

## CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, March 9, 2015

The Senate met at 3:01 p.m.  
Hon. Ricardo Lara, of the 33rd District, presiding.  
Secretary Daniel Alvarez at the Desk.  
Assistant Secretary Zachary L. Twilla reading.

### QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.  
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

### 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, 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—36.

Quorum present.

*(NOTE: Senator Pavley will be excused this day due to illness in the family.)*



**PRAYER**

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

As we celebrate Women's History Month, I invite you to listen to the words of Matilda Joslyn Gage, a newspaper founder and editor in the 1800's. She says:

The women of today are the thoughts of their mothers and grandmothers, embodied, and made alive. They are active, capable, determined . . . They have one thousand generations back of them . . . Millions of women, dead and gone are speaking through us today.

And Audre Lorde, 20th century poet, asks us:

What are the words you do not yet have? What do you need to say? . . . for it is not difference which immobilizes us, but silence.

And there are so many silences to be broken.

*Loving God, our Father, our Mother*, today we thank You for our mothers and grandmothers, who regardless of their circumstances, spoke words of encouragement, love, and truth, to set us on a path of service on behalf of others. Help us, women and men, to break the silences that still hold us captive to fear, intimidation, prejudice, and illogical thinking. May we continue to speak words of courage, compassion, and truth so that those voices still unheard can break out of their captivity for the benefit of our world.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**PRIVILEGES OF THE FLOOR****SPECIAL INTRODUCTIONS**

Senator De León introduced Congressman Kevin McCarthy, Majority Leader of the United States House of Representatives.

Senator Monning introduced Jeffrey Armstrong, President of Cal Poly San Luis Obispo and students selected to participate in the Cal Poly Champions Tour.

**SPECIAL RECOGNITIONS**

Senator Fuller presented a member's resolution to Phil Bailey, Ph.D., Dean of the College of Science and Mathematics at Cal Poly San Luis Obispo.



**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

March 9, 2015

*To the Senate of the State of California:*

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

Sincerely,

EDMUND G. BROWN JR., Governor

ARLENE A. BEASLEY, has been appointed to the California Arts Council. Beasley has been an artist and the owner of Phoebe Beasley Art Studio since 1975. She was a senior account manager at KFI-AM and KOST-FM from 1970 to 1999 and was a layout artist at Sage Productions from 1969 to 1970. Beasley was a high school art teacher for the Cleveland, Ohio Board of Education from 1965 to 1969. She is a member of the Ebell of Los Angeles and the Trusteeship, a Southern California Chapter of the International Women's Forum. Beasley was a member of the Los Angeles County Arts Commission from 1997 to 2012, the United Negro College Fund Los Angeles Advisory Board, and the Transportation Foundation of Los Angeles Board. Appointed 02/04/2015. Effective 02/12/2015.

Member, California Arts Council, vice, William Turner, term expired. Term ending 01/01/2019.

CHRISTOPHER R. COPPOLA, has been reappointed to the California Arts Council, where he has served since 2013. Coppola has been head of the film program at the San Francisco Art Institute since 2013. He has been owner and executive producer for his companies Plaster City Productions Inc. and Christopher Coppola Enterprises since 1994 and has been a Directors Guild of America film and television director since 1987. Coppola is president of Project Accessible Hollywood, a non-profit organization he founded in 2006 to bring digital technology education to underserved communities. Reappointed 02/04/2015. Effective 02/23/2015.

Member, California Arts Council, vice, self, reappointed. Term ending 01/01/2019.



STEVEN H. OLIVER, has been appointed to the California Arts Council. Oliver has been owner of Oliver and Company Inc. since 1969. He was a project manager at Oliver and Coburn from 1964 to 1969. Oliver is chairman of the United States Artists Foundation Board of Trustees and a member of the California College of the Arts Board of Trustees, Presidio Bank Board of Directors, Community Arts Stabilization Trust Board of Directors, Museum of Craft and Design National Advisory Board, Lambda Alpha International, Mills College Art Museum Advisory Board, and the Sutter Health West Bay Board of Directors, where he is chair of the Facility Committee. Appointed 02/04/2015. Effective 02/11/2015.

Member, California Arts Council, vice, Charmaine Jefferson-Johnson, term expired. Term ending 01/01/2019.

ROSALIND WYMAN, has been reappointed to the California Arts Council, where she has served since 2011. Wyman is president of the James A. Doolittle Foundation. She was the youngest person ever elected to the Los Angeles City Council, where she served from 1953 to 1965. She is a member of the Los Angeles County Arts Commission Board, Music Center of Los Angeles Board of Directors, and the Thelma Pearl Howard Foundation Board of Directors. Reappointed 01/26/2015. Effective 02/11/2015.

