

CALIFORNIA LEGISLATURE
2015–16 SECOND EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, March 10, 2016

The Senate met at 9:27 a.m.

Hon. Holly J. Mitchell, of the 30th District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

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, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, Wieckowski, and Wolk—39.

Quorum present.

(NOTE: Senator Huff will be excused this day on legislative business, waiving per diem.)



PRAYER

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

Disturb us, Lord, when we are too well pleased with ourselves,
When our dreams have come true because we have dreamed too little,
When we arrived safely because we sailed too close to the shore.

Disturb us, Lord, when with the abundance of things we possess,
We have lost our thirst for the waters of life,

And having fallen [too much] in love with life, we have ceased to dream
of eternity . . .

Disturb us, Lord, to dare more boldly, to venture on wider seas where
storms will show Your mastery;

Where losing sight of land, we shall find the stars.

We ask You to push back the horizons of our hopes,

And to push us into the future in strength, courage, hope, and
love.—AMEN.

(Attributed to Sir Francis Drake.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

Senate Bill 5—An act to amend Sections 22950.5, 22958, and 22962 of, to amend, repeal, and add Section 22980.2 of, and to add Sections 22971.7 and 22973.3 to, the Business and Professions Code, to amend Section 1947.5 of the Civil Code, to amend Section 48901 of the Education Code, to amend Section 7597 of the Government Code, to amend Sections 1234, 1286, 1530.7, 1596.795, 104495, 114332.3, 114371, 118910, 118925, and 118948 of, to add Section 119406 to, and to repeal Section 119405 of, the Health and Safety Code, to amend Section 6404.5 of the Labor Code, to amend Section 308 of the Penal Code, to amend Sections 561 and 99580 of the Public Utilities Code, and to amend Section 12523 of the Vehicle Code, relating to electronic cigarettes.

Bill presented by Senator Leno.

The question being: Shall the Senate concur in the Assembly amendments to SB 5?

Roll Call

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

AYES (26)—Senators Allen, Beall, Block, De León, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Roth, Stone, Wieckowski, and Wolk.

NOES (11)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Moorlach, Morrell, Nguyen, Runner, and Vidak.

Above bill ordered enrolled.



Senate Bill 7—An act to amend Sections 17537.3, 22951, 22952, 22956, 22958, and 22963 of, and to add Section 22964 to, the Business and Professions Code, and to amend Section 308 of the Penal Code, relating to tobacco.

Bill presented by Senator Hernandez.

The question being: Shall the Senate concur in the Assembly amendments to SB 7?

Roll Call

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

AYES (26)—Senators Allen, Beall, Block, De León, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Roth, Stone, Wieckowski, and Wolk.

NOES (10)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Galgiani, Moorlach, Morrell, Runner, and Vidak.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 7—An act to amend Section 6404.5 of the Labor Code, relating to employment.

Bill read third time and presented by Senator Monning.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Allen, Beall, Block, De León, Hall, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mitchell, Monning, Pan, Pavley, Wieckowski, and Wolk.

NOES (13)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Moorlach, Morrell, Nguyen, Nielsen, Runner, Stone, and Vidak.

Bill ordered transmitted to the Assembly.

Assembly Bill 9—An act to amend Sections 104420 and 104466 of, and to add Article 4 (commencing with Section 104559) to Chapter 1 of Part 3 of Division 103 of, the Health and Safety Code, relating to tobacco use programs.

Bill read third time and presented by Senator Liu.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Allen, Beall, Block, Cannella, De León, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Nguyen, Pan, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (8)—Senators Anderson, Berryhill, Fuller, Gaines, Moorlach, Morrell, Nielsen, and Runner.

Bill ordered transmitted to the Assembly.



Assembly Bill 10—An act to amend, repeal, and add Sections 30111 and 30462 of, and to add Section 7284.8 to, the Revenue and Taxation Code, relating to local government.

Bill read third time and presented by Senator McGuire.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Allen, Beall, Block, De León, Glazer, Hall, Hancock, Hernandez, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Wieckowski, and Wolk.

NOES (14)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Galgiani, Morrell, Nguyen, Nielsen, Roth, Runner, Stone, and Vidak.

Bill ordered transmitted to the Assembly.

Assembly Bill 11—An act to amend Sections 22973 and 22977.1 of the Business and Professions Code, relating to cigarette and tobacco product licensing.

Bill read third time and presented by Senator Beall.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Allen, Beall, Block, Cannella, De León, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Wieckowski, and Wolk.

NOES (15)—Senators Anderson, Bates, Berryhill, Fuller, Gaines, Galgiani, Glazer, Moorlach, Morrell, Nguyen, Nielsen, Roth, Runner, Stone, and Vidak.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution 1—Relative to final adjournment of the 2015–16 Second Extraordinary Session of the Legislature.

Resolution read third time and presented by Senator De León.

Roll Call

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

AYES (28)—Senators Allen, Beall, Berryhill, Block, Cannella, De León, Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Pan, Pavley, Roth, Wieckowski, and Wolk.

NOES (7)—Senators Anderson, Gaines, Moorlach, Morrell, Nielsen, Stone, and Vidak.

Resolution ordered transmitted to the Assembly.



REPORTS OF STANDING COMMITTEES**Committee on Public Health and Developmental Services**

Senate Chamber, March 10, 2016

Madam President: The Chair of the Committee on Public Health and Developmental Services, to which were referred:

SB 1	SB 4	SB 11	SB 12
SB 13	SB 15		

Reports the same back without further action.

HERNANDEZ, Chair

Above bills ordered filed with the Secretary of the Senate.

MEASURES WHICH DIED ON FILE

Subsequent to adjournment *sine die*, the following Senate measure died on third reading:

SB 14

LEAVES OF ABSENCE

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

ADJOURNMENT SINE DIE

At 10:22 a.m., and pursuant to the provisions of Assembly Concurrent Resolution No. 1, the 2015–16 Second Extraordinary Session of the Senate adjourned *sine die*.

NEVA MARIE PARKER, Minute Clerk

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