

CALIFORNIA LEGISLATURE  
2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, February 19, 2015

The Senate met at 9:07 a.m.  
Hon. Jean Fuller, of the 16th District, presiding.  
Secretary Daniel Alvarez 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:  
Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk—36.

Quorum present.

*(NOTE: Senator Liu will be excused this day on personal business.)*



### PRAYER

Upon invitation of the President, the following prayer was offered by Rabbi Reuven Taff, Mosaic Law Congregation in Sacramento:

After his epic saga *Roots: The Saga of an American Family* was published in 1976, Alex Haley said that in his office he had a picture of a turtle sitting on a fence post. When he looked at it, Haley remembered a lesson taught to him by his friend John Gaines: "If you see a turtle on top of a fence post, you know he had some help." Said Haley, "Anytime I start thinking, 'Wow, isn't this marvelous what I've done!' I look at that picture and remember how this turtle—me—got up on that post."

This humorous story reminds me of what writer Helen Nielsen once wrote: "Humility is like underwear, essential, but indecent if it shows."

My prayer as you begin this day to continue the important work on behalf of every citizen of this great state is that all of you, will remember the story of the turtle on the fence post and the words of the prophet Micah whose message is a simple one: "Do Justice, love Kindness and walk humbly with your God."

May it be possible for everyone in this chamber in spite of deeply held differences, to walk humbly together in mutual respect and kindness for each other to achieve and accomplish the lofty goals for which you were elected, working to make California stronger, by bringing people together, showing us our commonality, instructing us in cooperation, making us not a collection of competing special interests, but rather working to create a community where each citizen has the experience of being connected to those around them and knows that their well-being and success are dependent on the success of all others—and let us all say.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### PRIVILEGES OF THE FLOOR

#### SPECIAL INTRODUCTIONS

Senator De León introduced the Honorable Liduvina Magarin, Vice Minister of Foreign Affairs for the Republic of El Salvador.

Senator Mitchell introduced Tim Robbins and, without objection, invited him to address the Senate.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

Senate Chamber, February 19, 2015

Madam President: The Committee on Rules has examined:

SCR 15

SCR 16

SCR 17

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, February 19, 2015

Madam President: The Committee on Rules has examined:

SB 110

SCR 14

And reports the same correctly engrossed.

DE LEÓN, Chair

State Capitol, February 18, 2015

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

**Banking and Financial Institutions**—SB 197.

**Business, Professions and Economic Development**—SB 146.

**Education**—SB 148, SB 172, SB 191, SB 200, SB 211.

**Elections and Constitutional Amendments**—SB 163.

**Environmental Quality**—SB 162, SB 207.

**Governance and Finance**—SB 181, SB 182, SB 183.

**Governmental Organization**—SB 187.

**Health**—SB 147, SB 151, SB 190, SB 203.

**Human Services**—SB 174, SB 199.

**Judiciary**—SB 155, SB 161, SB 196, SB 201.

**Natural Resources and Water**—SB 173, SB 204, SB 209.

**Public Employment and Retirement**—SB 185.

**Public Safety**—SB 165, SB 176, SB 178, SB 212, SB 213.

**Rules**—SB 150, SB 152, SB 153, SB 154, SB 156, SB 157, SB 158, SB 159, SB 160, SB 166, SB 167, SB 168, SB 169, SB 170, SB 171, SB 179, SB 184, SB 193, SB 194, SB 195, SB 202, SB 205, SB 210, SCA 2, SCA 3.

**Transportation and Housing**—SB 192.

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

**Business, Professions and Economic Development and Environmental Quality**—SB 189.

**Business, Professions and Economic Development and Judiciary**—SB 177.

**Education and Rules**—SB 186.



**Environmental Quality and Energy, Utilities and Communications**—SB 180.

**Environmental Quality and Judiciary**—SB 206.

**Governance and Finance and Judiciary**—SB 188.

**Health and Business, Professions and Economic Development**—SB 149.

**Natural Resources and Water and Environmental Quality**—SB 208.

**Natural Resources and Water and Governance and Finance**—SB 198.

**Public Safety and Appropriations**—SB 164, SB 175.

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

**Governance and Finance**—SB 8.

**Governmental Organization**—SJR 4.

Madam President: The Committee on Rules has re-referred the following measure to two committees:

**Human Services and Judiciary**—SB 12.

#### **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 17, 2015      February 18, 2015      February 19, 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 266:** By Senator Block—An act to add and repeal Section 1203.35 of the Penal Code, relating to crimes.

**Senate Bill 267:** By Senator Leyva—An act to amend Section 290.03 of the Penal Code, relating to registered sex offenders.

#### **CONSIDERATION OF DAILY FILE**

##### **UNFINISHED BUSINESS**

##### **Consideration of Governor's Appointments**

Senator De León placed the following Governor's appointment before the Senate:

ROWENA T. LIBANG-BOBILA, Member, California State Lottery Commission.

