

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 19, 2015

The Senate met at 9 a.m.

Hon. Jerry Hill, of the 13th 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, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk—37.

Quorum present.

(NOTE: Senators Gaines and Hall will be excused this day on personal business.)



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 18, 2015

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

ACR 10

ACR 57

AJR 9

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 10—Relative to emergency medical services.

Assembly Concurrent Resolution 57—Relative to Viral Hepatitis Awareness Day.

Assembly Joint Resolution 9—Relative to patents.

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

Senate Bill 196—An act to amend, repeal, and add Section 15657.03 of the Welfare and Institutions Code, relating to elder abuse.

Bill read second time.

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

Senate Bill 582—An act to add Section 835 to the Civil Code, relating to electrified fences.

Bill read second time.

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

Senate Bill 633—An act to amend Section 17533.7 of the Business and Professions Code, relating to false advertising.

Bill read second time.

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

Senate Bill 658—An act to amend Section 1714.21 of the Civil Code, and to amend Section 1797.196 of the Health and Safety Code, relating to automated external defibrillators.

Bill read second time.

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



Senate Bill 741—An act to add Article 11 (commencing with Section 53166) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to communications.

Bill read second time.

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

Senate Bill 761—An act to add Chapter 22.3 (commencing with Section 22590) to Division 8 of the Business and Professions Code, relating to business.

Bill read second time.

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

Senate Bill 383—An act to amend Section 430.30 of the Code of Civil Procedure, relating to civil procedure.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to consent calendar.

Senate Bill 419—An act to amend, repeal, and add Sections 798.70, 798.71, and 798.74 of the Civil Code, relating to mobilehomes.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to consent calendar.

Senate Bill 385—An act to add and repeal Section 116431 of the Health and Safety Code, relating to drinking water, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 145—An act to add Section 1262.3 to the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Senate Bill 177—An act to amend Sections 7590.1, 7591.10, 7593.1, 7593.6, 7593.7, 7594.4, 7599.32, 7599.34, 7599.42, 7599.43, 7599.48, and 7599.61 of the Business and Professions Code, relating to alarm companies.

Bill read second time and ordered to third reading.



Senate Bill 226—An act to amend Sections 10721 and 10735.8 of, and to add Chapter 12 (commencing with Section 10737) to Part 2.74 of Division 6 of, the Water Code, relating to groundwater.

Bill read second time and ordered to third reading.

Senate Bill 235—An act to amend Sections 22372, 22373, 22374, 22375, and 22377 of the Financial Code, relating to consumer loans.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Senate Bill 285—An act to amend Sections 21200, 21200.1, 21200.5, 21200.6, 21201, and 21201.2 of the Financial Code, relating to pawnbrokers.

Bill read second time and ordered to third reading.

Senate Bill 300—An act to amend Sections 21201, 21201.5, and 21208 of, and to add Section 21201.6 to, the Financial Code, relating to pawnbrokers.

Bill read second time and ordered to third reading.

Senate Bill 308—An act to amend Section 2983.3 of the Civil Code, and to amend Sections 703.140, 704.010, 704.113, 704.115, 704.720, 704.730, and 704.960 of, and to add Sections 704.085, 704.111, and 704.165 to, the Code of Civil Procedure, relating to bankruptcy.

Bill read second time and ordered to third reading.

Senate Bill 331—An act to add Chapter 4.5 (commencing with Section 22175) to Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Senate Bill 379—An act to amend Section 65302 of the Government Code, relating to land use.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Senate Bill 476—An act to amend Section 18897 of, to add Section 18897.8 to, and to repeal and add Section 18897.1 of, the Health and Safety Code, relating to housing.

Bill read second time and ordered to third reading.



Senate Bill 492—An act to add Section 14132.279 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Senate Bill 510—An act to amend Section 23109 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Senate Bill 516—An act to amend Sections 2550 and 2557 of the Streets and Highways Code, relating to highways.

Bill read second time and ordered to third reading.

Senate Bill 532—An act to amend Section 35012 of the Education Code, relating to school districts.

Bill read second time and ordered to third reading.

Senate Bill 671—An act to add Section 4073.5 to the Business and Professions Code, relating to pharmacy.

Bill read second time and ordered to third reading.

Senate Bill 675—An act to add Section 1262.55 to the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Senate Bill 676—An act to amend Sections 312.3 and 502.01 of the Penal Code, relating to disorderly conduct.

