

CALIFORNIA LEGISLATURE
2015–16 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SEVENTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, August 26, 2015

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, Bates, Beall, Block, Cannella, De León, Fuller, Gaines, Galgiani,
Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara,
Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach,
Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak,
Wieckowski, and Wolk—37.

Quorum present.

(NOTE: Senators Anderson and Glazer will be excused this day on legislative business. Senator Berryhill will be excused this day on personal business.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

August 26, 2015

The Honorable Kevin de León
President pro Tempore of the Senate

The Honorable Toni Atkins
Speaker of the Assembly

Dear Members of the California State Legislature: I have executed a tribal-state gaming compact between the State of California and the Santa Ynez Band of Mission Indians, a federally recognized Indian tribe, located in the State of California. I am forwarding copies of this tribal-state gaming compact for consideration by the Legislature.

Sincerely,

EDMUND G. BROWN JR., Governor

Above tribal-state gaming compact ordered held at Desk.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Resolution 41—Relative to National Preparedness Month.
 Resolution read second time and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 189—An act to add Chapter 9.2 (commencing with Section 8758) to Division 1 of Title 2 of the Government Code, relating to state government.

Bill read second time and ordered to third reading.

Assembly Bill 606—An act to add Section 11011.29 to the Government Code, relating to state property.

Bill read second time and ordered to third reading.

Assembly Bill 313—An act to amend Sections 53398.51, 53398.51.1, 53398.52, 53398.56, 53398.57, 53398.62, 53398.63, 53398.64, 53398.66, 53398.67, 53398.68, 53398.69, and 53398.75 of, and to repeal and add Section 53398.74 of, the Government Code, relating to enhanced infrastructure financing districts.

Bill read second time and ordered to third reading.

Assembly Bill 827—An act to amend Section 234.1 of the Education Code, relating to safe schools.

Bill read second time and ordered to third reading.



REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, August 26, 2015

Mr. President: The Committee on Rules has examined:

SR 41

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Appropriations

Senate Chamber, August 26, 2015

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

AB 1200

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 1200—An act to amend Section 82002 of, and to add Section 86205.5 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Committee on Rules

State Capitol, August 24, 2015

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

SCR 86	SR 42	SR 43	SR 44
SR 45	ACR 66	ACR 93	ACR 94
AJR 13			

State Capitol, August 26, 2015

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

Appropriations—AB 164.

State Capitol, August 26, 2015

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

SCR 87	SCR 88	ACR 92	ACR 96
ACR 99			



Senate Chamber, August 26, 2015

Mr. President: The Committee on Rules has examined:

SCR 86 SCR 87 SCR 88

And reports the same correctly engrossed.

DE LEÓN, Chair

State Capitol, August 26, 2015

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

Gary E. Reed, Member, California Community Colleges Board of Governors (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 26, 2015

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

Pamela A. Ahlin, Director, Department of State Hospitals (5-0)

Stephanie L. Clendenin, Chief Deputy Director, Department of State Hospitals (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

Committee on Budget and Fiscal Review

Senate Chamber, August 26, 2015

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

AB 130

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

LENO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 130—An act to amend Sections 89724 and 89725 of, and to add Section 89726 to, the Education Code, relating to the California State University.

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, August 26, 2015

Mr. President: The Committee on Rules has examined:

SCR 5	SCR 8	SCR 23	SCR 55
SCR 65	SCR 68	SCR 70	SCR 77

And reports the same have been correctly enrolled and presented to the Secretary of State on the 26th day of August, 2015, at 3:30 p.m.

DE LEÓN, Chair

MOTIONS, RESOLUTIONS AND NOTICES**MEASURES PLACED ON SPECIAL CONSENT CALENDAR**

Without objection, the following measures were set as a special consent calendar to be taken up on Monday, August 31, 2015:

AB 682	ACR 67	AB 939	AB 998
AB 1064	AJR 17	ACR 7	ACR 68
AB 32	ACR 22	AJR 26	AB 264
AB 442	AB 963	AB 999	AB 1516
AB 347	AB 896	AB 921	

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 19: By Senator Jackson (Principal coauthors: Assembly Members Atkins and Cristina Garcia)—Relative to Planned Parenthood.

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

Assembly Bill 1130—An act to amend Section 1206 of, and to add Section 1218.4 to, the Health and Safety Code, relating to clinics.

Bill read third time.

Amendments Adopted

Amendments to **AB 1130** proposed by Senator Pan were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 941—An act to amend Section 1206 of the Health and Safety Code, relating to clinics.

Bill read third time.

