

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

---

---

# SENATE DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

---

**IN SENATE**

---

Senate Chamber, Sacramento  
Thursday, February 2, 2017

The Senate met at 9:08 a.m.  
Hon. Ricardo Lara, of the 33rd 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, Monning,  
Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth,  
Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—39.

Quorum present.

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



**PRAYER**

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

As we center ourselves in God's presence. May our dreams be the dreams of Langston Hughes as expressed in his poem, *I Dream a World*.

I dream a world where man  
 No other [one] will scorn,  
 Where love will bless the earth  
 And peace its paths adorn.  
 I dream a world where all  
 Will know sweet freedom's way,  
 Where greed no longer saps the soul  
 Nor avarice blights our day.  
 A world I dream where black or white,  
 Whatever race you be,  
 Will share the bounties of the earth  
 And every [one] is free,  
 Where wretchedness will hang its head  
 And joy, like a pearl,  
 Attends the needs of all mankind—  
 Of such I dream, my world!

*Spirit of Abundance, God of Grace, Mother of Hope*, in this month of remembrance, we acknowledge and embrace the power and creativity that our Black sisters and brothers have contributed for the growth of this nation. Continue to widen our vision so that together we may bring our world closer to harmony and peace, communion and solidarity.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

Senate Chamber, February 2, 2017

Mr. President: The Committee on Rules has examined:

SCR 6            SCR 16            SCR 17            SCR 18

And reports the same correctly engrossed.

DE LEÓN, Chair

**MOTIONS, RESOLUTIONS AND NOTICES****UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the Senate Journals for December 5, 2016 through February 2, 2017 were approved as corrected by the Minute Clerk.



**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Bill 220:** By Senator Pan—An act to amend Section 14005.271 of the Welfare and Institutions Code, relating to Medi-Cal.

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

**Senate Resolution 17:** By Senator Atkins—Relative to Female Genital Mutilation and Cutting Awareness Day.

**MOTIONS, RESOLUTIONS AND NOTICES**

**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Nguyen moved that **SCR 6** be ordered to the inactive file. Motion carried.

**CONSIDERATION OF DAILY FILE**

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 17**—Relative to California Girls and Women in Sports Week.

Resolution read third time and presented by Senator Fuller.

**Roll Call**

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

AYES (38)—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, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk. NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Resolution 15**—Relative to American Heart Month and Wear Red Day in California.

Resolution read third time and presented by Senator Leyva.

**Roll Call**

The roll was called and the resolution was adopted 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, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Leyva introduced Elizabeth Hughes and Lorin Meeks-Harris in honor of their work with the American Heart Association and the American Stroke Association.

**SPECIAL RECOGNITIONS**

Senator Atkins presented a member's resolution to Sandy Schwartz, President of Cox Automotive, and Patrick Esser, President of Cox Communications.

**SPECIAL INTRODUCTIONS**

Senator Allen introduced Kristin Margolis and Wendy Moran in honor of the 40th Anniversary of the California Arts Council.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

State Capitol, February 2, 2017

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

SR 17

State Capitol, February 1, 2017

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

**Business, Professions and Economic Development**—SB 175.

**Education**—SB 164.

**Governmental Organization**—SB 165, SB 173, SB 188.

**Health**—SB 162, SB 172, SB 177.

**Judiciary**—SB 166, SB 170.

**Natural Resources and Water**—SB 161, SB 183.

**Public Safety**—SB 176, SB 180.

**Rules**—SB 159, SB 160, SB 168, SB 169, SB 178, SB 181, SB 182, SB 186, SB 187.

**Transportation and Housing**—SB 158.



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

**Governance and Finance and Judiciary**—SB 184.

**Health and Appropriations**—SB 171.

**Human Services and Public Safety**—SB 167.

**Judiciary and Elections and Constitutional Amendments**—SB 163.

**Transportation and Housing and Environmental Quality**—SB 174.

**Transportation and Housing and Judiciary**—SB 179.

**Transportation and Housing and Public Safety**—SB 185.

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

**Governance and Finance**—SB 61.

**Public Safety**—SJR 4.

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

**Public Employment and Retirement and Budget and Fiscal Review**—SB 48.

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

**Transportation and Housing and Environmental Quality and Governance and Finance**—SB 1.

State Capitol, February 1, 2017

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

Pamela Haynes, Member, California Community Colleges Board of Governors (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.



