

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, January 19, 2016

The Senate met at 2:03 p.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, 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.



PRAYER

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

We pray today in the words of Maya Angelou:

Father, Mother, God, thank You for Your presence during the hard and mean days; for then we have You to lean upon.

Thank You for Your presence during the bright and sunny days; for then we can share that which we have with those who have less.

And thank You for Your presence during the Holy Days; for then we are able to celebrate You, and our families, and our friends.

For those who have no voice, we ask You to speak.

For those who feel unworthy, we ask You to pour out Your love in waterfalls of tenderness.

For those who live in pain, we ask You to bathe them in the river of Your healing.

For those who are lonely, we ask You to keep them company.

For those who are depressed, we ask You to shower upon them the light of hope.

Dear Creator, You, the borderless sea of substance: We ask You to give to all the world that which we need most—peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senators De León and Fuller presented a member's resolution to Jodie Barnett upon his retirement and in recognition of his service to the California State Senate and invited him to address the Senate.

Senator Block presented a member's resolution to Shy Forbes in recognition of her service to the California State Senate.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 15, 2016

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

ACR 9

ACR 109

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 9—Relative to Pet Care Education Month.

Assembly Concurrent Resolution 109—Relative to Dr. Martin Luther King, Jr. Day.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, January 19, 2016

Madam President: The Committee on Rules has examined:

SB 514

And reports the same correctly engrossed.

DE LEÓN, Chair

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO SUSPEND JOINT RULE 62(a)**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Appropriations to meet and report on Thursday, January 21, 2016 without two days' notice in the Daily File.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Bill 884: By Senator Beall—An act relating to special education.

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

Senate Joint Resolution 15—Relative to the Confederate States of America.

Resolution read second time and ordered to third reading.



UNFINISHED BUSINESS**Consideration of Governor's Appointments**

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

ARLENE (PHOEBE) A. BEASLEY, Member, California Arts Council.

JAMES N. EARP, Member, California Transportation Commission.

CARL T. GUARDINO, Member, California Transportation Commission.

JAMES V. MADAFFER, JR., Member, California Transportation Commission.

STEVEN H. OLIVER, Member, California Arts Council.

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 (40)—Senators 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.

NOES (0)—None.

CONSENT CALENDAR

Senate Bill 616—An act to add Section 37222.19 to the Education Code, relating to public schools.

Bill read third time.

Consent Calendar Roll Call

The roll was called and the bill was passed by the following vote:

AYES (40)—Senators 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.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 19, 2016

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

SR 55

Committee on Appropriations

Date of Hearing, January 19, 2016

Madam President: The Committee on Appropriations, to which were referred:

SB 66

SB 745

Reports the same back with the recommendation: Do pass.

LARA, Chair

Above bills ordered to second reading.

Committee on Rules

Senate Chamber, January 19, 2016

Madam President: The Committee on Rules has examined:

SCR 92

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Appropriations

Senate Chamber, January 19, 2016

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

SB 587

Reports the same back with the recommendation: That the above bill be ordered to second reading pursuant to Senate Rule 28.8, and be ordered to the consent calendar.

LARA, Chair

Above bill ordered to second reading.

Senate Chamber, January 19, 2016

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 294

SB 488

SB 778

Reports the same back with the recommendation: That the above bills be ordered to second reading pursuant to Senate Rule 28.8.

LARA, Chair

Above bills ordered to second reading.



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

At 2:56 p.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 Wednesday, January 20, 2016.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 19, 2016

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

AB 1033

AB 1276

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and transmitted to the Committee on Rules for assignment:

Assembly Bill 1033—An act to amend Section 11346.3 of the Government Code, relating to state agency regulations.

Assembly Bill 1276—An act to add Section 1347.1 to the Penal Code, relating to criminal procedure.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES
(RESUMED)**

The following measure was introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Bill 885: By Senator Wolk—An act to amend Section 2782 of the Civil Code, relating to contracts.

**SENATE COMMITTEE ROLL CALLS
Committee on Appropriations**

SB 66—Do pass

AYES (7)—Senators Bates, Beall, Hill, Lara, Leyva, Mendoza, and Nielsen.

NOES (0)—None.

SB 745—Do pass

AYES (7)—Senators Bates, Beall, Hill, Lara, Leyva, Mendoza, and Nielsen.

NOES (0)—None.

Date of Hearing: 1/19/2016

Lara, Chair



REQUESTS TO ADJOURN IN MEMORIAM

Senator Bates requested that when the Senate adjourns this day it do so in memory of Gwen Brown of Laguna Niguel.

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Nevart Tavlian of Fresno.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Isaac Lowe of Redding.

Senator Hall requested that when the Senate adjourns this day it do so in memory of Dorothy Dell Morrison-Gordon of Compton and Jacqueline Sarah Dickerson Hutt Hickman of Los Angeles.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Fern Lowenberg and Wilkes Bashford of San Francisco.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Amada Galindo of Hayward and John J. Corley of Napa.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, January 20, 2016.

NEVA MARIE PARKER, Minute Clerk

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