Member, California Arts Council, vice, self, reappointed. Term ending 01/01/2019.

MICHAEL W. MILES JR., has been reappointed to the California Board of Forestry and Fire Protection, where he has served since 2011. Miles has been director of forest science at the Mendocino Redwood Company and the Humboldt Redwood Company since 2012. He was area manager and watershed analysis manager at the Humboldt Redwood Company from 2005 to 2012. Miles held several positions at Scotia Pacific Company from 2004 to 2008, including watershed analysis manager and area forester. He was a compliance forester at Pacific Lumber Company from 2001 to 2004 and held multiple positions at the Natural Resources Management Company from 1992 to 2001, including staff forester and technician. Reappointed 02/12/2015. Effective 02/24/2015.

Member, California Board of Forestry and Fire Protection, vice, self, reappointed. Term ending 01/15/2019.



CHESTER A. WIDOM, has been reappointed state architect at the California Department of General Services, Division of the State Architect, where he has served since 2011. Widom was senior architectural advisor at Build-Los Angeles Community College District from 2009 to 2011 and was a partner at Widom, Wein, Cohen, O'Leary, Terasawa from 1964 to 2008. He was a member of the Los Angeles Unified School District's Bond Oversight Committee, Executive Committee from 2010 to 2011, Hospital Building Safety Board from 2004 to 2010, Los Angeles Planning Commission from 2002 to 2004, and the City of Los Angeles Board of Building and Safety Commissioners from 2000 to 2004. He was national president of the American Institute of Architects in 1995. Reappointed 02/10/2015. Effective 02/17/2015.

State Architect, California Department of General Services, vice, self, reappointed. Term ending 01/15/2019 or at the pleasure of the Governor.

STEPHEN J. DOLIM, has been reappointed to the California Commission on Disability Access, where he has served since 2013. Dolim has been president of Stephen J. Dolim, Architect Inc. since 2005. He was vice president of shopping center management at Cordano Company Inc. from 2005 to 2008 and from 1991 to 1997, and was vice president and director of development at Catlin Properties Inc. from 1997 to 2008. Dolim was director of development at Roebbelen Land Company from 1988 to 1991, senior site development administrator for Mervyn's Stores from 1982 to 1988, and project architect at Panko Sinclair Architects from 1978 to 1981. He is a founding member of the Certified Access Specialist Institute and is a member of the California Building Standards Commission Code Accessibility Committee. Dolim earned a Master of Business Administration degree from the University of California, Berkeley School of Business. Reappointed 01/13/2015. Effective 02/09/2015.

Member, California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2018.



KEVIN KISH, has been appointed director of the Department of Fair Employment and Housing. Kish has been an adjunct professor of law at Loyola Law School, Los Angeles since 2012 and director of the Employment Rights Project at Bet Tzedek Legal Services since 2008, where he was a Skadden fellow from 2006 to 2008 and a Bet Tzedek fellow from 2004 to 2005. He was a law clerk at the U.S. District Court, Middle District of Alabama from 2005 to 2006. Kish is a member of the American Bar Association, Los Angeles County Bar Association, and the California Employment Lawyers Association. He earned a Juris Doctor degree from Yale Law School. Appointed 02/17/2015. Effective 02/17/2015.

Director, Department of Fair Employment and Housing, vice, Phyllis Cheng, retired 10/03/2014. Term ending at the pleasure of the Governor.

DARA L. SCHUR, has been appointed to the California Fair Employment and Housing Council. Schur has been a director of litigation at Disability Rights California since 2002, where she was an attorney from 1996 to 1997. She was an attorney at the Western Center on Law and Poverty from 1991 to 2002 and at Legal Services of Northern California from 1994 to 1996. Schur was managing attorney of the Housing Unit at the Contra Costa Legal Services Foundation from 1986 to 1990, where she was interim co-director in 1989. Schur earned a Juris Doctor degree from the University of California, Berkeley School of Law. She is a member of the Impact Fund Board of Directors, Legal Aid Association of California Board of Directors, Policy Academy on Chronic Homelessness, California Department of Housing and Community Development Policy Advisory Board, Kehilla Community Synagogue, California State Parks Foundation, Fine Arts Museums of San Francisco, Sierra Club, Friends of the Boundary Waters Wilderness, American Civil Liberties Union, and Parents, Families and Friends of Lesbians and Gays. Appointed 02/10/2015. Effective 02/18/2015.

