CALIFORNIA LEGISLATURE 2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

EIGHTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento Tuesday, June 9, 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, Gaines, Galgiani, Glazer, Hall, 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—40.

Quorum present.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Concurrent Resolution 7—Relative to Valley Fever Awareness Month.

Resolution read second time and ordered to third reading.

Senate Concurrent Resolution 8—Relative to X-linked adrenoleukodystrophy.

Resolution read second time and ordered to third reading.

Senate Concurrent Resolution 11—Relative to Chiari Malformation Awareness Month.

Resolution read second time and ordered to third reading.

Senate Concurrent Resolution 15—Relative to the National Day of the Cowboy.

Resolution read second time and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 161—An act to add Chapter 2.7 (commencing with Section 18898) to Division 8 of the Business and Professions Code, relating to athletic trainers.

Bill read second time and ordered to third reading.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 8, 2015

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

ACR 71 ACR 74 ACR 76

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 71—Relative to Elder and Vulnerable Adult Abuse Awareness Month.

Assembly Concurrent Resolution 74—Relative to California Fairground Appreciation Month.

Assembly Concurrent Resolution 76—Relative to the 800th anniversary of Magna Carta.

REPORTS OF STANDING COMMITTEES Committee on Public Employment and Retirement

Date of Hearing, June 8, 2015

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 284

AB 663

AB 992

Reports the same back with the recommendation: Do pass and be ordered to the consent calendar.

PAN, Chair

Above bills ordered to second reading.

Date of Hearing, June 8, 2015

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 868

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

PAN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, June 8, 2015

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 991

AB 1031

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

PAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, June 8, 2015

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 1291

Reports the same back with the recommendation: Do pass.

PAN. Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing, June 9, 2015

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 650

Reports the same back with the recommendation: Do pass and be ordered to the consent calendar.

HALL, Chair

Above bill ordered to second reading.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 552

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

HALL, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Health

Senate Chamber, June 9, 2015

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

AB 234

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 234—An act to amend Section 114376 of the Health and Safety Code, relating to food.

Bill read second time.

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

Committee on Governmental Organization

Date of Hearing, June 9, 2015

Mr. President: The Committee on Governmental Organization, to which were referred:

AB 354

AB 467

AB 728

AB 123

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

HALL, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Governmental Organization, to which were referred:

AB 166

AB 362

AB 394

AB 774

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

HALL, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Natural Resources and Water

Date of Hearing, June 9, 2015

Mr. President: The Committee on Natural Resources and Water, to which was referred:

AB 1312

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Environmental Quality.

PAVLEY, Chair

Above bill re-referred to the Committee on Environmental Quality.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Natural Resources and Water, to which were referred:

AB 301

AB 815

AB 985

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

PAVLEY, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Natural Resources and Water, to which was referred:

AB 1089

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

PAVLEY, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Transportation and Housing

Senate Chamber, June 9, 2015

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

AB 764

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 764—An act to add Section 18940.7 to the Health and Safety Code, and to add Chapter 6 (commencing with Section 11895) to Part 3 of Division 2 of the Insurance Code, relating to parking lots.

Bill read second time.

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

Committee on Governance and Finance

Senate Chamber, June 9, 2015

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

AB 514

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

HERTZBERG, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 514—An act to amend Section 25132 of the Government Code, relating to local government.

Bill read second time.

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

Senate Chamber, June 9, 2015

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

SCA 5

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

HERTZBERG, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIIIA thereof, by amending Section 2 of Article XIIIC thereof, and by amending Section 3 of Article XIIID thereof, relating to taxation.

Resolution read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, June 9, 2015

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 793

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

HUESO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 793—An act to amend Section 2790 of, and to add Section 8365 to, the Public Utilities Code, relating to public utilities.

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, June 9, 2015

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

AB 596

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 596—An act to amend, repeal, and add Section 5300 of the Civil Code, relating to common interest developments.

Bill read second time.

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

Committee on Human Services

Date of Hearing, June 9, 2015

Mr. President: The Committee on Human Services, to which were referred:

AB 294 AB 376 AB 608

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

MCGUIRE, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing, June 9, 2015

Mr. President: The Committee on Public Safety, to which were referred:

AB 539 AB 346 AB 593 AB 730 AB 844 AB 892

Reports the same back with the recommendation: Do pass.

HANCOCK, Chair

Above bills ordered to second reading.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Public Safety, to which were referred:

AB 144 AB 195 AB 222 AB 231 AB 293 AB 703 AB 249 AB 303

AB 950

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, June 9, 2015

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

SJR 6

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 Joint Resolution 6—Relative to Iran.

Resolution read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, June 9, 2015

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

AB 1073

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

HILL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1073—An act to add Section 4076.6 to the Business and Professions Code, and to add Section 1714.20 to the Civil Code, relating to pharmacy.

Bill read second time.

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

Committee on Education

Senate Chamber, June 9, 2015

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

AB 531

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

LIU, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 531—An act to amend Section 42127.01 of the Education Code, relating to school finance.

Bill read second time.

