

CALIFORNIA LEGISLATURE

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SENATE DAILY JOURNAL

ONE HUNDRED FORTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, February 1, 2016

The Senate met at 2:01 p.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, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk—38.

Quorum present.

*(NOTE: Senator Gaines will be excused this day on personal business.
Senator Leno will be excused this day to attend a funeral.)*



PRAYER

Upon invitation of the President, the following prayer was offered by Father David Suwalsky, S.J.:

Long ago, it was written: When I look at Your heavens, the work of Your fingers, the moon and the stars that You have established, what are human beings that You are mindful of them, mortals that You care for them? (Ps 8.3–4)

In matters great and small, we have been entrusted by the citizens of this great state to serve the public good, to care for those who have no voice, and to shape a more just and loving society:

Let us bow our heads and pray, *Almighty and eternal God*, maker of all that is seen and unseen. We pray You to care gently for these public servants as they embrace the responsibility to lead our Golden State. May they be courageous in principle, judicious in action, and may they be guided by the desire to labor for the greater good. Help us live and work in a manner worthy of this trust.

Make manifest Your love and care for all gathered here. Bless these public servants and all who ease the burden of their work. Bless all those whom they love and bless all who are less fortunate than we.

Inspire all who hear this prayer, Lord God, to act in the face of injustice, to share generously when confronted by need, to be the hands of Your work and witnesses of Your compassion. And help us to discern the course that will bring us lasting joy in our world of constant change.

So let this be our benediction: “May the peace of God, which surpasses all understanding, guard your hearts and your minds” (Phil 3.7), this day and always, now and forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Monning introduced visiting students and the president of the California Polytechnic State University, San Luis Obispo, Jeffery Armstrong.

Senator Runner introduced Dr. Dianne Van Hook, Chancellor of the College of the Canyons; Steve Zimmer, Mike Berger, Michele Jenkins, and Avneet Ghotra, members of the College of the Canyons Board of Trustees; and Dana Levine, president of the College of the Canyons Associated Student Government.



SPECIAL RECOGNITIONS

Senator Fuller presented a member's resolution to Teresa Casazza in recognition of the 90th Anniversary of the California Taxpayers Association.

SPECIAL INTRODUCTIONS

Senator McGuire introduced representatives from the Golden Gate Bridge Highway and Transportation District.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, February 1, 2016

Madam President: The Committee on Rules has examined:

SCR 93	SCR 94	SCR 96
SCR 97	SCR 98	SCR 101

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Natural Resources and Water

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Natural Resources and Water, to which were referred:

SB 113	SB 173	SB 198	SB 218
SB 228	SB 457	SB 520	SB 805

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

PAVLEY, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Governmental Organization

Senate Chamber, February 1, 2016

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

SB 278	SB 281	SB 528
SB 606	SB 630	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HALL, Chair

Above bills ordered filed with the Secretary of the Senate.



Committee on Rules

Senate Chamber, February 1, 2016

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

SB 41	SB 44	SB 46	SB 50
SB 51	SB 52	SB 53	SB 55
SB 56	SB 57	SB 58	SB 59
SB 60	SB 116	SB 117	SB 126
SB 127	SB 129	SB 135	SB 153
SB 154	SB 155	SB 156	SB 157
SB 160	SB 166	SB 169	SB 179
SB 194	SB 195	SB 214	SB 217
SB 245	SB 258	SB 264	SB 274
SB 293	SB 301	SB 309	SB 310
SB 314	SB 339	SB 375	SB 392
SB 393	SB 394	SB 395	SB 397
SB 427	SB 430	SB 437	SB 442
SB 444	SB 446	SB 455	SB 459
SB 472	SB 535	SB 544	SB 558
SB 568	SB 569	SB 583	SB 595
SB 596	SB 611	SB 628	SB 642
SB 649	SB 653	SB 656	SB 663
SB 688	SB 700	SB 709	SB 720
SB 721	SB 724	SB 727	SB 729
SB 733	SB 743	SB 744	SB 748
SB 754	SB 755	SB 756	SB 757
SB 764	SB 766	SB 768	SB 769
SB 771	SB 772	SB 782	SB 783
SB 784	SB 790		

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

DE LEÓN, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Veterans Affairs

Senate Chamber, February 1, 2016

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

SB 130

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

NIELSEN, Chair

Above bill ordered filed with the Secretary of the Senate.



