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SENATE DAILY JOURNAL

ONE HUNDRED EIGHTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, April 27, 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, 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.)



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

Senate Bill 1416—An act to add Article 4 (commencing with Section 18735) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to the Salton Sea.

Bill read second time.

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

Senate Bill 976—An act to amend Section 87406 of the Government Code, relating to the Political Reform Act of 1974 and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Senate Bill 916—An act to amend Section 44257 of the Education Code, relating to teacher credentialing.

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 1309—An act to add Section 48928 to the Education Code, relating to pupils.

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 1294—An act to add Division 45 (commencing with Section 75300) to the Public Resources Code, relating to the environment.

Bill read second time.

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



Senate Bill 812—An act to amend Sections 1033.7, 5373.1, and 5378.5 of, and to add Sections 1033.6 and 5374.4 to, the Public Utilities Code, and to amend Sections 612, 34501, 34505, 34505.1, and 34513 of, and to add Section 34505.2 to, the Vehicle Code, relating to transportation.

Bill read second time.

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

Senate Bill 1112—An act to add Section 853.2 to the Public Utilities Code, relating to utilities.

Bill read second time.

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

Senate Bill 1222—An act to amend Section 830.11 of the Penal Code, to repeal Section 25403 of the Public Resources Code, and to amend Sections 308.5, 309.7, 353.13, 353.15, 454.1, 740.5, 910.4, 913.2, 913.4, 913.5, 913.10, 914.3, 918.1, 956, 958.5, 2870, 2872.5, 2892.1, 3368, 5371.4, 5381.5, and 7661 of, to add Section 913.14 to, to add and repeal Section 913.15 of, and to repeal Sections 318, 350, 747.5, 910.5, 910.6, 913.3, 913.6, 913.8, 913.9, 913.11, 913.13, 918.2, 2714.5, 2827.3, 2845, and 2867.1 of, the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time.

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

Senate Bill 1456—An act to amend Section 116761.20 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

Bill read second time.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 120—An act to amend the Budget Act of 2015 (Chapters 10 and 11 of the Statutes of 2015), by adding Item 0890-101-0001 to Section 2.00 of, and amending Section 39.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

Bill read second time and ordered to third reading.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, April 27, 2016

Mr. President: The Committee on Rules has examined:

SB 1180 SB 1221 SJR 22

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, April 27, 2016

Mr. President: The Committee on Rules has examined:

SB 816	SB 868	SB 886	SB 887
SB 932	SB 951	SB 955	SB 958
SB 960	SB 980	SB 1013	SB 1034
SB 1040	SB 1050	SB 1069	SB 1070
SB 1073	SB 1084	SB 1150	SB 1189
SB 1199	SB 1212	SB 1239	SB 1279
SB 1295	SB 1300	SB 1311	SB 1317
SB 1322	SB 1329	SB 1363	SB 1384
SB 1399	SB 1404	SB 1418	SB 1442
SB 1443			

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Appropriations

Senate Chamber, April 27, 2016

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

SB 950 SB 1008 SB 1262

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

Senate Bill 950—An act to add Chapter 10.6 (commencing with Section 3539.75) to Division 4 of Title 1 of the Government Code, relating to state employees.

Bill read second time.

Senate Bill 1008—An act to amend Section 21080.25 of the Public Resources Code, relating to environmental quality.

Bill read second time.



Senate Bill 1262—An act to amend Section 66473.7 of the Government Code, and to amend Sections 10910 and 10911 of the Water Code, and relating to land use.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 26, 2016

Mr. President: The Committee on Judiciary, to which were referred:

SB 929 SB 1065 SB 1078

SB 1342 SB 1351

Reports the same back with the recommendation: Do pass.

JACKSON, Chair

Above bills ordered to second reading.

Date of Hearing, April 26, 2016

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

SB 1241

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

JACKSON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, April 26, 2016

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

SB 1281

Reports the same back with the recommendation: Do pass and be ordered to the consent calendar.

JACKSON, Chair

Above bill ordered to second reading.

Committee on Rules

Senate Chamber, April 27, 2016

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

SB 1413

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 1413—An act to add Part 14 (commencing with Section 53570) to Division 31 of the Health and Safety Code, relating to housing.

Bill read second time.

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

Committee on Health

Senate Chamber, April 27, 2016

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

AB 1300

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1300—An act to amend Sections 5008, 5113, 5150.1, and 5270.50 of, and to add Sections 5014, 5025, 5113.5, and 5150.3, and to add Article 1.1 (commencing with Section 5150.10) to, the Welfare and Institutions Code, relating to mental health.