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

Committee on Veterans Affairs

Date of Hearing, June 9, 2015

Mr. President: The Committee on Veterans Affairs, to which was referred:

AB 583

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

NIELSEN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Veterans Affairs, to which was referred:

AJR 11

Reports the same back with the recommendation: Be adopted and be ordered to the consent calendar.

NIELSEN, Chair

Above resolution ordered to second reading.

Date of Hearing, June 9, 2015

Mr. President: The Committee on Veterans Affairs, to which was referred:

AB 778

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

NIELSEN, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Senate Chamber, June 9, 2015

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

AB 864

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

Assembly Bill 864—An act to add and repeal Section 44002.1 of the Public Resources Code, relating to solid waste.

Bill read second time.

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

Committee on Governance and Finance

Senate Chamber, June 9, 2015

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

AB 1217

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

HERTZBERG, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1217—An act to add Section 6538 to the Government Code, relating to joint powers.

Bill read second time.

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

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 74: By Senator Huff (Coauthor: Senator Nguyen) (Coauthors: Assembly Members Chang and Kim)—Relative to Philippine Independence Day.

SENATE COMMITTEE ROLL CALLS

Committee on Governmental Organization

AB 166—Do pass and re-refer to the Committee on Appropriations

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 354—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 362—Do pass and re-refer to the Committee on Appropriations

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 394—Do pass and re-refer to the Committee on Appropriations

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 467—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 552—Do pass and re-refer to the Committee on Judiciary

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 650—Do pass and be ordered to the consent calendar

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 728—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 774—Do pass and re-refer to the Committee on Appropriations

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

AB 1234—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (13)—Senators Berryhill, Block, Gaines, Galgiani, Glazer, Hall, Hernandez, Hill, Hueso, Lara, McGuire, Runner, and Vidak.

NOES (0)—None.

Date of Hearing: 6/9/2015

Hall, Chair

Committee on Human Services

AB 294—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Berryhill, Hancock, Liu, McGuire, and Nguyen.

NOES (0)—None.

AB 376—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Berryhill, Hancock, Liu, McGuire, and Nguyen.

NOES (0)—None.

AB 608—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Berryhill, Hancock, Liu, McGuire, and Nguyen.

NOES (0)—None.

ACR 38—Be adopted as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Berryhill, Hancock, Liu, McGuire, and Nguyen.

NOES (0)—None.

Date of Hearing: 6/9/2015

McGuire, Chair

Committee on Natural Resources and Water

AB 149—Do pass as amended and be ordered to the consent calendar AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 298—Do pass as amended and be ordered to the consent calendar AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 301—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 417—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 638—Do pass as amended

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 815—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 985—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 1089—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

AB 1312—Do pass and re-refer to the Committee on Environmental Quality

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

Date of Hearing: 6/9/2015

Pavley, Chair

Committee on Public Employment and Retirement

AB 284—Do pass and be ordered to the consent calendar

AYES (4)—Senators Beall, Hall, Morrell, and Pan.

NOES (0)—None.

AB 663—Do pass and be ordered to the consent calendar

AYES (4)—Senators Beall, Hall, Morrell, and Pan.

NOES (0)—None.

AB 868—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (4)—Senators Beall, Hall, Morrell, and Pan.

NOES (0)—None.

AB 991—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Beall, Hall, Morrell, and Pan.

NOES (0)—None.

AB 992—Do pass and be ordered to the consent calendar

AYES (4)—Senators Beall, Hall, Morrell, and Pan.

NOES (0)—None.

AB 1031—Do pass and re-refer to the Committee on Appropriations

AYES (3)—Senators Beall, Hall, and Pan.

NOES (1)—Senator Morrell.

AB 1291—Do pass

AYES (4)—Senators Beall, Hall, Morrell, and Pan.

NOES (0)—None.

Date of Hearing: 6/8/2015

Pan, Chair

Committee on Public Safety

AB 144—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 195—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 222—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 231—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 249—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 293—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 303—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 346—Do pass

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 539—Do pass

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 593—Do pass

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 703—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Glazer, Hancock, Leno, Liu, and Monning.

NOES (1)—Senator Anderson.

AB 730—Do pass

AYES (5)—Senators Glazer, Hancock, Leno, Liu, and Monning.

NOES (2)—Senators Anderson and Stone.

AB 844—Do pass

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 892—Do pass

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

AB 950—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Glazer, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

Date of Hearing: 6/9/2015

Hancock, Chair

Committee on Veterans Affairs

AB 583—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Allen, Hueso, Nguyen, Nielsen, and Roth.

NOES (0)—None.

AB 778—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Allen, Hueso, Nguyen, Nielsen, and Roth.

NOES (0)—None.

AJR 11—Be adopted and be ordered to the consent calendar

AYES (5)—Senators Allen, Hueso, Nguyen, Nielsen, and Roth.

NOES (0)—None.

Date of Hearing: 6/9/2015

Nielsen, Chair

REQUESTS TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Robert "Bob" Carter of Fresno.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, June 10, 2015.

NEVA MARIE PARKER, Minute Clerk