

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, February 12, 2016

The Senate met at 9:18 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, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Leno, Leyva, Mendoza, Mitchell, Monning, Moorlach, Nguyen, Nielsen, Pan, Roth, Runner, Stone, Wieckowski, and Wolk—33.

Quorum present.

(NOTE: Senators Bates and Pavley will be excused this day due to illness. Senators Lara, Liu, and Vidak will be excused this day on personal business. Senators McGuire and Morrell will be excused this day on legislative business.)



PRAYER

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

In the end, it's not the years in your life that count. It's the life in your years.—Abraham Lincoln.

Gracious and merciful God, as we remember the birthday and gift of Abraham Lincoln's life, we thank You for the gift of today. Invite us to discover Your presence in each person that we meet, and in every event that we encounter. Teach us when to speak and when to listen, when to ponder and when to share. In moments of challenge and decision, attune our hearts to the whisperings of Your Wisdom. As we undertake ordinary and unnoticed tasks, gift us with simple joy. When our day goes well, may we rejoice. When it grows difficult, surprise us with new possibilities. When life is overwhelming, call us to Sabbath moments to restore Your Peace and Harmony. May our living today reveal Your Goodness.—AMEN.

(Adapted from Pat Bergen, C.S.J.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Gaines introduced participants of Destiny Kids Ministry.

Senator Stone introduced Opal Hellweg, Rose Esparza, and Marcia and Paula Creamer.

Senator Fuller introduced visiting constituents, Herman Seidman, Susan Seidman, Kristine Wagoner, and Micheal and Max Wagoner.

Senator Allen introduced Jenny Kean and Jack Sadler, participants in the California YMCA 2016 California Youth in Government, and Elliot Bell-Krasner from the American Council of Young Political Leaders.

MOTIONS, RESOLUTIONS AND NOTICES**RE-REFERENCE TO COMMITTEE
PURSUANT TO SENATE RULE 29.10(c)**

Pursuant to Senate Rule 29.10(c), the following measures were re-referred to the Committee on Rules:

AB 558

AB 1050

UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS

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

February 8, 2016

February 10, 2016

February 11, 2016

February 12, 2016



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 1022: By Senator Runner—An act to amend Section 35010 of the Education Code, relating to school districts.

Senate Bill 1023: By the Committee on Judiciary (Senators Jackson (Chair), Anderson, Hertzberg, Leno, Monning, Moorlach, and Wieckowski)—An act relating to courts, and making an appropriation therefor.

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

Senate Resolution 54—Relative to Black History Month.

Resolution read third time and presented by Senator Hall.

Roll Call

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

AYES (32)—Senators Allen, Anderson, Beall, Berryhill, Block, De León, Fuller, Gaines, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Leno, Leyva, Mendoza, Mitchell, Monning, Moorlach, Nguyen, Nielsen, Pan, Roth, Runner, Stone, Wieckowski, and Wolk.

NOES (0)—None.

PRIVILEGES OF THE FLOOR**SPECIAL RECOGNITIONS**

Senator Hall presented a member's resolution to "Sweet" Alice Harris in recognition of Black History Month.

Senator Mitchell presented a member's resolution to Rita Walters in recognition of Black History Month.

SPECIAL INTRODUCTIONS

Senator Mitchell introduced the Rev. Dr. William S. Epps, Dr. Hazel Mahone, Cassandra Jennings, Betty Reid Soskin, Danny Bakewell, Sr., Wilmer Amina Carter, the late Ratibu (William) Jacocks, Tyrone Howard, Beverly King, Timothy Watkins, Sr., and Leon Williams in honor of Black History Month.

Senator Allen introduced California YMCA 2016 California Youth in Government's 68th Governor, Nicholas Gardner; California YMCA 2016 California Youth in Government participant, James McBride; and former California YMCA California Youth in Government participant, Kristin McCowan.



LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day due to illness: Senators Bates and Pavley.

The following Senators were granted leaves of absence for the day on personal business: Senators Lara, Liu, and Vidak.

The following Senators were granted leaves of absence for the day on legislative business: Senators McGuire and Morrell.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 10:15 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 Tuesday, February 16, 2016.

Motion carried.

**REPORTS OF STANDING COMMITTEES
Committee on Transportation and Housing**

Senate Chamber, February 12, 2016

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

SB 812

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

BEALL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 812—An act to amend Section 5373.1 of the Public Utilities Code, and to amend Sections 612, 34505, 34505.1, and 34513 of, and to add Section 34505.2 to, the Vehicle Code, relating to tour buses.

Bill read second time.

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

**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 1024: By Senator Hancock (Principal coauthor: Assembly Member Bonta)—An act to amend Section 4860 of, and to add Section 4860.5 to, the Welfare and Institutions Code, relating to developmental services.



Senate Bill 1025: By Senator Nielsen—An act relating to narcotic treatment programs.

Senate Bill 1026: By Senator Nielsen—An act to amend Section 1602 of the Fish and Game Code, relating to fish and wildlife.

Senate Bill 1027: By Senator Nielsen (Coauthor: Assembly Member Gallagher)—An act relating to parks.

Senate Bill 1028: By Senator Hill—An act to add Sections 761.1 and 761.2 to the Public Utilities Code, relating to public utilities.

Senate Bill 1029: By Senator Hertzberg—An act to amend Section 8855 of the Government Code, relating to state government.