Amendments Adopted

Amendments to **AB 941** proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 154—An act to amend Sections 17024.5, 17053.46, 17053.47, 17053.74, 17088, 17144, 17215, 18155, 19138, 19141.5, 19164, 19167, 19183, 19772, 23622.7, 23622.8, 23646, 23701i, 24307, 24427, 24439, 24870, 24871, and 24990.5 of, to add Sections 17240, 17241, 17323, 19131.5, 24345.5, 24454, and 24459 to, and to repeal Sections 17131.7, 17131.12, 17131.14, 17134.1, 17201.1, 17280.1, 17322.1, 24452.1, and 24871.1 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to **AB 154** proposed by Senator Hertzberg were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 317—An act to add Section 900.1 to the Business and Professions Code, relating to veterinary medicine.

Bill read third time.

Amendments Adopted

Amendments to **AB 317** proposed by Senator Block were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 559—An act to add Section 1021 to the Fish and Game Code, relating to monarch butterflies.

Bill read third time.

Amendments Adopted

Amendments to **AB 559** proposed by Senator Jackson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 402—An act to amend Section 56133 of, and to add and repeal Section 56133.5 of, the Government Code, relating to local agency formation.

Bill read third time.

Amendments Adopted

Amendments to **AB 402** proposed by Senator Hertzberg were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 918—An act to add Sections 4436.5 and 4659.2 to the Welfare and Institutions Code, relating to seclusion and restraint.

Bill read third time.

Amendments Adopted

Amendments to **AB 918** proposed by Senator McGuire were read and adopted and the measure ordered printed and to second reading.



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

Senator Monning moved that **AB 267** be taken from the inactive file and ordered to second reading.

Motion carried.

Consideration of Assembly Bill 267

Assembly Bill 267—An act to add Section 858.2 to the Penal Code, relating to criminal procedure.

Bill read second time.

Amendments Adopted

Amendments to **AB 267** proposed by Senator Monning were read and adopted and the measure ordered printed and to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 555—An act to amend Sections 630.03 and 630.11 of, to amend the heading of Chapter 4.5 (commencing with Section 630.01) of Title 8 of Part 2 of, to add and repeal Chapter 4.6 (commencing with Section 630.20) of Title 8 of Part 2 of, and to repeal Section 630.12 of the Code of Civil Procedure, relating to civil actions.

Bill read third time.

Amendments Adopted

Amendments to **AB 555** proposed by Senator Hertzberg were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 139—An act to amend Sections 2337 and 2040 of the Family Code, to amend Sections 250, 267, 279, 2580, 5000, 5302, 13111, 13206, and 13562 of, to amend and renumber Sections 5600, 5601, 5602, 5603, and 5604 of, to add Section 69 to, to add the heading of Chapter 3 (commencing with Section 5040) to Part 1 of Division 5 of, to add and repeal Part 4 (commencing with Section 5600) of Division 5 of, and to repeal the heading of Part 4 (commencing with Section 5600) of Division 5 of, the Probate Code, relating to nonprobate transfers.

Bill read third time.

Amendments Adopted

Amendments to **AB 139** proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.



MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT GRANTED TO RESCIND (AB 745)**

Without objection, action rescinded whereby on June 25, 2015, **AB 745** was read third time, passed, and ordered transmitted to the Assembly (Senate Journal, page 1619).

Above measure ordered to third reading.

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

Assembly Bill 745—An act to amend Section 5845 of the Welfare and Institutions Code, relating to mental health.

Bill read third time.

Amendments Adopted

Amendments to **AB 745** proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT GRANTED TO RESCIND (AB 1059)**

Without objection, action rescinded whereby on August 20, 2015, **AB 1059** was read third time, passed, and ordered transmitted to the Assembly (Senate Journal, page 2110).

Above measure ordered to third reading.

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

Assembly Bill 1059—An act to add Part 2.1 (commencing with Section 71090) to Division 34 of the Public Resources Code, relating to environmental justice.

Bill read third time.

Amendments Adopted

Amendments to **AB 1059** proposed by Senator Leno were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 514—An act to amend Sections 25132 and 53069.4 of the Government Code, relating to local government.

Bill read third time.

Amendments Adopted

Amendments to **AB 514** proposed by Senator Pavley were read and adopted and the measure ordered printed and to second reading.



LEAVES OF ABSENCE

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

The following Senator was granted leave of absence for the day on personal business: Senator Berryhill.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Jackson requested that when the Senate adjourns this day it do so in memory of Julia Suzanne Flynn of Oxnard and David Winter of Santa Barbara.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Mark Rucker of San Francisco.

Senator Roth requested that when the Senate adjourns this day it do so in memory of Col. Donna Clark-Cheek of Carmichael.

ADJOURNMENT

At 3:47 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, August 27, 2015.

NEVA MARIE PARKER, Minute Clerk

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