74, SB 75, SB 76, SB 77, SB 78, SB 79, SB 80, SB 81, SB 82, SB 83, SB 84, SB 85, SB 86, SB 87, SB 88, SB 89, SB 90, SB 91, SB 92, SB 93, SB 94, SB 95, SB 96, SB 97, SB 98, SB 99, SB 100, SB 101, SB 102, SB 103, SB 104, SB 105, SB 106, SB 107, SB 108, SB 109, SB 112, SB 116, SB 117, SB 120, SB 123, SB 126, SB 129, SB 130, SB 132, SB 135.

The Committee on Rules has referred the following measures to two committees:

Education and Governance and Finance—SB 114.

Education and Health—SB 118.

Environmental Quality and Judiciary—SB 127.

Governmental Organization and Health—SB 133.

Health and Judiciary—SB 128, SB 145.

The Committee on Rules has referred the following measure to three committees:

Business, Professions and Economic Development and Governmental Organization and Judiciary—SB 119.

The Committee on Rules has re-referred the following measures to committee:

Natural Resources and Water—SJR 3.

Transportation and Housing—SCR 12.

State Capitol, February 4, 2015

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

SJR 2

SR 11

INTRODUCTION AND FIRST READING OF SENATE MEASURES (RESUMED)

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

Senate Bill 172: By Senator Liu—An act to amend Section 60640 of, and add Section 60851.5 to, the Education Code, relating to pupil testing.

Senate Bill 173: By Senators Nielsen and Vidak (Coauthors: Assembly Members Dahle and Gallagher)—An act to amend Section 10721 of the Water Code, relating to groundwater.

Senate Bill 174: By Senator Wolk (Principal coauthors: Assembly Members Cooper, Dodd, and McCarty) (Coauthor: Senator Pan)—An act to add and repeal Section 1517 of the Health and Safety Code, relating to crisis nurseries.



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

Assembly Concurrent Resolution 3—Relative to Korean-American Day.

Resolution read third time.

Amendments Adopted

Amendments to **ACR 3** proposed by Senator Pan were read and adopted and the measure ordered printed and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

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

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Mark Hansen of Orangevale.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, February 9, 2015.

NEVA MARIE PARKER, Minute Clerk

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