

## CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FORTY-SECOND LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, January 27, 2016

The Senate met at 10:04 a.m.

Hon. Connie M. Leyva, of the 20th 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, 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—39.

Quorum present.

(NOTE: Senator Berryhill will be excused this day due to illness.)



**PRAYER**

Upon invitation of the President, the following prayer was offered by Sister Bridget McCarthy, RSM, Vice President, Mission Integration for Dignity Health, Sacramento Service Area:

*O God*, we thank thee for this universe, our great home; for its vastness and its riches, and for the manifold life which teems upon it and of which we are a part.

We praise thee for the arching sky and the blessed winds, for the driving clouds and the constellations on high.

We praise thee for the salt sea and the running water, for the everlasting hills, for the trees, and for the grass under our feet.

We thank thee for our senses by which we can see the splendor of the morning, and hear the songs of birds, and enjoy the smells on springtime.

Grant us, we pray, a heart wide open to all this joy and beauty, and save our souls from being steeped in care or so darkened by passion that we pass heedless and unseeing when even the thorn-bush by the wayside is aflame with the glory of God.—AMEN.

(Adapted from Walter Rauschenbusch.)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**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 916:** By Senator Allen (Coauthors: Senators Fuller and Hertzberg)—An act to amend Section 44257 of the Education Code, relating to teacher credentialing.

**CONSIDERATION OF DAILY FILE****UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Concurrent Resolution 91**—Relative to India Republic Day.

Resolution presented by Senator Mendoza.

The question being: Shall the Senate concur in the Assembly amendments to SCR 91?



**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (31)—Senators Allen, Anderson, Bates, Block, De León, Fuller, Gaines, Galgiani, Glazer, Hall, Hancock, Hill, Hueso, Huff, Jackson, Leno, Leyva, Liu, McGuire, Mendoza, Monning, Moorlach, Morrell, Nguyen, Pan, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Above resolution ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill 6**—An act to amend Sections 1170 and 3550 of the Penal Code, relating to parole.

Bill read third time and presented by Senator Galgiani.

**Roll Call**

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

AYES (35)—Senators Anderson, Bates, Beall, Block, Cannella, De León, Fuller, Gaines, Galgiani, Glazer, Hall, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, McGuire, Mendoza, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (1)—Senator Hancock.

Bill ordered transmitted to the Assembly.

**Senate Bill 554**—An act to amend Section 12987.5 of, and to amend and repeal Section 12986 of, the Water Code, relating to water.

Bill read third time and presented by Senator Wolk.

**Roll Call**

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

AYES (39)—Senators Allen, Anderson, Bates, Beall, 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.



**Senate Bill 680**—An act to add and repeal Section 6388.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time and presented by Senator Wieckowski.

**Roll Call**

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

AYES (33)—Senators Allen, Anderson, Bates, Beall, Block, Cannella, De León, Fuller, Gaines, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Liu, McGuire, Mendoza, Moorlach, Nielsen, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (2)—Senators Leyva and Morrell.

Bill ordered transmitted to the Assembly.

**Senate Bill 514**—An act to amend Section 100503 of the Government Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Anderson.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (39)—Senators Allen, Anderson, Bates, Beall, 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.

**Roll Call**

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

AYES (39)—Senators Allen, Anderson, Bates, Beall, 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.



**Senate Bill 547**—An act to add Division 121 (commencing with Section 152000) to the Health and Safety Code, relating to aging.

Bill read third time and presented by Senator Liu.

**Roll Call**

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

AYES (35)—Senators Allen, Bates, Beall, Block, Cannella, De León, Fuller, Gaines, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Nguyen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (4)—Senators Anderson, Moorlach, Morrell, and Nielsen.

Bill ordered transmitted to the Assembly.

**Senate Bill 648**—An act to amend Sections 1400, 1401, 1404, 1404.5, 1405, 1407, 1408, 1409.3, and 1410 of, and to add Sections 1402, 1409.4, 1409.6, 1409.7, and 1409.8 to, the Health and Safety Code, relating to health and care facilities.

Bill read third time and presented by Senator Mendoza.

**Roll Call**

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

AYES (27)—Senators Allen, Beall, Block, Cannella, De León, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Roth, Wieckowski, and Wolk.

NOES (12)—Senators Anderson, Bates, Fuller, Gaines, Huff, Moorlach, Morrell, Nguyen, Nielsen, Runner, Stone, and Vidak.

