

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, March 16, 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, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Glazer, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk—36.

Quorum present.

(NOTE: Senators Hall and Hertzberg will be excused this day on personal business. Senator Lara will be excused this day on legislative business. Senator Runner will be excused this day due to illness.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

March 16, 2016

To the Senate of the State of California:

I have the honor to transmit to you herewith the following reappointments heretofore made by me to offices which by law are to be filled by the Governor. These reappointments are subject to Senate confirmation and consent. I hereby nominate these re-appointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

DOUGLAS W. METZ, has been reappointed to the California Boating and Waterways Commission, where he has served since 2006. Metz has been chairman at Metz and Associates since 1998. He was senior counsel at the King Law Group from 2007 to 2013 and chief executive officer and general counsel at Wine and Spirits Wholesalers of America Inc. from 1977 to 1998. He earned a Juris Doctor degree from the Wayne State University Law School. Reappointed 02/16/2016. Effective 03/10/2016.

Member, California Boating and Waterways Commission, vice, self, reappointed. Term ending 01/15/2020.

FRANK C. PERALTA, has been reappointed to the California Boating and Waterways Commission, where he has served since 2012. Peralta has been a court bailiff at the San Diego County Superior Court since 2003. He served as a deputy sheriff at the San Diego County Sheriff's Department from 1974 to 2003. Reappointed 02/16/2016. Effective 03/10/2016.

Member, California Boating and Waterways Commission, vice, self, reappointed. Term ending 01/15/2020.

KEVIN P. MURPHY, has been reappointed to the California Off-Highway Motor Vehicle Recreation Commission, where he has served since 2013. Murphy has been fire captain at the Santa Clara County Fire Department since 1999, where he has served in several positions since 1990, including hazardous materials specialist, arson investigator, firefighter, engineer, and emergency medical technician. He was a park trail volunteer at the California Off-Highway Motor Vehicle Recreation Commission's Hollister Hills State Vehicular Recreation Area from 1992 to 1997. Murphy is a member of the American Motorcyclist Association, Hollister Hills Off-Road Association and the Sacramento Pacific International Trials Society Club. Reappointed 02/16/2016. Effective 02/24/2016.

Member, California Off-Highway Motor Vehicle Recreation Commission, vice, self, reappointed. Term ending 01/15/2020.



PAUL J. SLAVIK, has been reappointed to the California Off-Highway Motor Vehicle Recreation Commission, where he has served since 2008. Slavik held several positions at the American Honda Motor Company from 1976 to 2005, including national off-highway motor vehicle coordinator, field service representative, and dealer technical advisor. He is a member of the American Motorcyclist Association. Reappointed 02/16/2016. Effective 03/10/2016.

Member, California Off-Highway Motor Vehicle Recreation Commission, vice, self, reappointed. Term ending 01/15/2020.

Above reappointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, March 16, 2016

Mr. President: The Committee on Rules has examined:

SB 819	SB 824	SB 871	SB 874
SB 878	SB 891	SB 938	SB 969
SB 987			

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Judiciary

Senate Chamber, March 16, 2016

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

SB 1005

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

JACKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1005—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.

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 16, 2016

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

SB 946

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

LIU, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, March 9, 2016

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

SB 911

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

LIU, Chair

Above bill ordered to second reading.

Date of Hearing, March 16, 2016

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

SB 1006

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

LIU, Chair

Above bill ordered to second reading.



Committee on Rules

State Capitol, March 16, 2016

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

Business, Professions and Economic Development—SB 1478, SB 1479.

Governance and Finance—SB 1476.

Governmental Organization—SB 1475.

Health—SB 1477.

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

Environmental Quality and Rules—SB 1282.

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

Health—SCR 117.

Judiciary—SB 875.

Labor and Industrial Relations—SB 978.

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

Transportation and Housing and Judiciary—SB 940.

State Capitol, March 16, 2016

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

SR 66

SR 68

State Capitol, March 16, 2016

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

Mark C. Gregersen, Member, Public Employment Relations Board (4–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.



State Capitol, March 16, 2016

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

Celia L. McGuinness, Member, California Commission on Disability Access (3-1)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, March 16, 2016

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

James W. Barthman, Member, California Building Standards Commission (4-0)

Rajesh Patel, Member, California Building Standards Commission (4-0)

Pedro Santillan, Member, California Building Standards Commission (4-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, March 16, 2016

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

Betty R. Wilson, Member, California Commission on Disability Access (4-0)

Laurie C. Yoo, Member, California Commission on Disability Access (4-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, March 16, 2016

Mr. President: The Committee on Rules rescinded the action taken March 9, 2016, whereby Carmen Estrada was appointed as a member of the California Task Force on Family Caregiving.

The Committee on Rules has made the following appointments:

Appointed Les Cohen as a member of the California Task Force on Family Caregiving for a term ending at the pleasure of the Committee.

Reappointed Oscar M. Sablan, M.D., as a member of the California Health Facilities Financing Agency for a term ending March 31, 2020.

Appointed Tonia Mcmillian as a member of the Physical Therapy Board for a term ending June 1, 2019.

DE LEÓN, Chair



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

Senator Pavley moved that **AB 1142** be taken from the inactive file and ordered to second reading.

Motion carried.

Consideration of Assembly Bill 1142

Assembly Bill 1142—An act to amend Sections 2207, 2715.5, 2733, 2770, 2772, 2773.1, 2774, 2774.1, 2774.2, and 2774.4 of, to add Sections 2736, 2772.1, and 2773.4 to, and to add and repeal Section 2207.2 of, the Public Resources Code, relating to mining and geology.

Bill read second time.

Amendments Adopted

Amendments to **AB 1142** proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 119: By Senators Hertzberg and Mitchell—Relative to Bebe Moore Campbell National Minority Mental Health Awareness Month.

Senate Concurrent Resolution 120: By Senator Hill (Principal coauthor: Assembly Member Mullin) (Coauthors: Senators Bates, Berryhill, Block, Galgiani, Mendoza, and Wolk) (Coauthors: Assembly Members Calderon, Chávez, Frazier, Gordon, Low, Maienschein, Waldron, and Wilk)—Relative to Biotechnology Day.

Senate Joint Resolution 22: By Senator Hueso (Coauthor: Assembly Member Eduardo Garcia)—Relative to Calxico West Land Port of Entry project.

SENATE COMMITTEE ROLL CALLS

Committee on Education

SB 933—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Block, Hancock, Huff, Leyva, Liu, Mendoza, Monning, Pan, and Vidak.

NOES (0)—None.

SB 946—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Block, Hancock, Leyva, Liu, Mendoza, Monning, Pan, and Vidak.

NOES (1)—Senator Huff.



SB 1006—Do pass as amended and re-refer to the Committee on Public Safety

AYES (7)—Senators Block, Hancock, Leyva, Liu, Mendoza, Monning, and Pan.

NOES (2)—Senators Huff and Vidak.

SB 1014—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Block, Hancock, Huff, Leyva, Liu, Mendoza, Monning, Pan, and Vidak.

NOES (0)—None.

Date of Hearing: 3/16/2016

Liu, Chair

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on personal business: Senators Hall and Hertzberg.

The following Senator was granted leave of absence for the day on legislative business: Senator Lara.

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 Dorothy Lee Farinelli of Madera.

Senator Nguyen requested that when the Senate adjourns this day it do so in memory of Kaye Silva of Garden Grove.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, March 17, 2016.

NEVA MARIE PARKER, Minute Clerk

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