

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, February 25, 2015

The Senate met at 9 a.m.

Hon. Loni Hancock, of the 9th District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Anderson, Bates, Beall, 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—35.

Quorum present.

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, February 24, 2015

Madam President: The Committee on Rules has examined:

SCR 9

And reports the same has been correctly enrolled and presented to the Secretary of State on the 24th day of February, 2015, at 3:30 p.m.

DE LEÓN, Chair



Senate Chamber, February 25, 2015

Madam President: The Committee on Rules has examined:

SB 13

And reports the same correctly engrossed.

DE LEÓN, Chair

State Capitol, February 25, 2015

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

JOINT COMMITTEE APPOINTMENTS

Joint Committee on Arts (6)

Senators Block, Cannella, Fuller, Hertzberg, and Pan

Joint Committee on Fairs, Allocation, and Classification (7)

Senators Cannella (Vice Chair), Berryhill, Galgiani, Hall, Nielsen, Pan, and Wolk

Joint Committee on Fisheries and Aquaculture (4)

Senators Hill, Nielsen, and Pavley

Joint Legislative Committee on Emergency Management (7)

Senators Jackson (Vice Chair), Bates, Fuller, Gaines, Mitchell, Roth, and Pan

SELECT COMMITTEE APPOINTMENTS

Select Committee on Aging and Long Term Care (5)

Senators Liu (Chair), Bates, Hernandez, McGuire, and Wolk

Select Committee on Passenger Rail (9)

Senator Pan to fill vacancy

Select Committee on Policy Alignment and State Government Efficiency (3)

Senators Roth (Chair), Cannella, and Galgiani

Select Committee on Sacramento-San Joaquin Delta (9)

Senators Wolk (Chair), Cannella, Fuller, Galgiani, Hancock, Lara, McGuire, Pan, and Pavley

Select Committee on Women and Inequality: Strategies to Promote Opportunity (7)

Senators Mitchell (Chair), Jackson, Lara, Leyva, Liu, McGuire, and vacancy

DE LEÓN, Chair



State Capitol, February 25, 2015

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

Appointed Johnny Simpson as a member of the Contractors' State License Board for a term ending June 1, 2015.

Appointed the Honorable Ellen M. Corbett as a member of the California Unemployment Insurance Appeals Board for a term ending January 1, 2019.

DE LEÓN, Chair

State Capitol, February 25, 2015

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

SCR 14

SR 12

ACR 11

State Capitol, February 25, 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:

Patrick W. Henning, Jr., Director, Employment Development Department (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, February 25, 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:

Hugh E. Crooks, Jr., Member, California Veterans Board (5-0)

Caroline C. Morales, Member, California Veterans Board (5-0)

Sean P. Sargeant, Member, California Veterans Board (5-0)

Gena J. Truitt, Member, California Veterans Board (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

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 388: By Senator Mitchell—An act to amend Section 1363 of the Health and Safety Code, and to amend Section 10603 of the Insurance Code, relating to health care coverage.



Senate Bill 389: By Senator Berryhill—An act to amend Section 21190 of the Public Resources Code, relating to environmental protection.

Senate Bill 390: By Senator Bates—An act to add Section 1727.8 to the Health and Safety Code, relating to home health agencies.

Senate Bill 391: By Senator Huff—An act to amend Sections 241 and 243 of the Penal Code, relating to assault and battery.

Senate Bill 392: By Senator Nguyen—An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

Senate Bill 393: By Senator Nguyen—An act to amend Section 56001 of the Government Code, relating to local government.

Senate Bill 394: By Senator Nguyen—An act to amend Section 23663 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 395: By Senator Block—An act relating to banking.

Senate Bill 396: By Senator Hill—An act to amend Sections 805 and 805.5 of, and to add Section 2216.5 to, the Business and Professions Code, and to amend Sections 1204, 1248.15, 1248.3, and 1248.35 of the Health and Safety Code, relating to health and care facilities.

Senate Bill 397: By Senator Fuller—An act relating to off-highway vehicles.

Senate Bill 398: By Senator Leyva (Coauthors: Senators Beall and Pavley)—An act to add Part 10 (commencing with Section 44480) to Division 26 of the Health and Safety Code, relating to nonvehicular air pollution.