Bill ordered transmitted to the Assembly.

**Senate Bill 247**—An act to add Section 34505.8 to, and to add Article 3.6 (commencing with Section 27425) to Chapter 5 of Division 12 of, the Vehicle Code, relating to transportation safety.

Bill read third time and presented by Senator Lara.

**Roll Call**

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

AYES (26)—Senators Allen, Beall, Block, De León, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Roth, Wieckowski, and Wolk.

NOES (4)—Senators Anderson, Moorlach, Morrell, and Vidak.

Bill ordered transmitted to the Assembly.



**Senate Bill 22**—An act to add Article 7 (commencing with Section 128590) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to health care, and making an appropriation therefor.  
Bill read third time and presented by Senator Roth.

**Roll Call**

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

AYES (39)—Senators Allen, Anderson, Bates, Beall, 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.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Lara introduced Nathalie Rayes, U.S. National Public Relations Director for Grupo Salinas.

**REQUESTS TO BE ADDED TO ROLL CALL**

January 27, 2016

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measure taken up on this day:

SCR 91—Aye

KEVIN DE LEÓN, President pro Tempore

**LEAVES OF ABSENCE**

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

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

At 11:04 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 Thursday, January 28, 2016.

Motion carried.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, January 27, 2016

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

SCR 95

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 Concurrent Resolution 95**—Relative to the Lunar New Year Celebration.

Resolution read second time.

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

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 27, 2016

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

SCR 45

SCR 51

Above resolutions ordered enrolled.

Assembly Chamber, January 27, 2016

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

AB 26	AB 45	AB 54	AB 59
AB 67	AB 168	AB 241	AB 268
AB 501	AB 508	AB 598	AB 700
AB 735	AB 885	AB 898	AB 923
AB 1001	AB 1067	AB 1084	AB 1115
AB 1174	AB 1233	AB 1300	AB 1311
AB 1362	AB 1364	AB 1381	AB 1386
AB 1399	AB 1437	AB 1494	AB 1500
AB 1546	AB 1549		

Assembly Chamber, January 27, 2016

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

ACR 98

ACR 107

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 26**—An act to amend Sections 19322 and 19323 of, and to add Section 19326.5 to, the Business and Professions Code, relating to medical cannabis.

**Assembly Bill 45**—An act to add and repeal Article 3.4 (commencing with Section 47120) of Chapter 1 of Part 7 of Division 30 of the Public Resources Code, relating to hazardous waste.

**Assembly Bill 54**—An act to amend Section 55.32 of the Civil Code, relating to disability access.

**Assembly Bill 59**—An act to amend Sections 5348 and 5349.5 of the Welfare and Institutions Code, relating to mental health services, and making an appropriation thereof.

**Assembly Bill 67**—An act to add Section 511.5 to the Labor Code, relating to employment.

**Assembly Bill 168**—An act to add Section 14021.2 to the Welfare and Institutions Code, relating to mental health services.

**Assembly Bill 241**—An act to add Section 53760.9 to the Government Code, relating to local government.

**Assembly Bill 268**—An act to amend Section 22701 of the Financial Code, relating to lending.

**Assembly Bill 501**—An act to add Chapter 6 (commencing with Section 85285) to Part 3 of Division 35 of the Water Code, relating to resources.

**Assembly Bill 508**—An act to add Section 123237 to the Health and Safety Code, relating to public health.

**Assembly Bill 598**—An act to amend Sections 8245 and 8246 of, to add Section 8248 to, and to repeal and add Section 8247 of, the Education Code, relating to child care.

**Assembly Bill 700**—An act to amend Sections 84501, 84505, and 84511 of, to add Sections 84504.1, 84504.2, and 84504.3 to, to repeal Sections 84506, 84507, and 84508 of, and to repeal and add Sections 84502, 84503, 84504, and 84509 of, the Government Code, relating to the Political Reform Act of 1974.

**Assembly Bill 735**—An act to repeal Section 67454 of the Education Code, relating to postsecondary education.

**Assembly Bill 885**—An act to amend Sections 388.1, 11403, and 11405 of the Welfare and Institutions Code, relating to foster youth.





**Assembly Bill 898**—An act to amend Section 3042 of the Penal Code, relating to parole.

**Assembly Bill 923**—An act to amend Sections 3750 and 3755 of, and to add Section 3754.8 to, the Business and Professions Code, relating to healing arts.

