

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, February 10, 2016

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, Beall, Block, Cannella, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Pavley, Roth, Runner, Stone, and Wieckowski—31.

Quorum present.

(NOTE: Senators Bates, Glazer, Hertzberg, Huff, Nguyen, and Vidak will be excused this day on legislative business. Senators Liu and Wolk will be excused this day on personal business. Senator Berryhill will be excused this day due to illness.)



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 8, 2016

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

ACR 113

ACR 132

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 113—Relative to Lunar New Year celebration.

Assembly Concurrent Resolution 132—Relative to V-Day.

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

Assembly Bill 516—An act to amend Section 1685 of, and to amend, repeal, and add Sections 4456, 4456.5, 4462, 4463, 4763, 4773, 5201, 5202, 5901, 6100, 11714, and 38080 of, and to add Section 4456.2 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Governance and Finance**

Senate Chamber, February 10, 2016

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

AB 1399

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 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.

Bill read second time.

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



Committee on Appropriations

Senate Chamber, February 10, 2016

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

AB 847

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

LARA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 847—An act relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

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

Senator Allen moved that **AB 1200** be taken from the inactive file and ordered to second reading.

Motion carried.

Consideration of Assembly Bill 1200

Assembly Bill 1200—An act to amend Sections 82002 and 82039 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1200 pursuant to Joint Rule 58.

ASSEMBLY MEMBER GORDON

Permission of Rules Committee

Senate Chamber, February 10, 2016

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1200.

DE LEÓN, Chair

Amendments Adopted

Amendments to **AB 1200** proposed by Senator Allen were read and adopted and the measure ordered printed and to second reading.



UNANIMOUS CONSENT TO RESCIND (AB 558)

Senator Hall asked for, and was granted, unanimous consent that the action be rescinded whereby on August 20, 2015, **AB 558** was read third time, passed, and ordered transmitted to the Assembly (Senate Journal, page 2117).

Consideration of Assembly Bill 558

Assembly Bill 558—An act to amend Sections 12102.2, 12104, and 12104.5 of the Public Contract Code, relating to public contracts.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 558 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LOW

Permission of Rules Committee

Senate Chamber, February 10, 2016

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 558.

DE LEÓN, Chair

Amendments Adopted

Amendments to **AB 558** proposed by Senator Hall were read and adopted and the measure ordered printed and to second reading.

MOTION TO TAKE MEASURES FROM INACTIVE FILE

Senator Leno moved that **AB 1050** be taken from the inactive file and ordered to second reading.

Motion carried.

Consideration of Assembly Bill 1050

Assembly Bill 1050—An act to amend Section 13923 of the Government Code, relating to state employees.

Bill read second time.

Amendments Adopted

Amendments to **AB 1050** proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

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 976: By Senator Vidak—An act to amend Section 84200 of the Government Code, relating to the Political Reform Act of 1974.

Senate Bill 977: By Senator Pan—An act to add Article 1.6 (commencing with Section 118917) to Chapter 4 of Part 15 of Division 104 of the Health and Safety Code, relating to tobacco.



Senate Bill 978: By Senator Vidak—An act to amend Section 1170 of the Labor Code, relating to public works.

Senate Bill 979: By Senator Vidak—An act to amend Section 22202 of the Financial Code, relating to finance lenders.

Senate Bill 980: By Senator Nielsen—An act to amend Sections 1010, 1012, 1012.1, 1012.2, 1012.3, 1023, 1031, 1034, 1035.3, 1038, and 1044 of, to repeal Sections 1012.4, 1012.6, 1014, 1015, 1024, 1033.2, and 1051 of, to repeal and add Section 1011 of, and to add Sections 1011.1, 1011.2, 1011.3, and 1011.4 to, the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

Senate Bill 981: By Senator Nielsen—An act to amend Section 987.005 of the Military and Veterans Code, relating to veterans.

Senate Bill 982: By Senator McGuire—An act to amend Section 416.7 of the Health and Safety Code, relating to conservatorship and guardianship.

Senate Bill 983: By Senator Morrell—An act to amend Sections 2923.3 and 2924f of, and to amend and repeal Section 2924.11 of, the Civil Code, relating to mortgages.

Senate Bill 984: By Senator Hueso (Principal coauthor: Assembly Member Alejo) (Coauthors: Senators Hill and Mitchell) (Coauthors: Assembly Members Bonilla, Bonta, Brown, Low, Mullin, Ting, and Williams)—An act to amend Sections 22365, 22370, 22377, and 22380 of, to amend the heading of Article 3.6 (commencing with Section 22365) of Chapter 2 of Division 9 of, and to repeal Section 22381 of, the Financial Code, relating to consumer loans.

Senate Bill 985: By Senator Berryhill—An act to amend Section 511 of the Labor Code, relating to employment.

Senate Bill 986: By Senator Hill (Coauthor: Senator Allen)—An act to amend Sections 21453 and 42001.15 of the Vehicle Code, relating to vehicles.

Senate Bill 987: By Senator McGuire—An act to add Part 17 (commencing with Section 37001) to Division 2 of the Revenue and Taxation Code, relating to medical marijuana.

Senate Bill 988: By Senator McGuire—An act to amend Section 6066 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 989: By Senator Fuller—An act to amend Section 779.2 of the Insurance Code, relating to insurance.

Senate Bill 990: By Senator Fuller—An act to amend Section 22150 of the Financial Code, relating to finance lenders.