Member, California Fair Employment and Housing Council, new. Term ending 01/01/2017.



BRIAN G. ANDERSON, has been reappointed to the State Mining and Geology Board, where he has served since 2014. Anderson has been vice president of property permitting and environment at Vulcan Materials Company since 2013, where he has held several positions since 2002, including director of environment, regulatory affairs and sustainable development, environmental affairs manager, and area resources manager. He held several positions at Brown and Caldwell Inc. from 1994 to 2002, including program leader, operations manager, and senior project manager. Anderson has been a California registered geologist since 2002. He earned a Master of Science degree in geological sciences from the University of California, Riverside. Reappointed 01/26/2015. Effective 02/09/2015.

Member, State Mining and Geology Board, vice, self, reappointed. Term ending 01/15/2019.

STEPHANIE V. LANDREGAN, has been appointed to the State Mining and Geology Board. Landregan has been program director of landscape architecture at the University of California, Los Angeles Extension since 2008. She served as division chief of landscape architecture at the Mountains Recreation and Conservation Authority from 1999 to 2008 and was a senior landscape architecture associate at Lawrence R. Moss and Associates from 1995 to 1999. Landregan was a landscape architecture designer at Landesign from 1993 to 1995, a planning graphic design associate at the Santa Monica City Planning Department from 1989 to 1993, a museum designer and fabricator at the New Mexico Museum of Natural History and Science from 1985 to 1989, and aerial photography manager at Bohannon Huston Inc. from 1982 to 1985. Landregan was a graphics designer at the New Mexico Institute of Mining and Technology from 1980 to 1982 and a cartographer illustrator at the New Mexico Bureau of Mines and Mineral Resources from 1978 to 1979. She is a member of the City of Glendale Planning Commission and the Council of Landscape Architectural Registration Boards. Landregan was a member of the State of California Landscape Architects Technical Committee from 2002 to 2015. Appointed 01/26/2015. Effective 02/12/2015.

Member, State Mining and Geology Board, vice, Barbara Lundburg, withdrawn from the Senate. Term ending 01/15/2018.



SANDRA L. POTTER, has been appointed to the State Mining and Geology Board. Potter has been planning and environmental review division manager at the Sonoma County Permit and Resource Management Department since 2013. She was an engineering geologist at the San Francisco Bay Regional Water Quality Control Board from 2001 to 2013 and principal scientist at LSA Associates from 1999 to 2001. Potter was a member of the El Cerrito City Council from 2002 to 2010. She earned a Master of Science degree in geology from Humboldt State University. Appointed 01/26/2015. Effective 02/12/2015.

Member, State Mining and Geology Board, vice, Ignacio Gonzalez, term expired. Term ending 01/15/2019.

JENNIFER B. KENT, has been appointed director of the California Department of Health Care Services. Kent has been executive director at Local Health Plans of California since 2013. She was principal at Health Management Associates from 2011 to 2013 and served as associate director at the California Department of Health Care Services in 2011, where she served as deputy director of legislative and governmental affairs from 2004 to 2007. Kent served as a deputy legislative secretary in the Office of Governor Arnold Schwarzenegger from 2008 to 2010, associate secretary of legislative affairs at the California Health and Human Services Agency from 2007 to 2008, and was director of government and external affairs at the California Optometric Association from 1999 to 2004. Kent earned a Master of Public Administration degree from the University of Southern California, Sol Price School of Public Policy. Appointed 02/09/2015. Effective 02/09/2015.

Director, California Department of Health Care Services, vice, Toby Douglas, resigned, 01/30/2015. Term ending at the pleasure of the Governor.

GEORGE H. LIVINGSTONE, has been appointed to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun. Livingstone has been a ship pilot for the San Francisco Bar Pilots since 2008. He was a captain at Sause Brothers Ocean Towing Inc. from 1991 to 2006. Livingstone is vice president of the Nautical Institute, London Branch and a member of the American Pilots Association, International Tug and Salvage Association. Livingstone was a member of the Harbor Safety Committee for San Francisco Bay from 2011 to 2015. Appointed 02/10/2015. Effective 02/16/2015.

Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice, Steven Roberts, term expired. Term ending 12/31/2018.





JENNIFER F. SCHMID, has been appointed to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun. Schmid has been an engineer and paramedic at the Oakland Fire Department since 2005, where she was a paramedic and firefighter from 1998 to 2005. She was an instructor and watch officer at the California Maritime Academy in 2001 and 2009 and a third mate at Chevron Shipping Company in 1997, at Marine Spill Response Corporation in 1997, and at Keystone Shipping from 1994 to 1996. Appointed 02/10/2015. Effective 02/17/2015.

Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice, John Brooks, resigned 05/27/2014. Term ending 12/31/18.

ERIC R. BANKS, has been reappointed to the California Public Employment Relations Board. Banks has been partner at TenPageMemo LLC since 2013. He served in multiple positions at the Service Employees International Union, Local 221 from 2001 to 2013, including advisor, president, and director of government and community relations. Banks was policy associate for state government affairs at the New York AIDS Coalition from 2000 to 2001. He worked in multiple positions at the Southern Tier AIDS Program from 1993 to 2000, including director of client services, assistant director of client services, and case manager. Reappointed 02/04/2015. Effective 02/13/2015.

Member, California Public Employment Relations Board, vice, Sally McKeag, term expired. Term ending 12/31/2016.

JUAN G. GONZALEZ, has been appointed to the California Veterans Board. Gonzalez was a design engineer at Eaton Corporation from 1987 to 1995 and served in the U.S. Army Corps of Engineers from 1960 to 1968. Appointed 02/23/2015. Effective 02/26/2015.

Member, California Veterans Board, vice, John Farrell, term expired. Term ending 01/15/2019.



FELICIA A. MARCUS, has been reappointed member and chair of the California State Water Resources Control Board, where she has served since 2012. She was a member of the Delta Stewardship Council from 2010 to 2012 and western director at the Natural Resources Defense Council from 2008 to 2012. Marcus was executive vice president and chief operating officer at the Trust for Public Land from 2001 to 2008 and served as region IX administrator at the U.S. Environmental Protection Agency from 1993 to 2001. Marcus was president at the City of Los Angeles Board of Public Works from 1991 to 1993, where she served as a commissioner from 1989 to 1993. She earned a Juris Doctor degree from the New York University School of Law. Reappointed 01/16/2015. Effective 02/06/2015.

Member, California State Water Resources Control Board, vice, self, reappointed. Term ending 01/15/2019.

Above appointments and reappointments referred to the Committee on Rules.

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Rules**

Senate Chamber, March 9, 2015

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

SB 45

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 45**—An act relating to economic development.

Bill read second time.

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

Senate Chamber, March 9, 2015

Mr. President: The Committee on Rules has examined:

SB 45

And reports the same correctly engrossed.

DE LEÓN, Chair



**Committee on Agriculture**

Senate Chamber, March 9, 2015

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

SB 65

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

GALGIANI, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 65**—An act to add Section 79901.5 to the Food and Agricultural Code, relating to olive oil.

Bill read second time.

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

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

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

Resolution presented by Senator Huff.

The question being: Shall the Senate concur in the Assembly amendments to SCR 10?

**Roll Call**

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

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

**NOES (0)**—None.

Above resolution ordered enrolled.

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

Senator Galgiani moved that **SCR 20** be ordered to the inactive file.

Motion carried.



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

**Senate Resolution 13**—Relative to Women’s History Month.  
Resolution read third time and presented by Senator Jackson.

**Roll Call**

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

AYES (36)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, 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.

**Senate Resolution 14**—Relative to the 50th Anniversary of Bloody Sunday and the Selma Voting Rights Movement.

Resolution read third time and presented by Senator Hall.

**Roll Call**

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

AYES (36)—Senators Allen, Anderson, Bates, Beall, Berryhill, Block, Cannella, 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.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were offered and referred to the Committee on Rules:

**Senate Concurrent Resolution 27:** By Senator Huff (Coauthor: Assembly Member Kim)—Relative to the Fullerton Police Officer Jerry Hatch Memorial Highway.

**Senate Concurrent Resolution 28:** By Senator Huff (Coauthor: Assembly Member Kim)—Relative to the Fullerton Police Detective Tommy De La Rosa Memorial Interchange.



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

**Assembly Concurrent Resolution 6**—Relative to Black History Month.

Resolution read third time.

**Amendments Adopted**

Amendments to **ACR 6** proposed by Senator Hall were read and adopted and the measure ordered printed and to second reading.

**LEAVES OF ABSENCE**

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

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

At 3:58 p.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Liu requested that when the Senate adjourns this day it do so in memory of Raul R. Rodriguez of Pasadena.

Senator Mendoza requested that when the Senate adjourns this day it do so in memory of Lawrence Robert Scanlon Jr. of Alexandria, VA.

**MOTION TO ADJOURN**

Senator De León moved that the Senate adjourn until Tuesday, March 10, 2015.

Motion carried.

**ADJOURNMENT**

At 3:58 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 10, 2015.

NEVA MARIE PARKER, Minute Clerk

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