**Assembly Bill 1001**—An act to amend Section 1558 of, and to add Section 1556.5 to, the Health and Safety Code, and to amend Section 10605.5 of the Welfare and Institutions Code, relating to child abuse.

**Assembly Bill 1067**—An act to add Section 16001.8 to the Welfare and Institutions Code, relating to foster children.

**Assembly Bill 1084**—An act to amend Section 4996.18 of the Business and Professions Code, relating to social workers.

**Assembly Bill 1115**—An act to add Section 484.1 to the Streets and Highways Code, relating to highways.

**Assembly Bill 1174**—An act to amend Section 800 of the Business and Professions Code, relating to healing arts.

**Assembly Bill 1233**—An act to amend Section 1720 of the Labor Code, relating to public works.

**Assembly Bill 1300**—An act to add Article 1.1 (commencing with Section 5150.10) to the Welfare and Institutions Code, relating to mental health.

**Assembly Bill 1311**—An act to amend Section 201.3 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 1362**—An act to add Section 2021.5 to the Health and Safety Code, relating to pest abatement.

**Assembly Bill 1364**—An act to amend Sections 13975 and 14500 of, and to repeal Section 14534.1 of, the Government Code, relating to transportation.

**Assembly Bill 1381**—An act to amend Section 11340 of the Business and Professions Code, relating to professions and vocations.

**Assembly Bill 1386**—An act to add Section 4119.4 to the Business and Professions Code, to amend Section 1714.23 of the Civil Code, and to amend Section 1797.197a of the Health and Safety Code, relating to emergency medical care.

**Assembly Bill 1399**—An act to add and repeal Article 2 (commencing with Section 18711) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.



**Assembly Bill 1437**—An act to add Chapter 4.7 (commencing with Section 19750) to Division 8 of the Business and Professions Code, and to amend Section 337a of the Penal Code, relating to gambling, and making an appropriation therefor.

**Assembly Bill 1494**—An act to amend Sections 14291, 18403, 18564, and 18564.5 of, and to repeal Section 14276 of, the Elections Code, relating to voting.

**Assembly Bill 1500**—An act to add Section 65583.5 to the Government Code, relating to land use.

**Assembly Bill 1546**—An act to add Section 103526.6 to the Health and Safety Code, relating to vital records, and declaring the urgency thereof, to take effect immediately.

**Assembly Bill 1549**—An act to add Section 14051 to the Government Code, relating to highways.

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

**Assembly Concurrent Resolution 98**—Relative to state employee merit awards.

**Assembly Concurrent Resolution 107**—Relative to the Bakersfield Police Officer David J. Nelson Memorial Bridge.

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

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

**Senate Bill 917:** By Senator Jackson—An act to add Section 219 to the Family Code, relating to family law.

**Senate Bill 918:** By Senator Vidak—An act to relating to common interest developments.

**Senate Bill 919:** By Senator Hertzberg—An act to add Section 711 to the Public Utilities Code, relating to water supply.

**Senate Bill 920:** By Senator Anderson—An act to amend Section 3025 of the Elections Code, relating to elections.

**Senate Bill 921:** By Senator Anderson—An act to amend Section 84211 of the Government Code, relating to the Political Reform Act of 1974.

**Senate Bill 922:** By Senator Anderson—An act to amend Section 3451 of the Penal Code, relating to postrelease community supervision.



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

**Senate Concurrent Resolution 102:** By Senator Nguyen (Coauthors: Senators Hall and Lara) (Coauthor: Assembly Member O'Donnell)—Relative to the Joan Lind Van Blom Memorial Bridge.

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Rules**

Senate Chamber, January 27, 2016

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

SB 380

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 380**—An act to add Article 24 (commencing with Section 70050) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

Bill read second time.

### **Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 380 pursuant to Joint Rule 58.

SENATOR ALLEN

### **Permission of Rules Committee**

Senate Chamber, January 27, 2016

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 380.

DE LEÓN, Chair

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



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Robert Kenneth Bosserman of Sanger.

Senator Jackson requested that when the Senate adjourns this day it do so in memory of Fire Chief Rigo Landeros of Fillmore.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Reggie Brudzinski Lambert of Temecula.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, January 28, 2016.

NEVA MARIE PARKER, Minute Clerk

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