Committee on Public Safety

Senate Chamber, February 1, 2016

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

SB 30	SB 54	SB 132	SB 167
SB 171	SB 263	SB 267	SB 338
SB 391	SB 473	SB 668	SB 679
SB 713	SB 714	SB 717	SB 752

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HANCOCK, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Human Services

Senate Chamber, February 1, 2016

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

SB 401	SB 639	SB 659
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Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

MCGUIRE, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Labor and Industrial Relations

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Labor and Industrial Relations, to which were referred:

SB 220	SB 581	SB 607
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Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

MENDOZA, Chair

Above bills ordered filed with the Secretary of the Senate.

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

SB 368

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

MENDOZA, Chair

Above bill ordered filed with the Secretary of the Senate.



Committee on Energy, Utilities and Communications

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

SB 360 SB 372 SB 486

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HUESO, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Insurance

Senate Chamber, February 1, 2016

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

SB 604

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

ROTH, Chair

Above bill ordered filed with the Secretary of the Senate.

Committee on Judiciary

Senate Chamber, February 1, 2016

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

SB 67 SB 201 SB 262
SB 265 SB 290 SB 577

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

JACKSON, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Governance and Finance

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Governance and Finance, to which were referred:

SB 8 SB 31 SB 458 SB 537
SB 627 SB 684 SB 740

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HERTZBERG, Chair

Above bills ordered filed with the Secretary of the Senate.



Committee on Appropriations

Senate Chamber, February 1, 2016

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

SB 26	SB 120	SB 131	SB 152
SB 164	SB 174	SB 180	SB 192
SB 205	SB 206	SB 234	SB 237
SB 243	SB 250	SB 259	SB 268
SB 289	SB 297	SB 298	SB 305
SB 306	SB 312	SB 318	SB 329
SB 332	SB 341	SB 356	SB 357
SB 373	SB 378	SB 402	SB 403
SB 409	SB 429	SB 449	SB 452
SB 480	SB 483	SB 495	SB 498
SB 506	SB 515	SB 521	SB 534
SB 545	SB 550	SB 553	SB 566
SB 567	SB 571	SB 578	SB 592
SB 603	SB 617	SB 618	SB 619
SB 624	SB 636	SB 638	SB 665
SB 666	SB 678	SB 681	SB 687
SB 706	SB 718	SB 723	SB 728
SB 737	SB 742	SB 747	SB 753
SB 760	SB 779	SB 791	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LARA, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Health

Senate Chamber, February 1, 2016

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

SB 190	SB 203	SB 346	SB 370
SB 390	SB 609	SB 701	SB 715
SB 749	SB 781		

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HERNANDEZ, Chair

Above bills ordered filed with the Secretary of the Senate.



Committee on Rules

Senate Chamber, February 1, 2016

Madam President: The Committee on Rules has examined:

SCR 45 SCR 51 SCR 88 SCR 91

And reports the same have been correctly enrolled and presented to the Secretary of State on the 1st day of February, 2016, at 11 a.m.

DE LEÓN, Chair

Committee on Judiciary

Senate Chamber, February 1, 2016

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

SB 428

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

JACKSON, Chair

Above bill ordered filed with the Secretary of the Senate.

Committee on Health

Senate Chamber, February 1, 2016

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

SB 787

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

HERNANDEZ, Chair

Above bill ordered filed with the Secretary of the Senate.

Committee on Business, Professions and Economic Development

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Business, Professions and Economic Development, to which were referred:

SB 202 SB 349 SB 496 SB 576

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

HILL, Chair

Above bills ordered filed with the Secretary of the Senate.



Committee on Transportation and Housing

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Transportation and Housing, to which were referred:

SB 40	SB 158	SB 364
SB 511	SB 529	SB 608
SB 632	SB 689	SB 712

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

BEALL, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Education

Senate Chamber, February 1, 2016

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

SB 121	SB 136	SB 211	SB 256
SB 279	SB 362	SB 381	SB 634
SB 669	SB 691	SB 774	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LIU, Chair

Above bills ordered filed with the Secretary of the Senate.

Senate Chamber, February 1, 2016

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

SB 47

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

LIU, Chair

Above bill ordered filed with the Secretary of the Senate.

Committee on Banking and Financial Institutions

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Banking and Financial Institutions, to which was referred:

SB 565

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

BLOCK, Chair

Above bill ordered filed with the Secretary of the Senate.



