

CALIFORNIA LEGISLATURE  
2015–16 REGULAR SESSION

---

---

# SENATE DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

---

## IN SENATE

---

Senate Chamber, Sacramento  
Tuesday, March 24, 2015

The Senate met at 9 a.m.

Hon. Connie M. Leyva, of the 20th 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, Fuller, Gaines, 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—36.

Quorum present.

*(NOTE: Senator Cannella will be excused this day on personal business. Senator De León will be excused this day on legislative business, waiving per diem. Senator Galgiani will be excused this day due to illness.)*



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 23, 2015

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

AB 217

Assembly Chamber, March 23, 2015

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

ACR 27

ACR 43

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read the first time and transmitted to the Committee on Rules for assignment:

**Assembly Bill 217**—An act to amend Section 349 of the Welfare and Institutions Code, relating to juvenile law.

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

**Assembly Concurrent Resolution 27**—Relative to the Month of the Young Professional.

**Assembly Concurrent Resolution 43**—Relative to California Aerospace Week.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, March 24, 2015

Madam President: The Committee on Rules has examined:

SB 38                      SB 63                      SB 146                      SB 159

SB 175                      SB 239                      SB 253                      SB 268

And reports the same correctly engrossed.

DE LEÓN, Chair

**Committee on Budget and Fiscal Review**

Senate Chamber, March 24, 2015

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

AB 91

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 91**—An act relating to the Budget Act of 2015.

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 24, 2015

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

AB 92

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 92**—An act relating to the Budget Act of 2015.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, March 24, 2015

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 210

SB 230

SB 261

SB 265

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 210**—An act to amend Sections 42651, 42652, 42653, and 42654 of the Food and Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read second time.

**Senate Bill 230**—An act to amend Section 3041 of the Penal Code, relating to parole.

Bill read second time.

**Senate Bill 261**—An act to amend Section 6250.5 of the Penal Code, relating to corrections.

Bill read second time.

**Senate Bill 265**—An act to amend Section 4212 of the Public Resources Code, relating to fire prevention.

Bill read second time.

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



**Committee on Environmental Quality**

Date of Hearing, March 18, 2015

Madam President: The Committee on Environmental Quality, to which was referred:

SB 47

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

WIECKOWSKI, Chair

Above bill ordered to second reading.

**Committee on Governmental Organization**

Date of Hearing, March 24, 2015

Madam President: The Committee on Governmental Organization, to which was referred:

SB 133

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

HALL, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing, March 24, 2015

Madam President: The Committee on Governmental Organization, to which was referred:

SJR 4

Reports the same back with the recommendation: Be adopted.

HALL, Chair

Above resolution ordered to third reading.

**Committee on Transportation and Housing**

Senate Chamber, March 24, 2015

Madam President: The Chair of the Committee on Transportation and Housing, to which was referred:

SB 236

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

BEALL, Chair

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

**Senate Bill 236**—An act to amend Section 555 of the Vehicle Code, relating to pedestrian travel.

Bill read second time.

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



**Committee on Public Safety**

Date of Hearing, March 24, 2015

Madam President: The Committee on Public Safety, to which were referred:

SB 178

SB 237

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

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Education**

Date of Hearing, March 18, 2015

Madam President: The Committee on Education, to which was referred:

SB 200

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

LIU, Chair

Above bill ordered to second reading.

**Committee on Natural Resources and Water**

Date of Hearing, March 24, 2015

Madam President: The Committee on Natural Resources and Water, to which was referred:

AJR 4

Reports the same back with the recommendation: Be adopted.

PAVLEY, Chair

Above resolution ordered to third reading.

Date of Hearing, March 24, 2015

Madam President: The Committee on Natural Resources and Water, to which was referred:

SJR 3

Reports the same back with the recommendation: Be adopted.

PAVLEY, Chair

Above resolution ordered to third reading.



Date of Hearing, March 24, 2015

Madam President: The Committee on Natural Resources and Water, to which were referred:

SB 144

SB 234

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

PAVLEY, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, March 24, 2015

Madam President: The Committee on Natural Resources and Water, to which was referred:

SB 141

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules with the recommendation: To consent calendar.

PAVLEY, Chair

Above bill re-referred to the Committee on Rules.

Date of Hearing, March 24, 2015

Madam President: The Committee on Natural Resources and Water, to which were referred:

SB 20

SB 208

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

PAVLEY, Chair

Above bills re-referred to the Committee on Environmental Quality.

