

## CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

---

---

# SENATE DAILY JOURNAL

ONE HUNDRED SEVENTIETH LEGISLATIVE DAY

---

## IN SENATE

---

Senate Chamber, Sacramento

Thursday, March 17, 2016

The Senate met at 9:02 a.m.

Hon. Ricardo Lara, of the 33rd 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, Hancock, Hernandez, Hill, Hueso, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Stone, Vidak, and Wolk—32.

Quorum present.

*(NOTE: Senators Gaines, Hall, Hertzberg, and Jackson will be excused this day on personal business. Senator Huff will be excused this day on legislative business, waiving per diem. Senators Roth and Wieckowski will be excused this day on legislative business. Senator Runner will be excused this day due to illness.)*



**PRAYER**

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

*A blessing for one who holds power*

May the gift of leadership . . . keep you mindful of the Providence that calls you to serve.

As high over the mountains the eagle spreads its wings, may your perspective be larger than the view from the foothills.

In times of grey endurance, may your imagination continue to evoke new horizons.

When thirst burns in times of drought, may you be blessed to find new wells.

May you have the wisdom to know when the seeds of change will flourish.

May you welcome your own vulnerability as the ground where healing and truth join.

And may integrity of soul be the source that guides and blesses your work and your play each day.—AMEN.

*(Adapted from John O'Donohue, To Bless the Space Between Us.)*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**PRIVILEGES OF THE FLOOR****SPECIAL RECOGNITIONS**

Senator Nielsen presented a member's resolution to Terry Farmer with the National Multiple Sclerosis Society in recognition of Multiple Sclerosis Awareness Week.

**MOTIONS, RESOLUTIONS AND NOTICES****UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

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

March 14, 2016

March 15, 2016

March 16, 2016

March 17, 2016

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, March 17, 2016

Mr. President: The Committee on Rules has examined:

SB 1005

And reports the same correctly engrossed.

DE LEÓN, Chair



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

**Senate Bill 911**—An act to repeal Section 33385 of the Education Code, relating to American Indian education programs.

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.

**Senate Bill 1006**—An act to add Title 12.2 (commencing with Section 14230) to Part 4 of the Penal Code, relating to firearm violence research.

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 Public Safety.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 1142**—An act to amend Sections 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 and ordered to third reading.

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senators Wolk and De León presented members' resolutions to Matthew Cheung and Cedrick Argueta in recognition of achieving perfect scores on the Advanced Placement Calculus AB Exam.

Senator De León presented a member's resolution to Yong Soo Lee, a World War II "Comfort Woman," and Phyllis Kim, Executive Director of the Korean American Forum of California, in recognition of their efforts at bringing awareness to human trafficking.

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

**Senate Concurrent Resolution 110**—Relative to Brain Injury Awareness, Treatment, and Prevention Month.

Resolution read third time and presented by Senator Mendoza.

**Roll Call**

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

AYES (32)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hancock, Hernandez, Hill, Hueso, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Stone, Vidak, and Wolk.  
NOES (0)—None.

Resolution ordered transmitted to the Assembly.



**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Mendoza presented a member's resolution to KV Kumar; Vijaya Kumar; David Albers, Chief Executive Officer of the Brain Injury Association of California; Lynda Eaton, Board Chair of the Brain Injury Association of California; and Dr. Topher Stephenson, Board Vice Chair of the Brain Injury Association of California, in recognition of Brain Injury Awareness Month.

**SPECIAL INTRODUCTIONS**

Senator Allen introduced members of Gen Next.

Senator Lara introduced former California State Senator, the Honorable Noreen Evans.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS**

**Consideration of Governor's Appointments**

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

OFELIA ALVAREZ-WILLIS, M.D., Member, Commission on the Status of Women and Girls.

KATHERINE L. BUCKLAND, Member, Commission on the Status of Women and Girls.

LAURI A. DAMRELL, Member, Commission on the Status of Women and Girls.

MARINA A. ILLICH, PH.D., Member, Commission on the Status of Women and Girls.

ALISHA M. WILKINS, Member, Commission on the Status of Women and Girls.

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 (32)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hancock, Hernandez, Hill, Hueso, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.



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

Senator Fuller moved that **SCR 113** and **SCR 114** be ordered to the inactive file.

Motion carried.

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

**Senate Resolution 68**—Relative to National Problem Gambling Awareness Month.

Resolution read third time and presented by Senator Berryhill.

**Roll Call**

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

AYES (32)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, De León, Fuller, Galgiani, Glazer, Hancock, Hernandez, Hill, Hueso, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Stone, Vidak, and Wolk.

NOES (0)—None.

**PRIVILEGES OF THE FLOOR**  
**SPECIAL INTRODUCTIONS**

Senator Lara introduced visiting members of the Long Beach Parent Teachers Association.

**REQUESTS TO BE ADDED TO ROLL CALL**

March 17, 2016

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measure taken up on this day:

GOV# 43—Aye

KEVIN DE LEÓN, President pro Tempore

**LEAVES OF ABSENCE**

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

The following Senator was granted leave of absence for the day on legislative business, waiving per diem: Senator Huff.

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

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



**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE  
SENATE DISPENSED WITH**

At 9:54 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 Monday, March 28, 2016.

Motion carried.

**REPORTS OF STANDING COMMITTEES**

**Committee on Public Safety**

Senate Chamber, March 17, 2016

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

SB 883

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

HANCOCK, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 883**—An act to amend Section 166 of the Penal Code, relating to domestic violence.

