

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Monday, March 14, 2016

The Senate met at 3:02 p.m.

Hon. Ted Gaines, of the 1st 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, Stone, Vidak, Wieckowski, and Wolk—39.

Quorum present.

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

PRAYER

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

*God of loving kindness and mercy, we ask You to
Quiet us, that out of still spaces we may hear Your word.
May we walk with faith all the days of our lives,
Aware of the interdependence of all living things,
And come to know You in everything and in each other.*

Quiet us, O Silent Speaker, that out of still spaces we may hear Your word.

From the galaxies and the furthest stars
To the smallest atom in our heart,
You are the Living Flame of Love.

May we see Your divinity in the “within” and the “without” of all things.

Quiet us, O Silent Speaker, that out of still spaces we may hear Your word.

Gather us together, O Healing Presence,
That we may live in peace with all people
And bring glory to Your name.—AMEN.

(Adapted from Nan Merrill, Psalms for Praying.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
PRESENTATION OF THE COLORS**

Senators and guests were asked to rise and remain standing for the presentation of the colors by the CAL FIRE Local 2881 Honor Guard.

SPECIAL RECOGNITIONS

Senator McGuire presented member’s resolutions to: Mark S. Ghilarducci, Director of the California Governor’s Office of Emergency Services; Avery Browne, Assistant Commissioner of the California Highway Patrol; Scott Smithline, Director of the California Department of Resources Recycling and Recovery; Ken Pimlott, Director of the California Department of Forestry and Fire Protection; Malcolm Dougherty, Director of the California Department of Transportation; Bret Martinez of Redwood Credit Union; and Steve Falk of the Press Democrat in recognition of their efforts during the Lake County Fires of 2015, and requested a moment of silence in remembrance of those who lost their lives during those fires.



MOTIONS, RESOLUTIONS AND NOTICES
UNANIMOUS CONSENT TO SUSPEND SENATE RULE 55

Without objection, Senate Rule 55 was suspended for today's session.

PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS

Senator Pan presented a member's resolution to the Franklin Boulevard Business Association's Mike Bokan, President; Jorge Plasencia, Vice-President; Frank Cable, Secretary; Marti Brown, Executive Director; and Board Directors, Linda Avalos, Aniceto Balingit, and Brad Clark.

SPECIAL INTRODUCTIONS

Senator Pan introduced members of the National Coalition of 100 Black Women: Francis Cohen, Director, National Board of Directors; Evelyn Frazier, President, Sacramento Chapter; Maxine Hickman, President, San Francisco Chapter; LaVerne Matthews, Political Action Chairperson Orange County Chapter; Gwenette Parker, President, Los Angeles Chapter; and Sheila Heacock, President, Silicon Valley Chapter in honor of their 34th Anniversary.

Senator Hall introduced Dr. Barbara Denson Trotter, Archalene Amos Martin, Lauren Peebles, Gail Atley, and the co-chairs of the Alpha Kappa Alpha Day at the Capitol, Patrice McKenzie and Leslye Tinson in honor of the 17th Annual AKA Day at the Capitol.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Resolution 63—Relative to Type 1 diabetes awareness.
Resolution read third time and presented by Senator Roth.

At 3:38 p.m., Senator Holly J. Mitchell, 30th District, Presiding

At 3:42 p.m., Senator Ted Gaines, 1st District, Presiding

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, Gaines, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.



**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator Roth presented a member's resolution to Debbie George, Michelle Thornburg, and Robyn Lopez, founders of "Education, Awareness, Support, Empowerment on Type 1 Diabetes."

Senator Jackson presented a member's resolution to the California Youth in Theater founder, Gai Jones, and students and teachers of the program.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 10, 2016

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

SCR 105

And respectfully requests your honorable body to concur in said amendments.

E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolution ordered to unfinished business.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

Consideration of Assembly Amendments

Senate Concurrent Resolution 105—Relative to Pakistani American Day.

Resolution presented by Senator Mendoza.

The question being: Shall the Senate concur in the Assembly amendments to SCR 105?

Roll Call

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

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

NOES (0)—None.

Above resolution ordered enrolled.

**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator Mendoza presented a member's resolution to Abdul Jabbar Memon, Consul General of Pakistan in Los Angeles and Ali Sajjad Taj, Mayor pro Tempore of the City of Artesia in recognition of Pakistani American Day. Senator De León invited Consul General Memon to address the Senate.