Senate Bill 399: By Senator Hall—An act to amend Section 19819 of the Business and Professions Code, relating to gambling.

Senate Bill 400: By Senator Lara—An act to amend Section 39719.1 of the Health and Safety Code, relating to greenhouse gases.

Senate Bill 401: By Senator Nguyen—An act to amend Section 1516 of, and to add Section 1596.810 to, the Health and Safety Code, relating to day care facilities.

Senate Bill 402: By Senator Mitchell—An act to amend Section 49455 of the Education Code, relating to pupil health.

Senate Bill 403: By Senator Liu—An act to add Chapter 19 (commencing with Section 53310) to Part 28 of Division 4 of Title 2 of, and to repeal Section 53320 of, the Education Code, relating to community schools.

Senate Bill 404: By Senator De León—An act to amend Section 40800 of the Vehicle Code, relating to vehicles.



Senate Bill 405: By Senator Hertzberg—An act relating to vehicles.

Senate Bill 406: By Senator Jackson—An act to amend Section 12945.2 of the Government Code, relating to employment.

Senate Bill 407: By Senator Morrell (Coauthor: Senator Wolk)—An act to amend Section 14134.5 of the Welfare and Institutions Code, relating to Medi-Cal.

Senate Bill 408: By Senator Morrell—An act to add Section 2516.5 to the Business and Professions Code, relating to healing arts.

Senate Bill 409: By Senator De León—An act to amend Section 313.5 of the Education Code, relating to English learners.

Senate Bill 410: By Senator Beall—An act to amend Section 94874.7 of the Education Code, relating to private postsecondary education.

Senate Bill 411: By Senator Lara—An act to amend Sections 69 and 148 of the Penal Code, relating to crimes.

Senate Bill 412: By Senator De León—An act to amend Section 14999.3 of the Government Code, relating to state government.

Senate Bill 413: By Senator Wieckowski—An act to amend Section 640 of the Penal Code, and to amend Section 99580 of the Public Utilities Code, relating to public transit.

Senate Bill 414: By Senator Jackson—An act to amend Sections 10238 and 17537.1 of the Business and Professions Code, to amend Sections 50, 51.3, 51.11, 682, 682.1, 683, 1099, 1569, and 3390 of the Civil Code, to amend Sections 371, 116.540, 703.140, and 704.930 of the Code of Civil Procedure, to amend Sections 158, 704, 5612, 7612, 12482, 25102, and 25206 of the Corporations Code, to amend Sections 21100, 24803, and 68062 of the Education Code, to amend Sections 917 and 980 of the Evidence Code, to amend Sections 14860, 18220, 18523, and 22327 of the Financial Code, to amend Section 8552.3 of the Fish and Game Code, to amend Sections 9359.9, 9374, 21571, 21572, and 21573, of the Government Code, to amend Sections 1373.5, 18080, 25299.54, and 32501 of the Health and Safety Code, to amend Sections 10112, 10121.5, 10320, 10493, and 10494.6 of the Insurance Code, to amend Section 3503 of the Labor Code, to amend Sections 152.3, 197, 270e, 273.5, 281, 282, 284, 534, 4002, and 13700 of the Penal Code, to amend Sections 59, 78, 100, 101, 103, 2407, 5203, 5600, 5601, 6122, 6227, 6240, 13500, and 13600 of the Probate Code, to amend Sections 17021, 17039, 17045, 17053.5, 17054, 17077, 17555, 18501, 18522, 18530, 18531.5, 18532, 19006, 19035, 19107, 19110, 19701.5, and 20542 of the Revenue and Taxation Code, to amend Section 2804 of the Streets and Highways Code, to amend Section 13003 of the Unemployment Insurance Code, and to amend Sections 742.16, 7275, 12003, 14140, and 18291 of the Welfare and Institutions Code, relating to marriage.



Senate Bill 415: By Senator Hueso (Principal coauthor: Assembly Member Alejo) (Coauthor: Assembly Member Roger Hernández)—An act relating to elections.