State Capitol, February 1, 2017

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

Jane W. Carney, Member, Trustees of the California State University (5-0)

Jean P. Firstenberg, Member, Trustees of the California State University (5-0)

Lateefah Simon, Member, Trustees of the California State University (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, February 1, 2017

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

Lillian Kimbell, Member, Trustees of the California State University (5-0)

Thelma E. Melendez, Ph.D., Member, Trustees of the California State University (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, February 1, 2017

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

Glen T. Becerra, Member, California Student Aid Commission (5-0)

Carla J. Thornton, Member, California Veterans Board (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.



State Capitol, February 1, 2017

Mr. President: The Committee on Rules has made the following appointments:

Appointed the Honorable Benjamin Allen as a member of the State Allocation Board for a term ending at the pleasure of the Committee.

Appointed the Honorable Janet Nguyen as a member of the State Allocation Board for a term ending at the pleasure of the Committee.

Appointed the Honorable Richard Pan as a member of the State Allocation Board for a term ending at the pleasure of the Committee.

Appointed Rosa Santana as a member of the Environmental Health Specialist Registration Committee for a term ending January 1, 2021.

Reappointed Robert Cherry, M.D., as a member of the California Health Facilities Financing Authority for a term ending March 31, 2020.

DE LEÓN, Chair

#### **LEAVES OF ABSENCE**

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

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

At 10:37 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, February 6, 2017.

Motion carried.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Natural Resources and Water**

Senate Chamber, February 2, 2017

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 57

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

HERTZBERG, Chair



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

**Senate Bill 57**—An act to add Section 1305 to the Water Code, relating to water resources.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to SB 57 pursuant to Joint Rule 58.

SENATOR STERN

**Permission of Rules Committee**

Senate Chamber, February 2, 2017

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 57.

DE LEÓN, Chair

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 221:** By Senator Wiener (Coauthors: Senators Atkins and Galgiani)—An act to add Section 1367.47 to the Health and Safety Code, to add Section 10123.92 to the Insurance Code, and to add Section 14132.04 to the Welfare and Institutions Code, relating to health care coverage.

**Senate Bill 222:** By Senator Hernandez—An act to amend Section 14011.10 of the Welfare and Institutions Code, relating to Medi-Cal.

**Senate Bill 223:** By Senator Atkins—An act to amend Section 1367.04 of the Health and Safety Code, to amend Section 10133.8 of the Insurance Code, and to amend Section 14029.91 of the Welfare and Institutions Code, relating to health care coverage.

**Senate Bill 224:** By Senator Jackson—An act to amend Sections 21080, 21100, and 21151 of the Public Resources Code, relating to environmental quality.

**Senate Bill 225:** By Senator Stern—An act to amend Section 52.6 of the Civil Code, relating to human trafficking.

**Senate Bill 226:** By Senator Hertzberg—An act to amend Section 84305.7 of the Government Code, relating to the Political Reform Act of 1974.



**Senate Bill 227:** By Senator Monning—An act to add Section 2860.8 to the Business and Professions Code, relating to healing arts.

**Senate Bill 228:** By Senator Dodd (Coauthor: Assembly Member Aguiar-Curry)—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages.

**Senate Bill 229:** By Senator Wieckowski—An act to amend Section 65852.2 of the Government Code, relating to land use.

**Senate Bill 230:** By Senator Atkins (Principal coauthor: Senator Jackson)—An act to amend Section 1108 of the Evidence Code, relating to evidence.

**Senate Bill 231:** By Senator Hertzberg—An act to amend Section 53750 of, and to add Section 53751 to, the Government Code, relating to local government finance.

**Senate Constitutional Amendment 4:** By Senator Hertzberg—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article X C thereto, relating to water.

#### REQUESTS TO ADJOURN IN MEMORIAM

Senator Allen requested that when the Senate adjourns this day it do so in memory of Richard Kampmann of Santa Monica.

Senator Cannella requested that when the Senate adjourns this day it do so in memory of Larry Pistoresi of Chowchilla.

Senator Fuller requested that when the Senate adjourns this day it do so in memory of Trice Harvey of Bakersfield.

Senator Hill requested that when the Senate adjourns this day it do so in memory of Arthur Notthoff of Menlo Park.

Senator Morrell requested that when the Senate adjourns this day it do so in memory of Larry Neil Mattox of Hemet.

Senators Pan and Glazer requested that when the Senate adjourns this day it do so in memory of Sutter Brown of Sacramento.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Arthur H. Rosenfeld of Berkeley.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Sara Thomas of Desert Hot Springs.



**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, February 6, 2017.

NEVA MARIE PARKER, Minute Clerk

O

