

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 28, 2016

The Senate met at 9:05 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, 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:

The following short poem is by Mary Oliver, from *Why I Wake Early* (2004):

Song of the Builders

On a summer morning I sat down on a hillside

to think about God—a worthy pastime.

Near me, I saw a single cricket;

it was moving the grains of the hillside

this way and that way.

How great was its energy, how humble its effort.

Let us hope it will always be like this,

each of us going on

in our inexplicable ways

building the universe.

Creator of Mystery and Wonder, grant that this day we may go about our work with the humility of the cricket and the joy of being human.

We ask this in Your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRIVILEGES OF THE FLOOR**SPECIAL INTRODUCTIONS**

Senator Pan introduced Nicole Forsyth, President and CEO of RedRover in Sacramento.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, January 28, 2016

Madam President: The Committee on Rules has examined:

SB 380

SCR 95

And reports the same correctly engrossed.

DE LEÓN, Chair

State Capitol, January 28, 2016

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

Natural Resources and Water—SB 380.

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

Senator Pavley asked for, and was granted, unanimous consent that Joint Rule 62(a) be suspended for the purpose of allowing the Committees on Natural Resources and Water and Appropriations to meet and hear **SB 380** without notice in the Daily File.



**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator Hancock presented a member's resolution to Jennifer Joynt in recognition of winning the 2015 Wildlife Photo of the Year.

At 9:24 a.m., Senator Connie M. Leyva, 20th District, Presiding

MOTIONS, RESOLUTIONS AND NOTICES

UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

January 25, 2016

January 26, 2016

January 27, 2016

January 28, 2016

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 923: By Senator Hernandez—An act to add Section 1374.255 to the Health and Safety Code, and to add Section 10199.49 to the Insurance Code, relating to health care coverage.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

Consideration of Assembly Amendments

Senate Concurrent Resolution 88—Relative to Human Trafficking Awareness Month.

Resolution presented by Senator Runner.

The question being: Shall the Senate concur in the Assembly amendments to SCR 88?

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Runner moved a call of the Senate.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

Senate Resolution 55—Relative to Drug Facts Week.

Resolution read third time and presented by Senator Bates.

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bates moved a call of the Senate.

Motion carried.



CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Resolution 56—Relative to International Omphaloccele Awareness Day.

Resolution read third time and presented by Senator Bates.

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bates moved a call of the Senate.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES
MOTION TO TAKE MEASURES FROM INACTIVE FILE

Senator Liu moved that **SB 580** be taken from the inactive file and returned to the Assembly for further action.

Motion carried.

PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS

Senator Block introduced San Diego City Council Members Marti Emerald, Myrtle Cole, and Sherrie Lightner.

RECESS

At 9:56 a.m., on motion of Senator Leyva, the Senate recessed.

RECONVENED

At 10:22 a.m., the Senate reconvened.

Hon. Hannah-Beth Jackson, of the 19th District, presiding.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources and Water

Date of Hearing, January 28, 2016

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

SB 380

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.



At 10:25 a.m., Senator Ricardo Lara, 33rd District, Presiding**Committee on Appropriations**

Date of Hearing, January 28, 2016

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

SB 380

Reports the same back with the recommendation: Do pass.

LARA, Chair

Above bill ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO TAKE UP****WITHOUT REFERENCE TO FILE**

Senator Pavley asked for, and was granted, unanimous consent to take up **SB 380** at this time, without reference to file.

**At 10:27 a.m., Senator Hannah-Beth Jackson, 19th District
Presiding****Consideration of Senate Bill 380**

Senate Bill 380—An act to add Section 3217 to the Public Resources Code, and to add Section 713 to the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Pavley.

Urgency Clause

Urgency clause read and adopted 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.

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.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SCR 88)**

On motion of Senator Runner, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SCR 88 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.

Above resolution ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SR 55)**

On motion of Senator Bates, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SR 55 was adopted 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.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SR 56)**

On motion of Senator Bates, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SR 56 was adopted 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.



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

At 10:45 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, February 1, 2016.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 28, 2016

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 21

Assembly Chamber, January 28, 2016

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

AB 492	AB 620	AB 717	AB 821
AB 1244	AB 1272	AB 1346	

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 492—An act to amend Section 11323.2 of, and to add Section 11323.22 to, the Welfare and Institutions Code, relating to CalWORKs.

Assembly Bill 620—An act to amend Section 149.9 of the Streets and Highways Code, relating to transportation.

Assembly Bill 717—An act to add and repeal Section 6363.9 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 821—An act to amend Section 6479.3 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1244—An act to amend Section 1229 of the Water Code, relating to water.

