

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, March 12, 2015

The Senate met at 9:02 a.m.
Hon. Hannah-Beth Jackson, of the 19th 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, Bates, Beall, Berryhill, Block, Cannella, 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, Roth, Stone, Vidak, Wieckowski, and Wolk—35.

Quorum present.

(NOTE: Senator Anderson will be excused this day due to illness. Senator Pavley will be excused this day due to illness in the family.)



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

Gracious God, in the women of the Hebrew and Christian scriptures, You have given us strong models for life and faith.

Sarah laughed at the thought of becoming a mother in her old age: grant us appreciation for the surprises of Your grace.

Deborah and Judith were fearless in facing the enemies of their people: give us courage before whatever threatens us.

Ruth proved the value of relationship and fidelity: may we be loyal to our friends and faithful to our commitments.

Esther endangered herself for the sake of her people: give us a share in her integrity and devotion.

Miriam danced before the ark: may we be joyful in Your presence.

Mary Magdalen, known as the apostle to the apostles, was first to testify to the resurrection of Jesus: may we speak our truth in confidence and joy.

Phoebe offered sacred and humble service as an emissary to the Church in Rome: may we respond to the needs of others regardless of their status.

Priscilla was a teacher and co-worker with Paul: may we offer our gifts for the common good.

And Mary, the mother of Jesus, pondered God's mysteries in her heart: may we listen attentively to God's unique call to each of us.

May we find inspiration in the lives of these women.—AMEN.

(Adapted from Morning and Evening Prayer of the Sisters of Mercy, 1998.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, March 12, 2015

Madam President: The Committee on Rules has examined:

SB 3

SB 33

SB 61

SB 170

And reports the same correctly engrossed.

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:

March 9, 2015

March 10, 2015

March 11, 2015

March 12, 2015



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

Assembly Concurrent Resolution 11—Relative to Abraham Lincoln's birthday.

Resolution read third time and presented by Senator Bates.

Roll Call

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

AYES (35)—Senators Allen, Bates, Beall, Berryhill, Block, Cannella, 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, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS

Consideration of Governor's Appointments

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

ADAM DAY, Member, Trustees of the California State University.

LILLIAN KIMBELL, Member, Trustees of the California State University.

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

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (35)—Senators Allen, Bates, Beall, Berryhill, Block, Cannella, 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, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.



Consideration of Governor's Appointments

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

PATRICK W. HENNING, Jr., Director, Employment Development Department.

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, Bates, Beall, Berryhill, Block, Cannella, 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, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

LEAVES OF ABSENCE

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

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

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

At 9:28 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, March 16, 2015.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, March 11, 2015

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

Banking and Financial Institutions—SB 565.

Business, Professions and Economic Development—SB 482, SB 496, SB 525, SB 531, SB 538, SB 560, SB 561, SB 590, SB 620.



Education—SB 497, SB 499, SB 527, SB 572, SB 592, SB 597, SB 605, SB 618, SB 634, SB 645, SB 669.

Elections and Constitutional Amendments—SB 554, SB 589.

Energy, Utilities and Communications—SB 486, SB 502, SB 631, SB 660.

Environmental Quality—SB 487, SB 489, SB 506, SB 509, SB 552, SB 612, SB 654, SB 662.

Governance and Finance—SB 477, SB 480, SB 481, SB 493, SB 495, SB 500, SB 533, SB 537, SB 540, SB 562, SB 598, SB 627, SB 640, SB 661.

Governmental Organization—SB 528, SB 553, SB 573, SB 624, SB 630, SB 650.

Health—SB 476, SB 483, SB 492, SB 503, SB 546, SB 586, SB 610, SB 614, SB 675.

Human Services—SB 475, SB 521, SB 524, SB 571, SB 636, SB 638, SB 639, SB 659.

Insurance—SB 488, SB 575, SB 604.

Judiciary—SB 574, SB 594, SB 641, SB 646.

Labor and Industrial Relations—SB 559, SB 563, SB 579, SB 599, SB 607, SB 623, SB 667.

Natural Resources and Water—SB 555.

Public Employment and Retirement—SB 644.

Public Safety—SB 478, SB 498, SB 507, SB 517, SB 519, SB 603, SB 621, SB 651, SB 666, SB 674.

Rules—SB 472, SB 473, SB 474, SB 479, SB 485, SB 494, SB 504, SB 505, SB 511, SB 512, SB 513, SB 514, SB 515, SB 518, SB 522, SB 526, SB 529, SB 532, SB 534, SB 535, SB 536, SB 539, SB 541, SB 542, SB 544, SB 550, SB 551, SB 556, SB 557, SB 558, SB 568, SB 569, SB 570, SB 578, SB 582, SB 583, SB 584, SB 587, SB 588, SB 595, SB 596, SB 600, SB 601, SB 609, SB 611, SB 613, SB 615, SB 616, SB 617, SB 619, SB 625, SB 628, SB 629, SB 633, SB 642, SB 643, SB 649, SB 652, SB 653, SB 656, SB 657, SB 663, SB 664, SB 665, SB 670, SB 672, SB 673.

Transportation and Housing—SB 491, SB 508, SB 516, SB 523, SB 564, SB 580, SB 581, SB 593, SB 632, SB 655.

Veterans Affairs—SB 543.