Bill read second time and ordered to third reading.

Senate Bill 704—An act to amend Section 1091 of the Government Code, relating to public officers.

Bill read second time and ordered to third reading.

Senate Bill 716—An act to amend Section 596.5 of the Penal Code, relating to animal cruelty.

Bill read second time and ordered to third reading.

Senate Bill 792—An act to amend Sections 1597.055 and 1597.54 of, and to add Sections 1596.7995 and 1597.622 to, the Health and Safety Code, relating to day care facilities.

Bill read second time and ordered to third reading.

Senate Bill 141—An act to amend Sections 23 and 25 of, and to add Section 28.5 to, the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to tide and submerged lands.

Bill read second time and ordered to consent calendar.



Senate Bill 351—An act to amend Sections 173, 305, 307, 312, 313, 416, 703, 1102, 5039.5, 5213, 7213, 9213, 12228.5, 12320, 12331, 12353, and 13401.5 of, and to add Section 156.6 to, the Corporations Code, relating to corporations.

Bill read second time and ordered to consent calendar.

Senate Bill 474—An act to amend Section 1812.610 of the Civil Code, relating to auctions, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to consent calendar.

Senate Bill 494—An act to amend Section 8587.8 of, and to add Section 8587.9 to, the Government Code, relating to emergency services.

Bill read second time and ordered to consent calendar.

Senate Bill 652—An act to amend Section 60200.9 of the Education Code, relating to instructional materials.

Bill read second time and ordered to consent calendar.

Senate Bill 798—An act to amend Section 338 of the Code of Civil Procedure, to amend Sections 205.1, 714, 1050.8, 1053.5, 1055.1, 1056, 1059, 1764, 3050, 7149.2, 7149.3, 7150, 7860, 12002.2.1, 12153, and 13005 of, and to repeal Sections 1053, 1055, 1055.4, 1055.5, 1060, 1070, 3682, 3700, 6596, 7149, 7149.4, 7180, 7181, 7182, 7183, 7184, and 7186 of, the Fish and Game Code, to amend Section 113 of the Government Code, to amend Sections 741, 8301, and 30315 of, and to repeal Section 30310.5 of, the Public Resources Code, and to amend Sections 1026, 1055, 1228.1, 1228.2, 1228.3, 1228.6, 1229, 1229.1, 1243, 1260, 1427, 1430, 1437, 1440, 1701.2, 1703, 1726, 1727, and 1736 of, and to repeal Sections 1126.2, 2862, 2863, and 2866 of, the Water Code, relating to natural resources.

Bill read second time and ordered to consent calendar.

Senate Concurrent Resolution 22—Relative to the CAL FIRE Firefighter Christopher Lee Douglas Memorial Highway.

Resolution read second time and ordered to consent calendar.

Senate Concurrent Resolution 23—Relative to the Paul J. Lunardi Memorial Highway.

Resolution read second time and ordered to consent calendar.

Senate Concurrent Resolution 24—Relative to the Lieutenant Colonel James C. Warren Memorial Interchange.

Resolution read second time, ordered engrossed, and to consent calendar.

Senate Concurrent Resolution 27—Relative to the Fullerton Police Officer Jerry Hatch Memorial Highway.

Resolution read second time and ordered to consent calendar.



Senate Concurrent Resolution 28—Relative to the Fullerton Police Detective Tommy De La Rosa Memorial Interchange.

Resolution read second time, ordered engrossed, and to consent calendar.

Senate Concurrent Resolution 38—Relative to memorial highways.

Resolution read second time and ordered to consent calendar.

Senate Bill 64—An act to add Section 65073.1 to the Government Code, relating to transportation planning.

Bill read second time and ordered to third reading.

Senate Bill 270—An act to add Section 8041 to the Business and Professions Code, relating to court reporters.

Bill read second time and ordered to third reading.

Senate Bill 295—An act to amend Sections 17053.86 and 23686 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Senate Bill 358—An act to amend Section 1197.5 of the Labor Code, relating to private employment.

Bill read second time and ordered to third reading.

Senate Bill 482—An act to add Section 11165.4 to the Health and Safety Code, relating to controlled substances.

Bill read second time and ordered to third reading.

