

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, January 30, 2017

The Senate met at 2:07 p.m.  
Hon. Connie M. Leyva, of the 20th 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, Berryhill, 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, Vidak, Wiener, and Wilk—39.

Quorum present.

*(NOTE: Senator Wieckowski will be excused this day on personal business.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Rev. Mark R. Richards, Judicial Vicar, Diocese of Sacramento and Pastor of Saint Elizabeth of Portugal Parish, Sacramento:

*Good and gracious God*, we thank You for the abundant blessings You have bestowed upon us. We ask You to help us to use the gifts and the talents You have given us to serve the people You have entrusted to our care. As we go about our business today, in the midst of so many pressing issues, help us to focus on the common good. Help us to be mindful of the needs of those on the margins of our society. Bless our efforts and grant us peace. We ask this in Your Most Holy Name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Gaines presented a member's resolution to Keith Avila in recognition of his efforts in protecting a 16-year-old girl from sex trafficking.

**SPECIAL INTRODUCTIONS**

Senator Allen introduced Scott Svonkin, President of the Los Angeles Community College District Board of Trustees, and his son Sam Svonkin, in honor of their visit to the California State Senate.

Senator Cannella introduced eighth graders from Ballico Cressey School District in Ballico.

**SPECIAL RECOGNITIONS**

Senator Lara presented a member's resolution to Jonas Corona, recipient of the Nickelodeon Helping and Leading Others (HALO) Award.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 26, 2017

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

ACR 13

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 13**—Relative to India Republic Day.



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

Senate Chamber, January 27, 2017

Madam President: The Committee on Rules has examined:

SB 1

And reports the same correctly engrossed.

DE LEÓN, Chair

**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 191:** By Senator Beall (Principal coauthor: Assembly Member Bonta)—An act to add Part 5.5 (commencing with Section 5920) to Division 5 of the Welfare and Institutions Code, relating to pupil health.

**Senate Bill 192:** By Senator Beall—An act to amend Section 5892 of, and to add Section 5892.3 to, the Welfare and Institutions Code, relating to mental health, and making an appropriation therefor.

**Senate Bill 193:** By Senator Cannella—An act to amend Section 10723 of the Water Code, relating to groundwater.

**Senate Bill 194:** By Senator Anderson—An act to amend Section 1203.2 of the Penal Code, relating to probation.

**Senate Bill 195:** By Senator Cannella—An act to amend Section 4000 of the Vehicle Code, relating to vehicles.

**Senate Bill 196:** By Senator Cannella—An act to amend Section 65583 of the Government Code, relating to land use.

**Senate Bill 197:** By Senators Bates and Atkins (Principal coauthors: Senators Nielsen and Roth) (Principal coauthors: Assembly Members Brough and Chávez)—An act to add Section 6369.7 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 198:** By Senator Galgiani—An act to amend Section 2538.11 of the Business and Professions Code, relating to healing arts.

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

**Senate Resolution 16:** By Senators De León, Allen, Atkins, Beall, Bradford, Dodd, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, and Wiener—Relative to immigration.



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

State Capitol, January 30, 2017

Madam President: The Committee on Rules has ordered the following measure to third reading:

SR 16

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

**Senate Concurrent Resolution 15**—Relative to Human Trafficking Awareness 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 (36)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Leyva, McGuire, Mendoza, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator De León introduced the Honorable Martín Orozco Sandoval, Governor of Aguascalientes, Mexico, and without objection, invited him to address the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS****Consideration of Governor's Appointments**

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

LUCETTA (LUCY) A. DUNN, Member, California Transportation Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"



**Roll Call**

The roll was called and the appointment was confirmed by the following vote:

AYES (39)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, 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, Vidak, Wiener, and Wilk.

NOES (0)—None.

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

**Senate Resolution 16**—Relative to immigration.

Resolution read third time and presented by Senator De León.

**Roll Call**

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

AYES (26)—Senators Allen, Atkins, Beall, Bradford, De León, Dodd, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Skinner, Stern, and Wiener.

NOES (11)—Senators Anderson, Bates, Berryhill, Fuller, Gaines, Moorlach, Morrell, Nielsen, Stone, Vidak, and Wilk.

**REPORTS OF STANDING COMMITTEES****Committee on Budget and Fiscal Review**

Senate Chamber, January 30, 2017

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

SB 47

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

MITCHELL, Chair

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

**Senate Bill 47**—An act relating to the Budget Act of 2016.

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 Employment and Retirement**

Senate Chamber, January 30, 2017

Madam President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

SB 28

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

PAN, Chair

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

**Senate Bill 28**—An act relating to state employment.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 28 pursuant to Joint Rule 58.

SENATOR PAN

**Permission of Rules Committee**

Senate Chamber, January 30, 2017

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 28.

DE LEÓN, Chair

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

**MOTIONS, RESOLUTIONS AND NOTICES**

**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Human Services and re-referred to the Committee on Rules:

SB 61

**REPORTS OF STANDING COMMITTEES**

**Committee on Budget and Fiscal Review**

Senate Chamber, January 30, 2017

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

SB 48

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

MITCHELL, Chair



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

**Senate Bill 48**—An act relating to the Budget Act of 2016.

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  
(RESUMED)**

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

**Senate Bill 199:** By Senator Hernandez—An act to repeal and add Chapter 8 (commencing with Section 127670) of Part 2 of Division 107 of the Health and Safety Code, relating to health care.

**Senate Constitutional Amendment 3:** By Senator Dodd (Coauthors: Senators McGuire and Wieckowski)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII A thereof, and by amending Section 18 of Article XVI thereof, relating to public libraries.

**LEAVES OF ABSENCE**

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

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Luis Rodriguez of Visalia.

Senator Bradford requested that when the Senate adjourns this day it do so in memory of Dorothy Jo Griffith of Gardena.

Senator Lara requested that when the Senate adjourns this day it do so in memory of Enrique Hernandez of Sacramento.

Senators Mendoza and Portantino requested that when the Senate adjourns this day it do so in memory of Michael Minasian of Montebello.

Senators Morrell and Leyva requested that when the Senate adjourns this day it do so in memory of Eliseo "Cheyo" Guillen of Chino.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Claude Crow of Los Molinos, Robert Thomas Wilson of Wheatland, and Donald Berry of San Jose.



**ADJOURNMENT**

At 4:34 p.m., on motion of Senator Monning, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, January 31, 2017.

NEVA MARIE PARKER, Minute Clerk

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