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

Senate Concurrent Resolution 98—Relative to developmental services.

Resolution read third time and presented by Senator Beall.

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, Gaines, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS

Senator Beall introduced advocates of regional centers in honor of the 50th anniversary of the community-based developmental services system.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 10, 2016

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

ACR 114

ACR 141

ACR 147

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 114—Relative to Grand Jury Awareness Month.

Assembly Concurrent Resolution 141—Relative to Multiple Sclerosis Awareness Week.

Assembly Concurrent Resolution 147—Relative to California Agriculture Day.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, March 14, 2016

Mr. President: The Committee on Rules has examined:

SCR 113

SCR 114

SCR 115

SCR 116

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, March 14, 2016

Mr. President: The Committee on Rules has examined:

SB 975

SCA 1

SCR 111

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Veterans Affairs

Senate Chamber, March 14, 2016

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

SB 866

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

NIELSEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 866—An act to amend Section 987.005 of the Military and Veterans Code, relating to veterans.

Bill read second time.

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

Committee on Education

Date of Hearing, March 9, 2016

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

SB 871

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

LIU, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing, March 8, 2016

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

SB 819

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

HALL, Chair

Above bill ordered to second reading.



Committee on Rules

Senate Chamber, March 14, 2016

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

SB 978

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 978—An act to amend Section 1170 of the Labor Code, relating to public works.

Bill read second time.

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

Senate Chamber, March 14, 2016

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

SR 66

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 Resolution 66—Relative to Escrow Month.

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, March 14, 2016

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

AB 1750

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES (RESUMED)

The following measure was read the first time and transmitted to the Committee on Rules for assignment:

Assembly Bill 1750—An act to amend Section 2079.13 of the Civil Code, relating to real property transactions.



REPORTS OF STANDING COMMITTEES
Committee on Energy, Utilities and Communications

Senate Chamber, March 14, 2016

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

SB 968

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

HUESO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 968—An act to add Section 712.5 to the Public Utilities Code, relating to electricity.

Bill read second time.

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

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

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Budget and Fiscal Review to meet for an informational hearing and hear AB 118 without four days' notice in the Daily File.

MOTION TO REFER MEASURES TO INACTIVE FILE

Senator Moorlach moved that **SR 65** be ordered to the inactive file.

Motion carried.

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

Senate Bill 915—An act to add Chapter 3.5 (commencing with Section 44760) to Part 25 of Division 3 of Title 2 of the Education Code, relating to teacher recruitment.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Senate Chamber, March 14, 2016

Mr. President: The Committee on Rules has examined:

SB 866

SB 915

And reports the same correctly engrossed.

DE LEÓN, Chair



CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****Consideration of Governor's Appointments**

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

PAULA A. DANIELS, Member, California Water Commission.

MARIA G. HERRERA, Member, California Water Commission.

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

NOES (0)—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Resolution 64—Relative to Women's History Month.

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

NOES (0)—None.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 132—Relative to V-Day.

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



Assembly Concurrent Resolution 126—Relative to a Day of Remembrance.

Resolution read third time and presented by Senator Monning.

Roll Call

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

AYES (37)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**At 4:30 p.m., Senator Hannah-Beth Jackson, 19th District,
Presiding**

**PRIVILEGES OF THE FLOOR
ADJOURN IN MEMORIAM**

Senator Fuller presented a memorial resolution to Dennis Revell and Dennis LeBlanc in memory of Nancy Reagan.

LEAVES OF ABSENCE

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Daniel Lopez-Galvan of Madera County.

Senators Fuller, Allen, Anderson, Bates, Berryhill, Block, Cannella, De León, Gaines, Galgiani, Glazer, Hall, Hertzberg, Huff, Liu, Mendoza, Moorlach, Morrell, Nguyen, Nielsen, Pavley, Roth, Runner, Stone, and Vidak requested that when the Senate adjourns this day it do so in memory of Nancy Reagan.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Officer Nathan Daniel Taylor of Gold River.

Senator Galgiani requested that when the Senate adjourns this day it do so in memory of James Albert Askew of Stockton.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Danavon Lynton Horn of Coachella Valley and Marjorie Irene Orr of Riverside.



ADJOURNMENT

At 4:50 p.m., on motion of Senator Monning, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 15, 2016.

NEVA MARIE PARKER, Minute Clerk

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