

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 26, 2017

The Senate met at 9:06 a.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, Atkins, Bates, Beall, Bradford, Cannella, De León,
Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill,
Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning,
Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth,
Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senators Berryhill and Vidak will be excused this day on personal business.)



PRAYER

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

As we bring ourselves into awareness of God's presence today, let us pray for all who still long to experience God's heart of mercy:

For all who suffer and struggle alone—may they receive healing and support;

For all who experience injustice and persecution—may they receive strength and courage;

For all who grieve and mourn—may they receive comfort and peace.

God of many names and manifestations, all the days of our lives are in Your hands. Help us to know Your presence in each unfolding event; Your active, enabling grace in every circumstance; and Your enduring call to follow You each day with courage and gratitude.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 25, 2017

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

Benjamin T. Metcalf, Director, Department of Housing and Community Development (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, January 25, 2017

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

Lucetta (Lucy) A. Dunn, Member, California Transportation Commission (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, January 25, 2017

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

Jose (Tony) Ortiz, Member, California Exposition and State Fair Board of Directors (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.



State Capitol, January 25, 2017

Madam President: The Committee on Rules has made the following appointments:

Appointed Rachel Stewart as a member of the California Committee on Employment of People with Disabilities for a term ending January 25, 2020.

Appointed Jennifer Loving as a member of the Homeless Coordinating and Financial Council for a term ending at the pleasure of the Committee.

Reappointed the Honorable Hannah-Beth Jackson as a member of the Judicial Council of California for a term ending December 1, 2018.

Reappointed Edward B. Patrovsky as a member of the Off-Highway Motor Vehicle Recreation Commission for a term ending January 15, 2021.

Reappointed Wendy Max, Ph.D., as a member of the Tobacco Education and Research Oversight Committee for a term ending January 1, 2019.

DE LEÓN, Chair

MOTIONS, RESOLUTIONS AND NOTICES
UNANIMOUS CONSENT TO PRINT IN JOURNAL

Senator Portantino asked for, and was granted, unanimous consent that the following letter be printed in the journal:

January 26, 2017

The Honorable Kevin de León

President pro Tempore of the Senate

The Honorable Jean Fuller

Minority Floor Leader of the Senate

Dear Senator De León: I respectfully submit this letter to be printed in the Senate Journal as I was unable to attend Legislative Session on Monday, January 23, 2017 due to prior commitment. However, I would like to state that I fully support the appointment and confirmation of Congressman Xavier Becerra as our next Attorney General for the State of California.

Sincerely,
ANTHONY PORTANTINO
Senator, 25th District



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

Senate Concurrent Resolution 5—Relative to India Republic Day. Resolution read third time and presented by Senator Mendoza.

Roll Call

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

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Mendoza introduced His Excellency Venkatesan Ashok, Consul General of India in San Francisco, Ali Sajjad Taj, Mayor of the City of Artesia, Sudip Gorakshakar, President of the National Federation of Indian American Associations, Savita Vaidhyanathan, Mayor of the City of Cupertino, Sumit Rai, Executive Chairman/Founder of STAANCE, Ajit Natu, President of the Indian Association of Sacramento, Y.K. Chalam, Public Relations Officer of the Indian Association of Sacramento, and Bobbie Singh-Allen, Member of the Elk Grove Unified School District Board of Education, in honor of India Republic Day.

SPECIAL RECOGNITIONS

Senator McGuire introduced Hon. Fiona Ma, Chairwoman of the California Board of Equalization, and presented a member's resolution to the Marijuana Enforcement Team and the K9 Unit of the Department of Fish and Wildlife, in recognition of K9 Phebe's retirement.

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

Senate Concurrent Resolution 13—Relative to Lunar New Year celebration.

Resolution read third time and presented by Senator Pan.

Roll Call

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

AYES (37)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on personal business: Senators Berryhill and Vidak.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:44 a.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator De León 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 Monday, January 30, 2017.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 25, 2017

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

Education—SB 138.

Governance and Finance—SB 139, SB 140, SB 141, SB 148, SB 151.

Judiciary—SB 147, SB 153, SB 157.

Natural Resources and Water—SB 144.

Public Safety—SB 143.

Rules—SB 1, SB 142, SB 154, SB 155, SB 156.

Transportation and Housing—SB 136, SB 137, SB 145.

The Committee on Rules has re-referred the following measures to committee:

Judiciary—SJR 1.

Public Safety—SB 10.

The Committee on Rules has re-referred the following measure to two committees:

Public Employment and Retirement and Budget and Fiscal Review—SB 28.



Senate Chamber, January 26, 2017

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

SB 1

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 1—An act to amend Sections 13975, 14500, 14526.5, and 16965 of, to add Sections 14033, 14110, 14526.7, and 16321 to, to add Part 5.1 (commencing with Section 14460) to Division 3 of Title 2 of, and to repeal Section 14534.1 of, the Government Code, to amend Section 39719 of the Health and Safety Code, to amend Section 21080.37 of, and to add Division 13.6 (commencing with Section 21200) to, the Public Resources Code, to amend Section 99312.1 of the Public Utilities Code, to amend Sections 6051.8, 6201.8, 7360, 8352.4, 8352.5, 8352.6, and 60050 of the Revenue and Taxation Code, to amend Sections 183.1, 2192, and 2192.2 of, to add Sections 820.1, 2103.1 and 2192.4 to, and to add Chapter 2 (commencing with Section 2030) to Division 3 of, the Streets and Highways Code, and to add Sections 9250.3, 9250.6, and 9400.5 to the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

State Capitol, January 25, 2017

The Committee on Rules has referred the following measures to two committees:

Judiciary and Elections and Constitutional Amendments—SB 149.

Natural Resources and Water and Energy, Utilities and Communications—SB 146.

Transportation and Housing and Elections and Constitutional Amendments—SCA 2.

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 189: By Senator Bradford—An act to amend Section 3352 of the Labor Code, relating to workers' compensation.



Senate Bill 190: By Senators Mitchell and Lara (Coauthors: Senators Atkins, Beall, Bradford, Hertzberg, McGuire, Monning, Skinner, Wieckowski, and Wiener)—An act to amend Sections 27756 and 27757 of the Government Code, to amend Sections 1203.016, 1203.1ab, and 1208.2 of the Penal Code, and to amend Sections 207.2, 332, 656, 729.9, 871, 900, 903.1, 903.45, and 11325.24 of, and to repeal Sections 902, 903, 903.15, 903.2, 903.25, 903.4, 903.5, 903.6, 903.7, and 904 of, the Welfare and Institutions Code, relating to juveniles.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Anderson requested that when the Senate adjourns this day it do so in memory of Peter Cuthbert of La Mesa and Albert “Boxie” Phoenix of El Cajon.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senator’s request until 2 p.m., Monday, January 30, 2017.

NEVA MARIE PARKER, Minute Clerk

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