

CALIFORNIA LEGISLATURE  
2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, February 9, 2015

The Senate met at 2:05 p.m.  
Hon. Hannah-Beth Jackson, of the 19th 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, De León, Fuller,  
Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso,  
Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell,  
Monning, Morrell, Nguyen, Nielsen, Pan, Roth, Stone, Vidak,  
Wieckowski, and Wolk—35.

Quorum present.

*(NOTE: Senators Cannella and Pavley will be excused this day due to illness.)*



**PRAYER**

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

*Holy Mystery, ever-living God*, in Your profound silence, we hear a call to faith. Beyond the sorrows and disappointments of life, deep in the fabric of things, we sense a blessing: the blessing of existence, of having been chosen to be, of the invitation to become more generous and dedicated to the community.

At some point in the past, our name was called, and here we are, one of the blessed ones who exist. May our heart's reply to Your call each day be, "here I am," and may our determination be to carry on—sometimes in the darkness, speaking bravely and confidently into Your profound silence.—AMEN.

(Adapted from William Cleary, *We Side with the Morning*, 2009.)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MOTIONS, RESOLUTIONS AND NOTICES  
SENATE RULE SUSPENDED**

Without objection, Senate Rule 55 was suspended for today's Floor Session.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Wolk introduced participants of the Aldea Art Therapy Program.

Senator Fuller introduced Lt. Col. Wesley Clare, Chaplain of the California Air National Guard.

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

**Senate Concurrent Resolution 5**—Relative to Mentoring Month. Resolution read third time and presented by Senator Gaines.

**Roll Call**

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

AYES (34)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, De León, Fuller, Gaines, Galgiani, Hall, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Gaines introduced representatives of Shoulder to Shoulder in honor of Mentoring Month.



**SPECIAL RECOGNITIONS**

Senator Morrell presented a member's resolution to Hardy Brown, recipient of an Honorary Doctorate from the California State University, San Bernardino.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, February 5, 2015

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

ACR 12

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Concurrent Resolution 12**—Relative to Ronald Reagan Day.

**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 175:** By Senator Huff—An act to add Section 830.105 to the Penal Code, relating to peace officers.

**Senate Bill 176:** By Senator Mitchell—An act to amend Section 1347 of the Penal Code, relating to crimes.

**Senate Bill 177:** By Senator Wieckowski—An act to amend Sections 7590.1, 7591.10, 7593.1, 7593.6, 7593.7, 7594.4, 7599.32, 7599.34, 7599.42, 7599.43, 7599.48, and 7599.61 of the Business and Professions Code, relating to alarm companies.

**Senate Bill 178:** By Senators Leno and Anderson (Coauthors: Senators Cannella, Gaines, Hertzberg, McGuire, Nielsen, and Roth) (Coauthors: Assembly Members Chiu, Dahle, Gordon, Maienschein, Quirk, Steinorth, and Ting)—An act to add Chapter 3.6 (commencing with Section 1546) to Title 12 of Part 2 of the Penal Code, relating to privacy.

**Senate Bill 179:** By Senator Berryhill—An act to amend Section 21609.1 of the Business and Professions Code, relating to secondhand goods.

**Senate Bill 180:** By Senator Jackson—An act to add Section 25544 to the Public Resources Code, and to amend the heading of Chapter 3 (commencing with Section 8340) of Division 4.1 of, and to amend, repeal, and add Sections 8340 and 8341 of, the Public Utilities Code, relating to electricity.



**Senate Bill 181:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

**Senate Bill 182:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

**Senate Bill 183:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

**Senate Bill 184:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to amend Sections 5473.4, 5474.4, and 5474.5 of the Health and Safety Code, relating to local government.

#### **CONSIDERATION OF DAILY FILE (RESUMED)**

##### **SECOND READING OF ASSEMBLY BILLS**

**Assembly Concurrent Resolution 3**—Relative to Korean-American Day.

Resolution read second time and ordered to third reading.

#### **UNFINISHED BUSINESS**

##### **Consideration of Governor's Appointments**

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

JAMIE WRIGHT, Member, Medical Board of California.

FELIX C. YIP, M.D., Member, Medical Board of California.

RUSSELL A. ATTEBERY, Member, Native American Heritage Commission.

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 (35)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Resolution 11**—Relative to Black History Month.  
Resolution read third time and presented by Senator Hall.

**At 2:33 p.m., Senator Ricardo Lara, 33rd District, Presiding**

**At 2:36 p.m., Senator Hannah-Beth Jackson, 19th District,  
Presiding**

**Roll Call**

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

AYES (35)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Hall presented a member's resolution to Aja Brown, Mayor of the city of Compton in recognition of Black History Month.

Senator Mitchell presented a member's resolution to Ayuko Babu in recognition of Black History Month.

**SPECIAL INTRODUCTIONS**

Senator Hall introduced Dr. David Covin, Pastor Ephraim Williams, Dr. Gibor Basri, Joan Williams, Donald Griggs, Keith Black, Jackie Dupont-Walker, Henry Porter, Jr., Dr. Reginald Pope, and Bob and Ardelle Matthews who were all honored in the Assembly in honor of Black History Month.



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

**Senate Concurrent Resolution 6**—Relative to a sister state relationship with Santa Fe, Argentina.

Resolution read third time and presented by Senator Monning.

**Roll Call**

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

AYES (33)—Senators Allen, Bates, Beall, Berryhill, Block, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Roth, Stone, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution 10**—Relative to the Lunar New Year Celebration.

Resolution read third time and presented by Senator Huff.

**Roll Call**

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

AYES (33)—Senators Allen, Anderson, Bates, Beall, Block, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Morrell, Nguyen, Nielsen, Pan, Roth, Stone, Wieckowski, and Wolk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

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

Senator Fuller moved that **SCR 7**, **SCR 8**, and **SCR 11** be ordered to the inactive file.

Motion carried.

**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day due to illness: Senators Cannella and Pavley.

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

At 3:17 p.m., on motion of Senator Monning, further proceedings under the quorum call of the Senate were dispensed with.



**MOTION TO ADJOURN**

Senator Monning 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 Tuesday, February 10, 2015.

Motion carried.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES  
(RESUMED)**

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

**Senate Bill 185:** By Senator De León—An act to add Article 5 (commencing with Section 7524) to Chapter 21 of Division 7 of Title 1 of the Government Code, relating to public retirement systems.

**Senate Bill 186:** By Senator Jackson—An act to amend Section 76034 of the Education Code, relating to community college districts.

**Senate Bill 187:** By Senator Hall—An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing.

**Senate Bill 188:** By Senator Hancock (Coauthors: Senators Wieckowski and Wolk) (Coauthor: Assembly Member Bonilla)—An act to amend and repeal Section 12811.1 of the Public Utilities Code, relating to utility charges.

**Senate Bill 189:** By Senator Hueso—An act to add Section 12897 to the Government Code, relating to clean energy development.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Allen requested that when the Senate adjourns this day it do so in memory of Rosalia “Rose” Orenstein Toren of Beverly Hills.

Senator Bates requested that when the Senate adjourns this day it do so in memory of Jerry Lynn Salyer of Oceanside.

Senator De León requested that when the Senate adjourns this day it do so in memory of Bill Starr of Los Angeles.

Senator Leno requested that when the Senate adjourns this day it do so in memory of Eddie “Cookie Dough” Bell and Patrick Murphy of San Francisco.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Eleanor Anderson of Auburn, Joe Langdell of Yuba City, and Eleanor Youngstedt of Citrus Heights.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Judith Burke of Napa.



**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Monning, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, February 10, 2015.

NEVA MARIE PARKER, Minute Clerk

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