

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 3, 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, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk—37.

Quorum present.

(NOTE: Senators Hall, Hertzberg, and Runner will be excused this day on personal business.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

May 3, 2016

To the Senate of the State of California:

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

Sincerely,

EDMUND G. BROWN JR., Governor

NANCY A. BARGMANN, has been appointed director at the California Department of Developmental Services, where she was deputy director of the Community Services Division from 2012 to 2015. Bargmann has been associate executive director at the San Gabriel-Pomona Regional Center since 2015. She held several positions at Home Ownership for Personal Empowerment, Inc. from 2009 to 2012, including executive director and business consultant, and held several positions at the MENTOR Network from 1998 to 2009, including vice president of operations, vice president of business development, and California state director. She held several positions at the Inland Regional Center from 1985 to 1998, including community services director, resource manager, adult services, program manager, and consumer services coordinator. Bargmann earned a Master of Business Administration degree from the Pepperdine University School of Business and Management and a Master of Science degree in social work from San Diego State University. Appointed 03/04/2016. Effective 04/06/2016.

Director, California Department of Developmental Services, vice, Santi Rogers, resigned, 11/30/2015. Term ending at the pleasure of the Governor.

JULIA L. MONTGOMERY, has been appointed general counsel at the California Agricultural Labor Relations Board. Montgomery has been assistant chief counsel at the California Department of Fair Employment and Housing since 2015, where she was senior staff counsel from 2013 to 2015. She was a managing attorney at the California Rural Legal Assistance Foundation, Inc. from 2002 to 2013, where she was directing attorney from 2001 to 2002 and a staff attorney from 1996 to 2000. Montgomery earned a Juris Doctor degree from the University of California, Davis School of Law. Appointed 03/04/2016. Effective 04/05/2016.

General Counsel, California Agricultural Labor Relations Board, vice, Sylvia Torres-Guillen, re-assigned 06/30/2015. Term ending 4 years from 2nd Commission.



STACIE A. SPECTOR, has been appointed to the State Bar of California Board of Trustees. Spector has been principal at Spector Strategies since 2000. She was vice president of strategy and external relations for the Nutrition Science Initiative from 2013 to 2015, chief communications officer at the Salk Institute for Biological Studies from 2011 to 2013, and associate vice chancellor of communications and public affairs at the University of California, San Diego from 2004 to 2009. Spector was deputy campaign manager and director of strategic operations at Al Gore for President in 1999 and deputy assistant to the president and deputy director of communications at the White House from 1997 to 1999. She is a member of the San Diego Theatres Board of Directors and the Humane Society of the United States Communications Council. Appointed 04/07/2016. Effective 04/18/2016.

Member, State Bar of California Board of Trustees, vice, George Davis, term expired. Term ending 09/01/2018.

Above appointments referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 2, 2016

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

SCR 122

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

Above resolution ordered to unfinished business.

Assembly Chamber, May 2, 2016

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

ACR 100

ACR 161

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 100—Relative to the Kevin Woyjeck Memorial Highway.

Assembly Concurrent Resolution 161—Relative to Bladder Cancer Awareness Month.



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

Senate Bill 983—An act to amend Sections 2923.3, 2924, 2924c, 2924d, 2924f, and 2934a of, and to amend and repeal Section 2924.11 of, the Civil Code, relating to mortgages.

Bill read second time.

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

Senate Bill 1007—An act to amend Section 1286.2 of, and to add Section 1282.5 to, the Code of Civil Procedure, relating to arbitration.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1257—An act to add Section 6060.1.5 to the Business and Professions Code, relating to the State Bar Act.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

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

Bill read second time and ordered to third reading.

Senate Bill 896—An act to add Section 7353.5 to the Business and Professions Code, relating to professions and vocations.

Bill read second time and ordered to third reading.

Senate Bill 919—An act to add Section 711 to the Public Utilities Code, relating to water supply.

Bill read second time and ordered to third reading.

Senate Bill 957—An act to amend Section 32132.5 of the Health and Safety Code, relating to health care districts.

Bill read second time and ordered to third reading.

Senate Bill 1017—An act to amend Section 583 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1030—An act to repeal Section 181016 of the Public Utilities Code, relating to the Sonoma County Regional Climate Protection Authority.

Bill read second time, ordered engrossed, and to third reading.



Senate Bill 1059—An act to amend Sections 67100 and 67102 of the Education Code, relating to postsecondary education.

Bill read second time and ordered to third reading.