Bill read second time.

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

Committee on Governance and Finance

Date of Hearing, April 27, 2016

Mr. President: The Committee on Governance and Finance, to which were referred:

SB 1449

SB 1458

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

HERTZBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, April 27, 2016

Mr. President: The Committee on Governance and Finance, to which were referred:

SB 1360

SB 1422

Reports the same back with the recommendation: Do pass and be ordered to the consent calendar.

HERTZBERG, Chair

Above bills ordered to second reading.



Senate Chamber, April 27, 2016

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

SB 1103

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 1103—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Committee on Appropriations

Senate Chamber, April 27, 2016

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

SB 1029

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

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.

MOTIONS, RESOLUTIONS AND NOTICES

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, the following measures were withdrawn from the Committee on Health and re-referred to the Committee on Appropriations:

SB 1098

SB 1339

SB 1471

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 136: By Senator Leyva (Coauthors: Senators Block, De León, Fuller, Galgiani, Hall, Jackson, Mendoza, Pan, Pavley, Roth, and Wolk)—Relative to Better Hearing and Speech Month.



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

Senate Concurrent Resolution 128—Relative to the Buffalo Soldiers.

Resolution read third time.

Amendments Adopted

Amendments to **SCR 128** proposed by Senator Mendoza were read and adopted and the measure ordered printed, engrossed, and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Governance and Finance**

SB 874—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Beall, Hernandez, Hertzberg, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 890—Do pass and re-refer to the Committee on Appropriations

AYES (2)—Senators Moorlach and Nguyen.

NOES (2)—Senators Beall and Pavley.

Failed Passage

SB 890—Reconsideration granted

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1108—Do pass as amended

AYES (5)—Senators Beall, Hernandez, Hertzberg, Lara, and Pavley.

NOES (0)—None.

SB 1126—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1183—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.



SB 1210—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Beall, Hernandez, Hertzberg, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1216—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Beall, Hernandez, Hertzberg, Lara, Nguyen, and Pavley.

NOES (0)—None.

SB 1233—Do pass as amended

AYES (5)—Senators Beall, Hernandez, Hertzberg, Lara, and Pavley.

NOES (1)—Senator Nguyen.

SB 1272—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1338—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1360—Do pass and be ordered to the consent calendar

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1422—Do pass and be ordered to the consent calendar

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1449—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

SB 1458—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hernandez, Hertzberg, Lara, Moorlach, Nguyen, and Pavley.

NOES (0)—None.

Date of Hearing: 4/27/2016

Hertzberg, Chair



Committee on Judiciary**SB 929—Do pass**

AYES (7)—Senators Anderson, Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (0)—None.

SB 983—Do pass as amended and re-refer to the Committee on Rules with the recommendation: To consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (0)—None.

SB 1007—Do pass as amended

AYES (5)—Senators Hertzberg, Jackson, Leno, Monning, and Wieckowski.

NOES (1)—Senator Anderson.

SB 1065—Do pass

AYES (6)—Senators Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (1)—Senator Anderson.

SB 1078—Do pass

AYES (6)—Senators Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (1)—Senator Anderson.

SB 1142—Do pass

AYES (2)—Senators Anderson and Moorlach.

NOES (4)—Senators Jackson, Leno, Monning, and Wieckowski.

Failed Passage

SB 1142—Reconsideration granted

AYES (7)—Senators Anderson, Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (0)—None.

SB 1241—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Hertzberg, Jackson, Leno, Monning, and Wieckowski.

NOES (1)—Senator Anderson.

SB 1257—Do pass as amended

AYES (6)—Senators Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (1)—Senator Anderson.

SB 1281—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (0)—None.



SB 1306—Do pass and re-refer to the Committee on Rules

AYES (2)—Senators Anderson and Moorlach.

NOES (4)—Senators Jackson, Leno, Monning, and Wieckowski.

Failed Passage

SB 1306—Reconsideration granted

AYES (7)—Senators Anderson, Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (0)—None.

SB 1342—Do pass

AYES (6)—Senators Anderson, Hertzberg, Jackson, Leno, Monning, and Wieckowski.

NOES (0)—None.

SB 1351—Do pass

AYES (6)—Senators Hertzberg, Jackson, Leno, Monning, Moorlach, and Wieckowski.

NOES (1)—Senator Anderson.

Date of Hearing: 4/26/2016

Jackson, Chair

LEAVES OF ABSENCE

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, April 28, 2016.

NEVA MARIE PARKER, Minute Clerk

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