Senate Bill 561—An act to amend Sections 7152, 7153, 7153.2, 7153.3, 7154, 7155.5, and 7156 of, and to add Section 7156.6 to, the Business and Professions Code, relating to professions and vocations.

Bill read second time and ordered to third reading.

Senate Bill 622—An act to amend Sections 3041 and 3110 of, to add Sections 3041.4, 3041.5, 3041.6, 3041.7, and 3041.8 to, and to repeal and add Sections 3041.1, 3041.2, and 3041.3 of, the Business and Professions Code, relating to optometry, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Senate Bill 600—An act to amend Section 51 of the Civil Code, relating to discrimination.

Bill read second time and ordered to third reading.

Senate Concurrent Resolution 54—Relative to Disneyland.

Resolution read second time and ordered to third reading.



Senate Bill 667—An act to amend, repeal, and add Sections 2608 and 2627 of the Unemployment Insurance Code, relating to disability.

Bill read second time and ordered to third reading.

Senate Bill 382—An act to amend Section 1170.17 of the Penal Code, and to amend Section 707 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 776—An act to amend Section 647 of the Penal Code, relating to disorderly conduct.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 60—An act to amend Sections 6240, 6242, 22442.5, and 22442.6 of the Business and Professions Code, relating to immigration services, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, May 19, 2015

Mr. President: The Committee on Rules has examined:

SB 600 SB 667 SCR 54

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, May 19, 2015

Mr. President: The Committee on Rules has examined:

SB 287 SB 295 SB 363 SB 386
SB 387 SB 711 SCR 22 SCR 24
SCR 28

And reports the same correctly engrossed.

DE LEÓN, Chair



Senate Chamber, May 19, 2015

Mr. President: The Committee on Rules has examined:

SB 526

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Insurance

Senate Chamber, May 19, 2015

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

AB 1515

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

ROTH, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1515—An act to amend Sections 510, 739.3, 742.34, 790.034, 1725.5, 1729.2, 1764.1, 1861.02, 1861.025, 10111.2, 10127.13, 10169, 10192.18, 10232.3, 10233.5, 10235.35, 12418.4, 12820, and 12921 of, and to repeal Section 10233.9 of, the Insurance Code, and to amend Section 1299.04 of the Penal Code, relating to insurance.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, May 19, 2015

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

AB 1352

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

Assembly Bill 1352—An act to add Section 1203.43 to the Penal Code, relating to deferred entry of judgment.

Bill read second time.

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



Committee on Transportation and Housing

Senate Chamber, May 19, 2015

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

AB 162

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

BEALL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 162—An act to add and repeal Section 21651.1 of the Vehicle Code, relating to state highways.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 162 pursuant to Joint Rule 58.

ASSEMBLY MEMBER RODRIGUEZ

Permission of Rules Committee

Senate Chamber, May 19, 2015

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 162.

DE LEÓN, Chair

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

Committee on Appropriations

Senate Chamber, May 19, 2015

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

SB 710

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

LARA, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 710—An act to amend, repeal, and add Section 6588 of the Government Code, relating to joint exercise of powers.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 710 pursuant to Joint Rule 58.

SENATOR GALGIANI

Permission of Rules Committee

Senate Chamber, May 19, 2015

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 710.

DE LEÓN, Chair

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

Committee on Governance and Finance

Date of Hearing, May 13, 2015

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

SB 434

Reports the same back with the recommendation: Do pass as amended.

HERTZBERG, Chair

Above bill ordered to second reading.

Date of Hearing, May 13, 2015

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

SB 251

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

HERTZBERG, Chair

Above bill ordered to second reading.

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

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

AB 1511



INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was offered and referred to the Committee on Rules:

Senate Concurrent Resolution 64: By Senator Pan (Coauthors: Senators Block, Hall, Hertzberg, Huff, Leno, Leyva, Monning, Wieckowski, and Wolk) (Coauthors: Assembly Members Chávez, Chu, Dodd, Gray, and Kim)—Relative to the Americans with Disabilities Act.

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on personal business: Senators Gaines and Hall.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Monning requested that when the Senate adjourns this day it do so in memory of Alan Richard Marcus of Carmel Highlands.

Senator Pavley requested that when the Senate adjourns this day it do so in memory of Chris Burden of Topanga.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, May 20, 2015.

NEVA MARIE PARKER, Minute Clerk

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