Senate Bill 1111—An act to amend Section 5080.42 of the Public Resources Code, relating to state parks.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1125—An act to add Section 2810.8 to the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Senate Bill 1175—An act to amend Sections 4603.2, 4603.4, and 4625 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Senate Bill 1263—An act to amend Section 116540 of, and to add Section 116527 to, the Health and Safety Code, relating to drinking water.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1353—An act to amend Sections 7513.6 and 7513.75 of the Government Code, relating to retirement.

Bill read second time and ordered to third reading.

Senate Bill 1451—An act to amend Section 11785 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Concurrent Resolution 117—Relative to palliative care.

Resolution read second time, ordered engrossed, and to third reading.

Senate Bill 924—An act to amend Section 10509.913 of the Insurance Code, relating to insurance.

Bill read second time and ordered to consent calendar.

Senate Bill 1067—An act to amend Sections 113795, 113814, 113818, 113823, 113873, 113947, 113947.2, 114004, 114021, 114057.1, 114299, and 114419 of, to add Section 113820.5 to, and to repeal and add Section 114093 of, the Health and Safety Code, relating to food safety.

Bill read second time and ordered to consent calendar.

Senate Bill 1121—An act to amend Sections 1546.1 and 1546.2 of the Penal Code, relating to privacy.

Bill read second time and ordered to consent calendar.

Senate Bill 1127—An act to add Section 13605 to the Penal Code, relating to the Commission on Correctional Peace Officer Standards and Training.

Bill read second time and ordered to consent calendar.



Senate Bill 1240—An act to amend Sections 19607, 19607.1, 19607.2, and 19607.3 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to consent calendar.

Senate Bill 1399—An act to amend Section 4853 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to consent calendar.

Senate Bill 1475—An act to amend Section 17071 of the Government Code, relating to state government.

Bill read second time and ordered to consent calendar.

Senate Bill 1481—An act to amend Sections 42010, 42014, and 42022 of the Revenue and Taxation Code, relating to telecommunications.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Concurrent Resolution 102—Relative to the Joan Lind Van Blom Memorial Bridge.

Resolution read second time and ordered to consent calendar.

Senate Concurrent Resolution 111—Relative to the Downey Police Officer Ricardo Galvez Memorial Highway.

Resolution read second time and ordered to consent calendar.

Senate Bill 998—An act to amend Section 22500 of, and to add Section 21655.10 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 944—An act to amend Sections 798.56a, 1952.7, 4270, 5300, and 5570 of, to amend and renumber Section 4750.10 of, and to add Chapter 2.5 (commencing with Section 1954.10) to Title 5 of Part 4 of Division 3 of, the Civil Code, to amend Sections 12955.9 and 65863.10 of the Government Code, and to amend Sections 18080.5, 18935, 50074, and 50784.7 of, to add Section 50104.6.5 to, and to repeal Chapter 4.7 (commencing with Section 50580) of Part 2 of Division 31 of, the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Senate Bill 1012—An act to add Section 434.7 to the Government Code, relating to flags.

Bill read second time and ordered to third reading.



Senate Bill 1072—An act to amend Sections 39831.3, 39860, and 40085 of, and to add Section 39843 to, the Education Code, and to amend Section 13370 of, and to add Article 18 (commencing with Section 28160) to Chapter 5 of Division 12 of, the Vehicle Code, relating to schoolbus safety.

Bill read second time and ordered to third reading.

Senate Bill 1076—An act to amend Section 128740 of, and to add Section 1253.7 to, the Health and Safety Code, relating to health care.

Bill read second time and ordered to third reading.

Senate Bill 1106—An act to add Sections 18700.1, 18700.2, and 18700.3 to the Health and Safety Code, relating to mobilehome parks, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1386—An act to add Section 9001.5 to the Public Resources Code, relating to resource conservation.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, May 3, 2016

Mr. President: The Committee on Rules has examined:

| | | | |
|---------|---------|---------|---------|
| SB 1017 | SB 1030 | SB 1106 | SB 1111 |
| SB 1263 | SB 1451 | SB 1481 | SCR 117 |

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, May 3, 2016

Mr. President: The Committee on Rules has examined:

| | | |
|--------|--------|---------|
| SB 881 | SB 996 | SB 1449 |
|--------|--------|---------|

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Governance and Finance

Date of Hearing, April 27, 2016

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

| | |
|---------|---------|
| SB 1126 | SB 1183 |
|---------|---------|

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

HERTZBERG, Chair

Above bills ordered to second reading.