Senate Bill 416: By Senator Huff—An act to repeal Chapter 5.1 (commencing with Section 8820) of Part 6 of Division 1 of Title 1 of, to repeal Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of, to repeal Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of Division 3 of Title 2 of, to repeal Chapter 3.34 (commencing with Section 44730) of Part 25 of Division 3 of Title 2 of, to repeal Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 of Title 2 of, to repeal Chapter 7 (commencing with Section 52130) of Part 28 of Division 4 of Title 2 of, to repeal Chapter 3 (commencing with Section 54300) of Part 29 of Division 4 of Title 2 of, and to repeal Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of, the Education Code, relating to public schools.

Senate Bill 417: By Senator Stone—An act to amend Section 14215 of the Elections Code, relating to elections.

Senate Bill 418: By Senator Morrell—An act to add Section 66026.5 to the Education Code, relating to public postsecondary education.

Senate Bill 419: By Senator McGuire—An act to amend Sections 798.70, 798.71, and 798.74 of, and to add Section 798.70.5 to, the Civil Code, relating to mobilehomes.

Senate Bill 420: By Senator Huff—An act to amend Section 647 of the Penal Code, relating to prostitution.

Senate Bill 421: By Senator Hancock—An act relating to refineries.

Senate Bill 422: By Senator Monning—An act to amend Sections 35100, 35103, 35120, and 35152 of, and to amend the heading of Division 26 (commencing with Section 35100) of, the Public Resources Code, relating to the Santa Clara Valley Open-Space District.

Senate Bill 423: By Senator Bates—An act to amend Section 117690 of the Health and Safety Code, relating to medical waste.

Senate Bill 424: By Senator Pan—An act to amend Section 633 of the Penal Code, relating to law enforcement.

Senate Bill 425: By Senator Hernandez—An act to amend Sections 52300 and 52500 of the Education Code, relating to career technical education, and declaring the urgency thereof, to take effect immediately.

Senate Bill 426: By Senator Leyva—An act to amend Section 10168.4 of the Insurance Code, relating to annuities.



Senate Bill 427: By Senator Fuller—An act to amend Section 399.14 of the Public Utilities Code, relating to energy.

Senate Bill 428: By Senator Hall—An act to amend Section 219 of the Code of Civil Procedure, relating to jurors.

Senate Bill 429: By Senator Jackson—An act to add Chapter 20 (commencing with Section 53340) to Part 28 of Division 4 of Title 2 of the Education Code, relating to instructional programs.

Senate Bill 430: By Senator Cannella—An act to amend Section 88540 of the Education Code, relating to career technical education.

Senate Bill 431: By Senator Beall—An act to amend Section 21705 of, and to add Article 18 (commencing with Section 28200) to Chapter 5 of Division 12 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Senate Bill 432: By Senator Mendoza—An act to repeal Section 1725 of the Labor Code, relating to public works.

Senate Bill 433: By Senator Berryhill—An act to amend Section 20 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 434: By Senator Allen—An act to amend Section 18551 of the Health and Safety Code, relating to manufactured housing.

Senate Bill 435: By Senator Pan—An act to add Chapter 3.5 (commencing with Section 24300) to Division 20 of the Health and Safety Code, relating to health care.

Senate Bill 436: By the Committee on Education (Senators Liu (Chair), Block, Hancock, Huff, Leyva, Mendoza, Pan, and Vidak)—An act to amend Sections 16236, 17070.75, 17088.2, 17463, 17582, 17592.5, 44320, 52335.12, and 60900 of, and to repeal Sections 17591, 48200.7, and 48200.8 of, the Education Code, relating to education.

Senate Bill 437: By Senator Block—An act to relating to elections.

Senate Bill 438: By Senator Hill—An act to amend Sections 116.870 and 116.880 of the Code of Civil Procedure, and to amend Sections 1656.2, 12517.1, 13369, 16000, 16000.1, 16075, 16251, 16377, 16430, and 16434 of the Vehicle Code, relating to motor vehicles.

Senate Bill 439: By Senator Allen—An act to amend Section 2170 of the Elections Code, relating to elections.

Senate Bill 440: By the Committee on Education (Senators Liu (Chair), Block, Hancock, Huff, Leyva, Mendoza, Pan, and Vidak)—An act to amend Section 66010 of the Education Code, relating to postsecondary education.