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 17, 2016

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

SB 1046

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

HANCOCK, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 1046**—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.

Bill read second time.

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



**Committee on Natural Resources and Water**

Senate Chamber, March 17, 2016

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 814

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

PAVLEY, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 814**—An act to amend Section 6254.16 of the Government Code, and to add Chapter 3.3 (commencing with Section 365) to Division 1 of the Water Code, relating to water.

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 17, 2016

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 886

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

PAVLEY, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 886**—An act to add Section 3217 to the Public Resources Code, and to add Section 713 to the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Committee on Judiciary**

Senate Chamber, March 17, 2016

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

SB 807

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 807**—An act to add Section 43.101 to the Civil Code, and to add Chapter 4.5 (commencing with Section 853) to Part 2 of Division 3.6 of Title 1 of the Government Code, relating to unmanned aircraft systems.

Bill read second time.

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

**Committee on Governmental Organization**

Senate Chamber, March 17, 2016

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

AB 1346

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

HALL, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 1346**—An act to amend Section 8587.8 of, and to add Section 8570.4 to the Government Code, relating to state government, making an appropriation therefor, 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.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 17, 2016

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

SCR 106

Above resolution ordered enrolled.

Assembly Chamber, March 17, 2016

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 558

AB 847

Assembly Chamber, March 17, 2016

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

AB 1700

AB 1796

E. DOTSON WILSON, Chief Clerk of the Assembly





**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Bill 1700**—An act to amend Section 16501 of the Probate Code, relating to trusts.

**Assembly Bill 1796**—An act to amend Sections 387, 1032, and 1038 of the Code of Civil Procedure, relating to civil procedure.

**REPORTS OF STANDING COMMITTEES****Committee on Energy, Utilities and Communications**

Senate Chamber, March 17, 2016

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

SB 1028

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 1028**—An act to add Sections 761.1 and 761.2 to the Public Utilities Code, relating to public utilities.

Bill read second time.

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

**Committee on Transportation and Housing**

Senate Chamber, March 17, 2016

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

SB 881

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 881**—An act to amend Sections 1214.1 and 1463.007 of the Penal Code, and to amend Sections 40508, 40509, and 40509.5 of, to add Section 13365.7 to, to repeal Sections 13365 and 13365.5 of, the Vehicle Code, relating to vehicles.

Bill read second time.

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



**Committee on Business, Professions and Economic Development**

Senate Chamber, March 17, 2016

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 1033

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

HILL, Chair

**Second Reading of Bills—Author's Amendments**

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

Bill read second time.

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

**Committee on Governance and Finance**

Senate Chamber, March 17, 2016

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

SB 1029

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**

**Senate Bill 1029**—An act to amend Section 8855 of the Government Code, relating to state government.

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 17, 2016

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

SB 1011

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**

**Senate Bill 1011**—An act to amend, repeal, and add Section 1091 of the Government Code, relating to public officers.

Bill read second time.

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



**Committee on Transportation and Housing**

Senate Chamber, March 17, 2016

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

SB 812

SB 951

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, and to add Sections 1033.6 and 5374.4 to, 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 vehicles.

Bill read second time.

**Senate Bill 951**—An act to amend Section 22350 of the Penal Code, relating to vehicles.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, March 17, 2016

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

SB 884

SB 896

SB 1013

SB 1044

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 884**—An act relating to special education.

Bill read second time.

**Senate Bill 896**—An act to amend Section 921 of the Business and Professions Code, relating to healing arts.

Bill read second time.

**Senate Bill 1013**—An act relating to parolees.

Bill read second time.

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

Bill read second time.

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



Senate Chamber, March 17, 2016

Mr. President: The Committee on Rules has examined:

SCR 99

SCR 105

And reports the same have been correctly enrolled and presented to the Secretary of State on the 17th day of March, 2016, at 3 p.m.

DE LEÓN, Chair

#### **MOTIONS, RESOLUTIONS AND NOTICES**

##### **MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Transportation and Housing and re-referred to the Committees on Environmental Quality and Transportation and Housing:

SB 1018

##### **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 1480:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Beall, Hernandez, Lara, Moorlach, Nguyen, and Pavley)—An act to amend Section 1840 of the Revenue and Taxation Code, relating to taxation.

**Senate Bill 1481:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Beall, Hernandez, Lara, Moorlach, Nguyen, and Pavley)—An act to amend Sections 42010, 42014, and 42022 of the Revenue and Taxation Code, relating to telecommunications.

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

**Senate Resolution 70:** By Senator Allen—Relative to urological health month.

##### **REQUESTS TO ADJOURN IN MEMORIAM**

Senator Anderson requested that when the Senate adjourns this day it do so in memory of Charles “Chuck” Bixby of Lakeside.

Senator Bates requested that when the Senate adjourns this day it do so in memory of Douglas Conrad Schlicht of Mission Viejo.

Senators Berryhill and Cannella requested that when the Senate adjourns this day it do so in memory of Bert Crane Sr. of Merced and James West of Modesto.

Senator Fuller requested that when the Senate adjourns this day it do so in memory of Ray Dezember of Bakersfield.

Senator Monning requested that when the Senate adjourns this day it do so in memory of Suanne “Sue” Dodge of Gilroy and Louis La Fortune of Santa Cruz.



Senator Stone requested that when the Senate adjourns this day it do so in memory of Vincent Francis Cilurzo of Murrieta and Hatsue Karasawa of Mexicali, Mexico.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Andrew Gabor, M.D., of Davis.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 28, 2016.

NEVA MARIE PARKER, Minute Clerk

O