Date of Hearing, April 27, 2016

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

SB 1108

SB 1233

Reports the same back with the recommendation: Do pass as amended.

HERTZBERG, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing, April 27, 2016

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

SB 1408

Reports the same back with the recommendation: Do pass as amended.

HERNANDEZ, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, May 3, 2016

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

SB 1190

SB 1212

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 1190—An act to amend Sections 30324 and 30327 of, and to add Section 30327.2 to, the Public Resources Code, relating to the California Coastal Commission.

Bill read second time.

Senate Bill 1212—An act relating to telecommunications.

Bill read second time.

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

Senate Chamber, May 3, 2016

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

SB 815

SB 1261

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 815—An act to add Section 14086.5 to, and to add Article 5.5 (commencing with Section 14184) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Medi-Cal, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Senate Bill 1261—An act to add Section 902 to the Business and Professions Code, relating to healing arts.

Bill read second time.

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

Committee on Human Services

Senate Chamber, May 3, 2016

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

AB 1067

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

MCGUIRE, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1067—An act to add Section 16001.8 to the Welfare and Institutions Code, relating to foster children.

Bill read second time.

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

Committee on Rules

Senate Chamber, May 3, 2016

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

SB 1186

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 1186—An act relating to state claims, 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 Transportation and Housing

Date of Hearing, May 3, 2016

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

SB 879

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

BEALL, Chair

Above bill re-referred to the Committee on Governance and Finance.

Date of Hearing, May 3, 2016

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

ACR 104

ACR 107

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

BEALL, Chair

Above resolutions re-referred to the Committee on Appropriations.

Committee on Governance and Finance

Date of Hearing, April 27, 2016

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

SB 1210

SB 1216

SB 1272

SB 1338

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

HERTZBERG, Chair

Above bills ordered to second reading.

Committee on Education

Senate Chamber, May 3, 2016

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

AB 934

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

LIU, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 934—An act to amend Sections 44664, 44670, 44671, 44885.5, 44929.21, 44934, 44937, 44938, 44943, 44944.05, 44945, and 44955 of, to amend the heading of Article 13 (commencing with Section 44670) of Chapter 3 of Part 25 of Division 3 of Title 2 of, to add Sections 44934.2 and 44944.2 to, and to add Articles 4.6 (commencing with Section 44520) and 4.7 (commencing with Section 44550) to Chapter 3 of Part 25 of Division 3 of Title 2 of, the Education Code, relating to certificated school employees.

Bill read second time.

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

Committee on Appropriations

Senate Chamber, May 3, 2016

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

AB 1051

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

Assembly Bill 1051—An act to amend Section 186.22 of the Penal Code, relating to human trafficking.

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 was referred:

SB 874

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

HERTZBERG, Chair

Above bill ordered to second reading.



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

Senator Pan moved that **SCR 94** be taken from the inactive file and ordered to second reading.

Motion carried.

Consideration of Senate Concurrent Resolution 94

Senate Concurrent Resolution 94—Relative to Day of Inclusion.

Resolution read second time.

Amendments Adopted

Amendments to **SCR 94** proposed by Senator Pan were read and adopted and the measure ordered printed, engrossed, and to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill 1451—An act to amend Section 11785 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read third time.

Amendments Adopted

Amendments to **SB 1451** proposed by Senator Mendoza were read and adopted and the measure ordered printed, engrossed, and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was offered and ordered held at Desk:

Senate Resolution 75: By Senator De León—Relative to the election of members of the Senate Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Transportation and Housing

SB 879—Do pass and re-refer to the Committee on Governance and Finance

AYES (9)—Senators Allen, Beall, Cannella, Galgiani, Leyva, McGuire, Mendoza, Roth, and Wieckowski.

NOES (1)—Senator Gaines.

ACR 104—Be adopted and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (11)—Senators Allen, Bates, Beall, Cannella, Gaines, Galgiani, Leyva, McGuire, Mendoza, Roth, and Wieckowski.

NOES (0)—None.

ACR 107—Be adopted and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (11)—Senators Allen, Bates, Beall, Cannella, Gaines, Galgiani, Leyva, McGuire, Mendoza, Roth, and Wieckowski.

NOES (0)—None.

Date of Hearing: 5/3/2016

Beall, Chair



LEAVES OF ABSENCE

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

REQUEST TO ADJOURN IN MEMORIAM

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Peggy Louise Petrucci of Madera.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, May 4, 2016.

NEVA MARIE PARKER, Minute Clerk

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