Committee on Public Employment and Retirement

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Public Employment and Retirement, to which were referred:

SB 280

SB 735

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

PAN, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Elections and Constitutional Amendments

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

SB 283

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

ALLEN, Chair

Above bill ordered filed with the Secretary of the Senate.

MEASURES WHICH DIED ON FILE

Subsequent to adjournment and pursuant to the Constitution and Joint Rules, the following measures died on the inactive file:

SB 16

SB 114

SB 224

SB 317

SB 454

SB 572

SB 591

SB 593

MOTIONS, RESOLUTIONS AND NOTICES**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Pan moved that **SCR 93**, **SCR 94**, and **SCR 97** be ordered to the inactive file.

Motion carried.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 927: By Senator Anderson—An act to add Section 15961.6 to the Public Utilities Code, relating to the Public Utility District Act, and declaring the urgency thereof, to take effect immediately.

Senate Bill 928: By Senator Liu—An act to amend Section 2138 of the Elections Code, and to add Sections 12811.2 and 13005.1 to the Vehicle Code, relating to homeless individuals.



Senate Bill 929: By Senator Vidak—An act to amend Section 2640 of the Probate Code, relating to protective proceedings.

Senate Bill 930: By Senator Gaines—An act to amend Section 115843.6 of the Health and Safety Code, relating to reservoirs.

Senate Bill 931: By Senator Nguyen—An act to amend Section 1367 of the Health and Safety Code, relating to health care service plans.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

Consideration of Governor's Appointments

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

JUAN G. GONZALEZ, Member, California Veterans Board.

TODD TROTTER, Member, California Veterans Board.

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

NOES (0)—None.

THIRD READING OF SENATE BILLS

Senate Joint Resolution 19—Relative to women's reproductive health.

Resolution read third time and presented by Senator Jackson.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (25)—Senators Allen, Beall, Block, De León, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Roth, Wieckowski, and Wolk.

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

Resolution ordered transmitted to the Assembly.



Senate Concurrent Resolution 101—Relative to California Girls and Women in Sports Week.

Resolution read third time and presented by Senator Fuller.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (38)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

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

Resolution read third time and presented by Senator Pan.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (38)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 9—Relative to Pet Care Education Month.

Resolution read third time and presented by Senator Pan.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (38)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senators Jackson and Hancock introduced retired Superior Court Judge, George Eskin.

Senator Roth introduced his wife, President and Chief Executive Officer of the Greater Riverside Chambers of Commerce, Cindy Roth.



LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on personal business: Senator Gaines.

The following Senator was granted leave of absence for the day to attend a funeral: Senator Leno.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 2:59 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 Tuesday, February 2, 2016.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Budget and Fiscal Review**

Senate Chamber, February 1, 2016

Madam President: The Chair of the Committee on Budget and Fiscal Review, to which were referred:

SB 69	SB 70	SB 71	SB 72
SB 73	SB 74	SB 353	

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

LENO, Chair

Above bills ordered filed with the Secretary of the Senate.

Committee on Environmental Quality

Senate Chamber, February 1, 2016

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

SB 1	SB 5	SB 143	SB 240
SB 389	SB 487	SB 509	SB 523
SB 584	SB 615	SB 625	SB 698
SB 732	SB 751		

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

WIECKOWSKI, Chair

Above bills ordered filed with the Secretary of the Senate.



Committee on Agriculture

Senate Chamber, February 1, 2016

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

SB 699

Reports the same back to the Secretary of the Senate pursuant to the provisions of Joint Rule 56. (May not be further considered during the session.)

GALGIANI, Chair

Above bill ordered filed with the Secretary of the Senate.

**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 932: By Senator Hernandez—An act relating to health care.

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

Senate Concurrent Resolution 104: By Senator Nguyen (Principal coauthor: Assembly Member Travis Allen) (Coauthors: Senators Bates, Hall, Huff, Liu, Morrell, Nielsen, and Vidak) (Coauthors: Assembly Members Baker, Brough, Chang, Chávez, Harper, Kim, Lackey, McCarty, Ting, and Wilk)—Relative to Black April Memorial Month.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Allen requested that when the Senate adjourns this day it do so in memory of Mary Margaret Nelson of Menlo Park and John Heideman of Manhattan Beach.

Senators Hill and Monning requested that when the Senate adjourns this day it do so in memory of Dr. Herbert L. Abrams of Palo Alto.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Albert G. Chin of San Francisco.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, February 2, 2016.

NEVA MARIE PARKER, Minute Clerk

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