Assembly Bill 1272—An act to amend Section 1048.1 of the Penal Code, relating to crimes.

Assembly Bill 1346—An act to add Section 8570.4 to the Government Code, relating to state government.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 27, 2016

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

Agriculture—SB 822.

Education—SB 871, SB 893.

Governance and Finance—SB 873.

Governmental Organization—SB 819, AB 1033, AB 1355.

Health—SB 815, SB 877.

Judiciary—SB 807, SB 885, AB 488.

Labor and Industrial Relations—AB 326.

Public Safety—SB 808, SB 810, SB 811, SB 821, SB 867, SB 869, SB 872, SB 880, AB 1276.

Rules—SB 817, SB 870, SB 874, SB 875, SB 878, SB 879, SB 883, SB 884, SB 889, SB 890, SB 891.

Transportation and Housing—SB 824, SB 892.

Veterans Affairs—SB 806, SB 866.

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

Environmental Quality and Judiciary—SB 820.

Governmental Organization and Energy, Utilities and Communications—SB 888.

Health and Human Services—SB 818.

Natural Resources and Water and Energy, Utilities and Communications—SB 886.

Natural Resources and Water and Environmental Quality—SB 887.

Natural Resources and Water and Judiciary—SB 814.

Public Safety and Appropriations—SB 813, SB 823, SB 882.

Public Safety and Education—SB 809.

Transportation and Housing and Energy, Utilities and Communications—SB 812.



Transportation and Housing and Judiciary—SB 876.

Transportation and Housing and Public Safety—SB 868, SB 881.

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

Education—AB 986.

Governmental Organization—AB 364.

Judiciary—AB 797.

Labor and Industrial Relations—AB 1282.

Public Safety—SJR 20, AB 1505.

Transportation and Housing—SCR 69.

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

Energy, Utilities and Communications and Environmental Quality—AB 33, AB 1530.

Energy, Utilities and Communications and Public Safety—AB 1289.

Health and Governance and Finance—AB 567.

Natural Resources and Water and Public Safety—AB 1188.

State Capitol, January 27, 2016

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

SCR 93	SCR 94	SCR 96	SCR 97
SCR 98	SCR 101	SR 54	ACR 9
ACR 108	ACR 109	ACR 110	

State Capitol, January 28, 2016

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

SCR 95

State Capitol, January 27, 2016

Madam President: The Committee on Rules reconstituted the Select Committee on Asian Pacific Islander Affairs, composed of seven members, appointed Senator Pan as Chair, and Senators De León, Hernandez, Leno, Nguyen, Nielsen, and Wieckowski as members to fill all vacancies.

DE LEÓN, Chair

State Capitol, January 27, 2016

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Stephanie V. Landregan, Member, State Mining and Geology Board (5–0)

Sandra L. Potter, Member, State Mining and Geology Board (5–0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, January 27, 2016

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Katrina S. Hagen, Deputy Director, Department of Human Resources (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

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 924: By Senator Roth—An act to amend Section 10509.913 of the Insurance Code, relating to insurance.

Senate Bill 925: By Senator Gaines—An act to amend Section 39003 of the Health and Safety Code, relating to the State Air Resources Board.

Senate Bill 926: By Senator Gaines—An act to amend Section 6110 of the Probate Code, relating to wills.

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

Senate Concurrent Resolution 103: By Senator Leyva (Coauthors: Senators Allen, Beall, Cannella, Fuller, Galgiani, Glazer, Hall, Hancock, Hernandez, Jackson, Lara, Liu, McGuire, Mendoza, Mitchell, Monning, Nguyen, Pavley, Roth, Runner, and Wolk) (Coauthors: Assembly Members Chávez and Mathis)—Relative to teen dating and violence prevention.



SENATE COMMITTEE ROLL CALLS**Committee on Appropriations****SB 380—Do pass**

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

NOES (0)—None.

Date of Hearing: 1/28/2016

Lara, Chair

Committee on Natural Resources and Water**SB 380—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.

Date of Hearing: 1/28/2016

Pavley, Chair

REQUESTS TO ADJOURN IN MEMORIAM

Senator Gaines requested that when the Senate adjourns this day it do so in memory of John Sacco of Rocklin.

Senator Hall requested that when the Senate adjourns this day it do so in memory of Earl Howard Wilson, IV of Compton and Esu M. Manzano of Atlanta, GA.

Senator Nguyen requested that when the Senate adjourns this day it do so in memory of Clara Miller of Sacramento.

Senator Pan requested that when the Senate adjourns this day it do so in memory of Philemon “Phil” Harvey Watts of West Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators’ requests until 2 p.m., Monday, February 1, 2016.

NEVA MARIE PARKER, Minute Clerk

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