Senate Bill 441: By Senator Leno—An act to amend Section 33333.7 of the Health and Safety Code, relating to redevelopment.

Senate Bill 442: By Senator Hall—An act to amend Section 71853 of the Water Code, relating to municipal water districts.

Senate Bill 443: By Senator Mitchell—An act to amend 11471 of the Health and Safety Code, relating to forfeiture.

Senate Bill 444: By Senator Fuller—An act to amend Section 873 of the Public Utilities Code, relating to telecommunications.

Senate Bill 445: By Senator Liu—An act to add Section 48852.7 to the Education Code, relating to pupil instruction and services.

Senate Bill 446: By Senator Nguyen—An act to amend Section 14000 of the Welfare and Institutions Code, relating to Medi-Cal.

Senate Bill 447: By Senator Allen—An act to amend Section 14132.01 of the Welfare and Institutions Code, relating to Medi-Cal.

Senate Bill 448: By Senator Galgiani—An act to amend Section 633 of the Penal Code, relating to law enforcement.

Senate Bill 449: By Senator Nielsen—An act to add Section 12121 to the Public Contract Code, relating to public contracts.

Senate Bill 450: By Senator Allen—An act to amend Section 3022 of the Elections Code, relating to elections.

Senate Bill 451: By Senator Lara—An act to amend Section 49600 of the Education Code, relating to pupil instruction and services.

Senate Bill 452: By Senator Galgiani—An act to amend Sections 490.2 and 496 of the Penal Code, relating to theft.

Senate Bill 453: By Senator Pan—An act to amend Section 1370 of the Penal Code, relating to prisons.

Senate Bill 454: By Senator Allen—An act to amend Section 13399 of the Water Code, relating to water quality.

Senate Bill 455: By Senator Cannella—An act to amend Section 13826.1 of the Penal Code, relating to gang violence.

Senate Bill 456: By Senator Block—An act to add Section 422.2 to the Penal Code, relating to criminal threats.

Senate Bill 457: By Senator Nielsen (Coauthors: Senators Berryhill and Stone) (Coauthor: Assembly Member Olsen)—An act to amend Section 4155 of the Fish and Game Code, relating to fish and wildlife.



Senate Bill 458: By Senator Gaines—An act to add and repeal Section 12207 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Senate Bill 459: By Senator Liu—An act relating to state government.

Senate Bill 460: By Senator Allen—An act to amend Section 52060 of the Education Code, relating to school accountability.

Senate Bill 461: By Senator Hernandez—An act to amend Section 30304 of the Streets and Highways Code, relating to transportation.

Senate Bill 462: By Senator Wolk (Principal coauthor: Assembly Member Dodd) (Coauthor: Senator McGuire) (Coauthor: Assembly Member Levine)—An act to amend Section 25503.6 of, and to add Section 25503.34 to, the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 463: By Senator Hancock—An act to add Chapter 18.5 (commencing with Section 53320) to Part 28 of Division 4 of Title 2 of the Education Code, relating to school climate.

Senate Bill 464: By Senator Hernandez—An act to amend Section 14102.5 of the Welfare and Institutions Code relating to health care coverage.

Senate Bill 465: By Senator Hill—An act to amend Sections 7000.5 and 7011 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 466: By Senator Hill—An act to amend Sections 2701 and 2708 of the Business and Professions Code, relating to nursing.

Senate Bill 467: By Senator Hill—An act to amend Sections 5000 and 5015.6 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 468: By Senator Hill—An act to amend Section 7590.1 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 469: By Senator Hill—An act to amend Sections 18602 and 18613 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 470: By Senator Jackson—An act to amend Section 437c of the Code of Civil Procedure, relating to civil actions.



SENATE COMMITTEE ROLL CALLS
Committee on Governance and Finance

SB 35—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Bates, Beall, Hernandez, Hertzberg, Nguyen, and Pavley.

NOES (0)—None.

Date of Hearing: 2/25/2015

Hertzberg (Chair)

LEAVES OF ABSENCE

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

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, February 26, 2015.

NEVA MARIE PARKER, Minute Clerk

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