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



**Roll Call**

The roll was called and the appointment was confirmed by the following vote:

AYES (35)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, McGuire, Mendoza, Mitchell, Monning, Morrell, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 17**—Relative to Navy Reserve Day. Resolution read third time and presented by Senator Block.

**Roll Call**

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

AYES (35)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, McGuire, Mendoza, Mitchell, Monning, Morrell, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**LEAVES OF ABSENCE**

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

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

At 9:45 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 23, 2015.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, February 19, 2015

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

SCR 9

Above resolution ordered enrolled.



Assembly Chamber, February 19, 2015

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

ACR 3

E. DOTSON WILSON, Chief Clerk of the Assembly

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Rules**

Senate Chamber, February 19, 2015

Madam President: The Committee on Rules has examined:

SCR 4

And reports the same has been correctly enrolled and presented to the Secretary of State on the 19th day of February, 2015, at 11:15 a.m.

DE LEÓN, Chair

## **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 268:** By Senator Nguyen—An act to amend Section 17052.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 269:** By Senator Vidak—An act to add Section 2640.2 to the Probate Code, relating to conservatorship.

**Senate Bill 270:** By Senator Mendoza—An act to amend Sections 8000 and 8005 of the Business and Professions Code, relating to court reporters.

**Senate Bill 271:** By Senator Gaines—An act to add Section 626.12 to the Penal Code, relating to unmanned aircraft systems.

**Senate Bill 272:** By Senator Hertzberg (Principal coauthor: Assembly Member Maienschein)—An act to add Section 6270.5 to the Government Code, relating to public records.

**Senate Bill 273:** By Senator Hueso—An act relating to state real property.

**Senate Bill 274:** By Senator Morrell—An act relating to economic development.

**Senate Bill 275:** By Senator Hernandez—An act to add Section 128739 to the Health and Safety Code, relating to health data.

**Senate Bill 276:** By Senator Wolk—An act to amend Section 14132.06 of the Welfare and Institutions Code, relating to Medi-Cal.



**Senate Bill 277:** By Senators Pan and Allen (Principal coauthor: Assembly Member Gonzalez) (Coauthors: Senators Beall, Block, De León, Hall, Hertzberg, Hill, Jackson, Leno, McGuire, Mitchell, Monning, Stone, Wieckowski, and Wolk) (Coauthors: Assembly Members Baker, Chiu, Cooper, Low, McCarty, Nazarian, Rendon, Mark Stone, and Wood)—An act to add Section 48980.5 to the Education Code, and to amend Section 120325 of, and to repeal and add Section 120365 of, the Health and Safety Code, relating to public health.

**Senate Bill 278:** By Senator Hall (Principal coauthor: Assembly Member Gray)—An act to add Chapter 5.2 (commencing with Section 19990.101) to Division 8 of the Business and Professions Code, relating to gambling.

**Senate Bill 279:** By Senator Huff—An act to add and repeal Section 44225.9 of the Education Code, relating to certificated employees.

**Senate Bill 280:** By Senator Stone—An act to amend Section 12480 of the Government Code, relating to public employees.

**Senate Bill 281:** By Senator Stone—An act to add Section 11569.5 to the Government Code, relating to state government.

**Senate Bill 282:** By Senator Hernandez—An act to amend Section 1367.241 of the Health and Safety Code, and to amend Section 10123.191 of the Insurance Code, relating to health care coverage.

**Senate Bill 283:** By Senator Nielsen—An act to amend Sections 9050, 9051, 9053, 9086, 9087, 13262, 13282, and 18602 of the Elections Code, and to amend Section 88002 of the Government Code, relating to elections.

**Senate Bill 284:** By Senator Cannella—An act to amend and repeal Sections 6738 and 8729 of the Business and Professions Code, and to amend and repeal Sections 16101, 16956, and 16959 of the Corporations Code, relating to the practice of engineering and land surveying.

**Senate Bill 285:** By Senator Block (Coauthors: Senators Galgiani and Vidak) (Coauthor: Assembly Member Maienschein)—An act to amend Sections 21200, 21200.1, 21200.5, 21200.6, 21201, and 21201.2 of the Financial Code, relating to pawnbrokers.

**Senate Bill 286:** By Senator Hertzberg—An act to amend Section 365.1 of the Public Utilities Code, relating to electricity.

**Senate Bill 287:** By Senator Hueso—An act to add Chapter 3 (commencing with Section 193000) to Part 3 of Division 13 of the Health and Safety Code, relating to automated external defibrillators.



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Mildred Massey of Oakland.

Senator Morrell requested that when the Senate adjourns this day it do so in memory of Harry V. Jaffa of Claremont.

**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 23, 2015.

NEVA MARIE PARKER, Minute Clerk

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