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

Banking and Financial Institutions and Judiciary—SB 501, SB 577, SB 647.

Business, Professions and Economic Development and Appropriations—SB 622.

Business, Professions and Economic Development and Health—SB 671.

Business, Professions and Economic Development and Judiciary—SB 576.

Energy, Utilities and Communications and Transportation and Housing—SB 530.

Environmental Quality and Judiciary—SB 385.

Governance and Finance and Health—SB 591.

Governmental Organization and Health—SB 547.

Governmental Organization and Public Safety—SB 549.

Governmental Organization and Rules—SB 606.

Health and Judiciary—SB 648, SB 658.

Human Services and Appropriations—SB 490.

Human Services and Education—SB 567.

Human Services and Health—SB 484.

Insurance and Governance and Finance—SB 602.

Insurance and Judiciary—SB 585.

Labor and Industrial Relations and Rules—SB 548.

Natural Resources and Water and Environmental Quality—SB 471, SB 545, SB 637.

Natural Resources and Water and Governance and Finance—SB 520.

Public Safety and Appropriations—SB 566, SB 635.

Public Safety and Judiciary—SB 668.

Transportation and Housing and Judiciary—SB 608.

Transportation and Housing and Public Safety—SB 510, SB 626.

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

Labor and Industrial Relations—SB 45.



Senate Chamber, March 12, 2015

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

SB 171

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

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

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

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 171 pursuant to Joint Rule 58.

SENATOR GAINES

Permission of Rules Committee

Senate Chamber, March 12, 2015

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 171.

DE LEÓN, Chair

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

Committee on Public Safety

Senate Chamber, March 12, 2015

Madam President: The Chair of the Committee on Public Safety, to which was referred:

SB 165

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

HANCOCK, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 165—An act to amend Section 12025 of the Fish and Game Code, relating to controlled substances.

Bill read second time.

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



Committee on Environmental Quality

Senate Chamber, March 12, 2015

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

SB 122

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

WIECKOWSKI, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 122—An act to amend Section 21167.6 of, and to add Section 21167.6.2 to, the Public Resources Code, relating to environmental quality.

Bill read second time.

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

Senate Chamber, March 12, 2015

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

SB 180

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

WIECKOWSKI, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 180—An act to add Section 25544 to the Public Resources Code, and to amend the heading of Chapter 3 (commencing with Section 8340) of Division 4.1 of, and to amend, repeal, and add Sections 8340 and 8341 of, the Public Utilities Code, relating to electricity.

Bill read second time.

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

Committee on Rules

Senate Chamber, March 12, 2015

Madam President: The Committee on Rules has examined:

SCR 10

And reports the same has been correctly enrolled and presented to the Secretary of State on the 12th day of March, 2015, at 3:15 p.m.

DE LEÓN, Chair



MOTIONS, RESOLUTIONS AND NOTICES**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Rules and re-referred to the Committees on Agriculture and Health:

SB 65

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 796: By the Committee on Governmental Organization (Senators Hall (Chair), Berryhill, Block, Gaines, Galgiani, Hernandez, Hill, Hueso, Lara, McGuire, and Vidak)—An act to add Section 23405.4 to the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 797: By the Committee on Governmental Organization (Senators Hall (Chair), Berryhill, Block, Gaines, Galgiani, Hernandez, Hill, Hueso, Lara, McGuire, and Vidak)—An act to repeal Title 4.5 (commencing with Section 4400) of Part 3, Title 4.6 (commencing with Section 4450) of Part 3 of, to repeal Chapter 12 (commencing with Section 7100) and Chapter 13 (commencing with Section 7200) of Title 7 of Part 3 of, the Penal Code, to repeal Chapter 1.6 (commencing with Section 5096.1) and Chapter 1.67 (commencing with Section 5096.71) of Division 5 of the Public Resources Code, and to repeal Article 5.5 (commencing with Section 11922) of Chapter 10 of Part 3 of Division 6 of, and to repeal Chapter 13 (commencing with Section 13970) and Chapter 14 (commencing with Section 13985) of Division 7 of, the Water Code, relating to government finance.

The following measures were offered and referred to the Committee on Rules:

Senate Concurrent Resolution 31: By Senator Wolk (Coauthors: Senators Hill, Liu, and Nielsen) (Coauthors: Assembly Members Gatto and Gordon)—Relative to California Library Week.

Senate Resolution 19: By Senators Fuller, Allen, Anderson, Bates, Block, Galgiani, Huff, Roth, Berryhill, Cannella, Gaines, Hall, Hertzberg, Hill, Jackson, Liu, McGuire, Morrell, Nguyen, Nielsen, Stone, and Vidak—Relative to California Aerospace Week.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Lee Marsh of Berkeley.

Senator Monning requested that when the Senate adjourns this day it do so in memory of Mae C. Johnson of Monterey.

Senator Pan requested that when the Senate adjourns this day it do so in memory of Mary Dodson of Santa Cruz, Michael Hunter of Roseville, and Violet Lawrence of Oroville.

Senator Wieckowski requested that when the Senate adjourns this day it do so in memory of Donald Floyd Dillon, Sr. of Fremont.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 12 p.m., Monday, March 16, 2015.

NEVA MARIE PARKER, Minute Clerk

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