Date of Hearing, March 24, 2015

Madam President: The Committee on Natural Resources and Water, to which were referred:

SB 13

SB 37

SB 204

SB 209

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

PAVLEY, Chair

Above bills re-referred to the Committee on Appropriations.



**Committee on Rules**

Senate Chamber, March 24, 2015

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

SB 238

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 238**—An act relating to foster care.

Bill read second time.

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

**Committee on Environmental Quality**

Senate Chamber, March 24, 2015

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 207

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

WIECKOWSKI, Chair

**Second Reading of Bills—Author's Amendments****Senate Bill 207**—An act to amend Section 39716 of the Health and Safety Code, relating to greenhouse gases.

Bill read second time.

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

**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 801:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to amend Sections 16182 and 16183 of the Government Code, and to amend Sections 2515 and 20645.6 of the Revenue and Taxation Code, relating to taxation.

**Senate Bill 802:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to amend Sections 41030, 41032, and 42010 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.



**Senate Bill 803:** By the Committee on Governance and Finance (Senators Hertzberg (Chair), Bates, Beall, Hernandez, Lara, Nguyen, and Pavley)—An act to amend Section 7510 of the Government Code, and to amend Sections 63.1, 68, 401.10, 423.3, 2609, and 3726 of the Revenue and Taxation Code, relating to taxation.

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

**Senate Bill 9**—An act to amend Sections 75220, 75221, and 75222 of, and to add Sections 75223, 75224, and 75225 to, the Public Resources Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Transportation and Housing.

**SENATE COMMITTEE ROLL CALLS  
Committee on Governmental Organization**

**SB 133**—Do pass and re-refer to the Committee on Health

AYES (10)—Senators Berryhill, Block, Gaines, Hall, Hernandez, Hill, Hueso, Lara, McGuire, and Vidak.

NOES (0)—None.

**SJR 4**—Be adopted

AYES (10)—Senators Berryhill, Block, Gaines, Hall, Hernandez, Hill, Hueso, Lara, McGuire, and Vidak.

NOES (0)—None.

Date of Hearing: 3/24/2015

Hall, Chair

**Committee on Public Safety**

**SB 61**—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Hancock, Leno, Liu, McGuire, Monning, and Stone.

NOES (0)—None.

**SB 164**—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Hancock, Leno, Liu, McGuire, Monning, and Stone.

NOES (0)—None.

**SB 178**—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Anderson, Hancock, Leno, Liu, McGuire, and Monning.

NOES (1)—Senator Stone.





**SB 237**—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Anderson, Hancock, Leno, Liu, Monning, and Stone.

NOES (0)—None.

**SB 266**—Do pass as amended

AYES (7)—Senators Anderson, Hancock, Leno, Liu, McGuire, Monning, and Stone.

NOES (0)—None.

Date of Hearing: 3/24/2015

Hancock, Chair

**Committee on Natural Resources and Water****SB 13**—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (1)—Senator Fuller.

**SB 20**—Do pass and re-refer to the Committee on Environmental Quality

AYES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

NOES (2)—Senators Fuller and Stone.

**SB 37**—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (0)—None.

**SB 141**—Do pass and re-refer to the Committee on Rules with the recommendation: To consent calendar

AYES (9)—Senators Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (0)—None.

**SB 144**—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (0)—None.

**SB 173**—Do pass and re-refer to the Committee on Appropriations

AYES (2)—Senators Fuller and Stone.

NOES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

Failed Passage

**SB 173**—Reconsideration granted

AYES (9)—Senators Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (0)—None.



**SB 198**—Do pass and re-refer to the Committee on Governance and Finance

AYES (2)—Senators Fuller and Stone.

NOES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

Failed Passage

**SB 198**—Reconsideration granted

AYES (9)—Senators Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (0)—None.

**SB 204**—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (1)—Senator Fuller.

**SB 208**—Do pass and re-refer to the Committee on Environmental Quality

AYES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

NOES (2)—Senators Fuller and Stone.

**SB 209**—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

NOES (2)—Senators Fuller and Stone.

**SB 234**—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, Pavley, Stone, and Wolk.

NOES (0)—None.

**SJR 3**—Be adopted

AYES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

NOES (2)—Senators Fuller and Stone.

**AJR 4**—Be adopted

AYES (7)—Senators Allen, Hertzberg, Hueso, Jackson, Monning, Pavley, and Wolk.

NOES (2)—Senators Fuller and Stone.

Date of Hearing: 3/24/2015

Pavley, Chair



**LEAVES OF ABSENCE**

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

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

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

**REQUESTS TO ADJOURN IN MEMORIAM**

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, March 25, 2015.

NEVA MARIE PARKER, Minute Clerk

O