Senate Bill 1030: By Senator McGuire (Coauthor: Senator Wolk) (Coauthors: Assembly Members Dodd, Levine, and Wood)—An act to repeal Section 181016 of the Public Utilities Code, relating to the Sonoma County Regional Climate Protection Authority.

Senate Bill 1031: By Senator Hancock—An act to add Section 6027.5 to, and amend and repeal Section 13010.5 of, the Penal Code, relating to criminal statistics, and making an appropriation therefor.

Senate Bill 1032: By Senator Galgiani—An act to amend Section 25600.3 of the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 1033: By Senator Hill—An act to amend Sections 803.1, 2027, and 2228 of the Business and Professions Code, relating to healing arts.

Senate Bill 1034: By Senator Mitchell—An act to amend Section 1374.73 of the Health and Safety Code, and to amend Sections 10144.51 and 10144.52 of the Insurance Code, relating to health care coverage.

Senate Bill 1035: By Senator Hueso—An act to amend Sections 910.4 and 910.5 of the Public Utilities Code, relating to the Public Utilities Commission.

Senate Bill 1036: By Senator Hernandez—An act to amend Sections 11400 and 11401 of the Health and Safety Code, relating to controlled substances.

Senate Bill 1037: By Senator Allen—An act to add Section 648 to the Evidence Code, to amend Section 5343.5 of the Food and Agricultural Code, to amend Sections 11106, 23635, 23690, 25560, 26405, 26825, 26880, 26885, 27520, 27570, 27590, 28000, 28160, 28200, 31700, and 32110 of, to add Article 3.5 (commencing with Section 28270) to Chapter 6 of Division 6 of Title 4 of Part 6 of, and to repeal and add Section 26379 of, the Penal Code, relating to firearms.



Senate Bill 1038: By Senator Allen (Principal coauthor: Assembly Member Wood)—An act to amend Section 87408.6 of the Education Code, relating to community colleges.

Senate Bill 1039: By Senator Hill—An act to amend Sections 1636.4, 2811.5, 8516, 8518, and 8555 of the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

Senate Bill 1040: By Senator Hill—An act to amend Section 8609 of, and to add Chapter 9 (commencing with Section 9220) to Part 2 of Division 13 of, the Family Code, relating to children.

Senate Bill 1041: By Senator Hueso—An act to amend Section 25301 of the Public Resources Code, relating to energy.

Senate Bill 1042: By Senator Hancock—An act to amend Section 8208 of the Education Code, relating to child care.

Senate Bill 1043: By Senator Allen (Principal coauthor: Assembly Member Williams)—An act to amend Section 25420 of, and to add Section 39735 to, the Health and Safety Code, relating to biogas.

Senate Bill 1044: By Senator Nguyen—An act to amend Section 7401 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 1045: By Senator McGuire—An act to amend Section 89007.7 of the Education Code, relating to public postsecondary education.

Senate Bill 1046: By Senator Hill (Coauthors: Senators Anderson, Bates, Cannella, and Vidak) (Coauthors: Assembly Members Baker, Bonilla, Chávez, Cooley, Eduardo Garcia, Lackey, Levine, Lopez, Maienschein, Rodriguez, and Waldron)—An act to amend Sections 13386 and 23103.5 of, to amend, repeal, and add Sections 13352, 13352.4, 13353.3, 13353.4, 13353.5, 23247, 23573, 23575, 23576, and 23597 of, and to add Sections 13353.6, 23575.3, and 23575.5 to, the Vehicle Code, relating to ignition interlock devices.

Senate Bill 1047: By Senator Huff—An act to amend Section 12623 of the Government Code, relating to international exchange students.

Senate Bill 1048: By Senator Nguyen—An act to amend Section 108048 of the Health and Safety Code, relating to product safety.

Senate Bill 1049: By Senator Hill—An act to amend Section 316 of the Public Utilities Code, relating to electricity.



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

Senate Concurrent Resolution 108: By Senator Monning (Principal coauthor: Assembly Member Achadjian) (Coauthors: Senators Anderson, Fuller, Glazer, Hall, Hertzberg, Leno, Vidak, and Wieckowski) (Coauthors: Assembly Members Chang, Dodd, Gallagher, Kim, Lackey, Levine, and Waldron)—Relative to Rare Disease Day.

Senate Concurrent Resolution 109: By Senator Stone—Relative to California Pharmacists Outreach Week.

Senate Resolution 60: By Senators Fuller, Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Gaines, Galgiani, Glazer, Hall, Hertzberg, Hill, Hueso, Huff, Jackson, Liu, Moorlach, Morrell, Nguyen, Nielsen, Pan, Roth, Runner, Stone, and Vidak—Relative to California Aerospace Days.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Allen requested that when the Senate adjourns this day it do so in memory of David Wicks of Manhattan, NY.

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Thu Phan of Berkeley.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Peter Greene of San Francisco.

Senator Monning requested that when the Senate adjourns this day it do so in memory of Christy O'Donnell of Los Angeles.

Senator Nguyen requested that when the Senate adjourns this day it do so in memory of Dr. Juan Francisco Lara of Pasadena.

Senator Pan requested that when the Senate adjourns this day it do so in memory of Earl Rogers of Sacramento.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Terrill Branigan of Woodland.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 1 p.m., Tuesday, February 16, 2016.

NEVA MARIE PARKER, Minute Clerk

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