Senate Bill 991: By Senator Fuller—An act to amend Section 78581 of the Food and Agricultural Code, relating to agriculture.

Senate Bill 992: By Senator Fuller—An act to amend Section 4050 of the Business and Professions Code, relating to pharmacy.

Senate Bill 993: By Senator Fuller—An act to amend Section 399.14 of the Public Utilities Code, relating to energy.

Senate Bill 994: By Senator Hill—An act relating to outpatient health facilities.

Senate Bill 995: By Senator Pavley—An act to add Sections 232 and 13801.5 to the Water Code, relating to water quality.

Senate Bill 996: By Senator Hill—An act to amend Section 214 of, and to add Section 214.17 to, the Revenue and Taxation Code, relating to taxation.

Senate Bill 997: By Senator Lara—An act to amend Section 14007.8 of the Welfare and Institutions Code, relating to health care coverage.

Senate Bill 998: By Senator Wieckowski—An act to amend Sections 21655.7 and 22500 of the Vehicle Code, relating to vehicles.

Senate Bill 999: By Senator Pavley (Principal coauthor: Senator Hertzberg) (Principal coauthors: Assembly Members Atkins, Gomez, and Gonzalez) (Coauthors: Senators Allen, Hall, Hill, Jackson, Leyva, and Wieckowski) (Coauthors: Assembly Members Burke, Cristina Garcia, Levine, McCarty, and Williams)—An act to amend Section 4064.5 of the Business and Professions Code, to amend Section 1367.25 of the Health and Safety Code, and to amend Section 10123.196 of the Insurance Code, relating to contraceptives.

Senate Bill 1000: By Senator Leyva—An act to amend Section 65302 of the Government Code, relating to land use.

Senate Bill 1001: By Senator Mitchell (Principal coauthor: Assembly Member Chiu) (Coauthor: Senator Vidak) (Coauthors: Assembly Members Eggman and Thurmond)—An act to add Section 12952 to the Government Code, relating to employment.

Senate Bill 1002: By Senator Monning (Principal coauthor: Senator Wolk) (Coauthor: Assembly Member Eggman)—An act to amend Section 443.19 of the Health and Safety Code, relating to public health.

Senate Bill 1003: By Senator Gaines—An act to amend Section 10110 of the Insurance Code, relating to insurance.

Senate Bill 1004: By Senator Hill—An act relating to crimes.



Senate Bill 1005: By Senator Jackson (Coauthor: Senator Leno)—An act to amend Section 17537.1 of the Business and Professions Code, to amend Sections 50, 51.3, 51.11, 682, 682.1, 683, 1099, 1569, and 3390 of the Civil Code, to amend Sections 116.540, 371, 703.140, and 704.930 of the Code of Civil Procedure, to amend Sections 158, 704, 5612, 7612, 12482, 25102, and 25206 of the Corporations Code, to amend Sections 21100, 24803, and 68062 of the Education Code, to amend Sections 917 and 980 of the Evidence Code, to amend Sections 14860, 18220, 18523, and 22327 of the Financial Code, to amend Section 8552.3 of the Fish and Game Code, to amend Sections 9359.9, 9374, 21571, 21572, and 21573 of the Government Code, to amend Sections 1373.5, 18080, 25299.54, and 32501 of the Health and Safety Code, to amend Sections 10112, 10121.5, 10320, 10493, and 10494.6 of the Insurance Code, to amend Section 3503 of the Labor Code, to amend Sections 152.3, 197, 270e, 273.5, 281, 282, 284, 534, 4002, and 13700 of the Penal Code, to amend Sections 59, 78, 100, 101, 103, 2407, 5040, 5042, 5203, 6122, 6227, 6240, 13500, and 13600 of the Probate Code, to amend Sections 17021, 17039, 17045, 17053.5, 17054, 17077, 17555, 18501, 18522, 18530, 18531.5, 18532, 19006, 19035, 19107, 19110, 19701.5, and 20542 of the Revenue and Taxation Code, to amend Section 2804 of the Streets and Highways Code, to amend Section 13003 of the Unemployment Insurance Code, and to amend Sections 742.16, 7275, 12003, 14140, and 18291 of the Welfare and Institutions Code, relating to marriage.

Senate Bill 1006: By Senator Wolk (Principal coauthor: Senator Pan) (Principal coauthors: Assembly Members Dodd and Quirk) (Coauthors: Senators Allen, Glazer, Hall, Hancock, and Hertzberg) (Coauthors: Assembly Members Baker, Cooper, Cristina Garcia, Gonzalez, Levine, McCarty, and Santiago)—An act to add Title 12.2 (commencing with Section 14230) to Part 4 of the Penal Code, relating to firearm violence research.

Senate Bill 1007: By Senator Wieckowski—An act to amend Section 1286.2 of the Code of Civil Procedure, relating to arbitration.

Senate Constitutional Amendment 11: By Senator Fuller—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to elections.

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

Senate Resolution 58: By Senator Cannella—Relative to Engineers Week.



LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on legislative business: Senators Bates, Glazer, Hertzberg, Huff, Nguyen, and Vidak.

The following Senators were granted leave of absence for the day on personal business: Senators Liu and Wolk.

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Jackson requested that when the Senate adjourns this day it do so in memory of Bill Connell of Carpinteria.

Senator Vidak requested that when the Senate adjourns this day it do so in memory of Forrest Earl Cooper, II of Eshom Valley.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, February 11, 2016.

NEVA MARIE PARKER, Minute Clerk

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