

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

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**IN SENATE**

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Senate Chamber, Sacramento  
Monday, March 6, 2017

The Senate met at 2:12 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, Bradford, Cannella, De León,  
Dodd, Fuller, Gaines, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson,  
Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell,  
Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone,  
Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

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



**PRAYER**

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

In anticipation of International Women's Day, I am reminded of the words of the poet, Audre Lorde: "When I dare to be powerful, to use my strength in the service of my vision, then it becomes less and less important whether I am afraid."

*Gracious and loving God,* As we enter a new mode of human presence where women are not merely observers, but where each can be a participant in this moment of evolution,

We are determined to be bold participants, rather than timid saints-in-waiting;

We choose to exercise the authority of honesty, rather than to fearfully defer to power;

We wish to influence others for justice, rather than impress them for gain;

And, by Your grace, we will bring treasures of joy, friendship, and peace to our world, when we use our strength in the service of our vision.—AMEN.

(Adapted from *Wrestling the Light* by Ted Loder.)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**COMMUNICATIONS AND PETITIONS**

The following letter was ordered printed in the Journal:

February 17, 2017

*Mr. E. Dotson Wilson*

*Chief Clerk of the Assembly*

Dear Dotson: Please be advised that I have made the following appointments to committees for the 2017–18 Regular Session:

**Joint Committee on Arts**

Assembly Member Kansen Chu, Vice Chair

Assembly Member Dante Acosta

Assembly Member Richard Bloom

Assembly Member Vince Fong

Assembly Member Jose Medina

Assembly Member Marie Waldron



**Joint Committee on Fairs, Allocation and Classification**

Assembly Member Susan Eggman, Chair  
Assembly Member Joaquin Arambula  
Assembly Member Frank Bigelow  
Assembly Member Anna Caballero  
Assembly Member Tom Daly  
Assembly Member Devon Mathis  
Assembly Member Kevin McCarty

**Joint Committee on Fisheries and Aquaculture**

Assembly Member Jim Wood, Vice Chair  
Assembly Member Brian Dahle  
Assembly Member Monique Limón  
Assembly Member Phil Ting

**Joint Legislative Budget**

Assembly Member Phil Ting, Vice Chair  
Assembly Member Joaquin Arambula  
Assembly Member Richard Bloom  
Assembly Member Rocky Chávez  
Assembly Member Kevin McCarty  
Assembly Member Melissa Melendez  
Assembly Member Jay Obernolte  
Assembly Member Shirley Weber

**Joint Legislative Committee on Climate Change Policies**

Assembly Member Eduardo Garcia, Chair  
Assembly Member Autumn Burke  
Assembly Member Jordan Cunningham  
Assembly Member Jim Frazier

Sincerely,  
ANTHONY RENDON  
Speaker of the Assembly

**MEMORANDUM OF UNDERSTANDING**

A Memorandum of Understanding (MOU) reached with Bargaining Unit (BU) 16, dated March 3, 2017, was received from the California Department of Human Resources and filed pursuant to Senate Rule 29.4.



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 2, 2017

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

SCR 16

E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolution ordered enrolled.

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

Senate Chamber, March 3, 2017

Madam President: The Committee on Rules has examined:

SB 32

And reports the same correctly engrossed.

DE LEÓN, Chair

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measure was offered and ordered held at Desk:

**Senate Resolution 22:** By Senator De León—Relative to immigration enforcement.

**REPORTS OF STANDING COMMITTEES****Committee on Governance and Finance**

Senate Chamber, March 6, 2017

Madam President: The Chair of the Committee on Governance and Finance, to which was referred:

SCA 3

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

MCGUIRE, Chair

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

**Senate Constitutional Amendment 3**—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.

Resolution 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**

Senate Chamber, March 6, 2017

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

SB 215

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

SKINNER, Chair

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

**Senate Bill 215**—An act to add Section 2605 to the Penal Code, relating to inmates.

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  
THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 28**—Relative to National Nutrition Month.

Resolution read third time and presented by Senator Stone.

**Roll Call**

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Stone moved a call of the Senate.

Motion carried.

**At 2:20 p.m., Hon. Hannah-Beth Jackson, of the 19th District,  
Presiding**

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

**Senate Resolution 19**—Relative to Women’s History Month.  
Resolution read third time and presented by Senator Leyva.

**Roll Call**

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Leyva moved a call of the Senate.

Motion carried.



**At 2:26 p.m., Hon. Connie M. Leyva, of the 20th District, Presiding**

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

**Senate Resolution 20**—Relative to Problem Gambling Awareness Month.

Resolution read third time and presented by Senator Glazer.

**Roll Call**

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Glazer moved a call of the Senate.

Motion carried.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Nguyen introduced Phat Bui, Mayor pro Tempore for the City of Garden Grove and President of the Vietnamese American Federation of Southern California; Tam Nguyen, Council Member for the City of San José; Dr. Huu Vo of the Federation of Vietnamese American Communities of the USA; Lt. Col. Anthony Phan, President of the Coalition of Vietnamese Americans Against Communism; Capt. Richard Bui, President of the Republic of Vietnam Army Forces, Central Coordinator, Southwestern States; Capt. Sau Le, President of the Coalition of Vietnamese Veteran Associations; Lt. Col. Ve Tran, President of the Vietnamese Community of South Bay; and Dr. Long Pham, former Orange County Board of Education Trustee, in honor of their visit to the California State Senate.

Senator Skinner introduced Nicky Gonzalez Yuen, Peralta Community College District Governing Board Trustee, and representatives from Berkeley City College and Merritt College, in honor of their visit to the California State Senate.

Senator McGuire introduced representatives of Santa Rosa Junior College in honor of their visit to the California State Senate.

Senator Allen introduced Tom Peters, faculty member of Santa Monica College, Peter Morse, President of the Santa Monica College Faculty Association, and representatives from Santa Monica College, in honor of their visit to the California State Senate.



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

**Assembly Concurrent Resolution 15**—Relative to Ronald Reagan Day.

Resolution read third time and presented by Senator Nguyen.

**Roll Call**

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

AYES (27)—Senators Anderson, Atkins, Bates, Beall, Cannella, De León, Dodd, Fuller, Gaines, Glazer, Hernandez, Hertzberg, Hill, McGuire, Mendoza, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Stern, Stone, Vidak, and Wilk.

NOES (1)—Senator Wiener.

Resolution ordered transmitted to the Assembly.

**MOTIONS, RESOLUTIONS AND NOTICES**

**MOTION TO TAKE UP WITHOUT  
REFERENCE TO COMMITTEE OR FILE**

Senator De León moved that the Senate Rules be suspended as they relate to **SR 22**, and the measure be taken-up without reference to committee or file.

**Roll Call**

The roll was called and the motion carried by the following vote:

AYES (24)—Senators Allen, Atkins, Beall, Bradford, De León, Dodd, Glazer, Hernandez, Hertzberg, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Stern, Wieckowski, and Wiener.

NOES (12)—Senators Anderson, Bates, Cannella, Fuller, Gaines, Moorlach, Morrell, Nguyen, Nielsen, Stone, Vidak, and Wilk.

**Consideration of Senate Resolution 22**

**Senate Resolution 22**—Relative to immigration enforcement.

Resolution read and presented by Senator De León.

**Parliamentary Inquiry**

Senator Moorlach arose to the following parliamentary inquiry:

Are Senate Resolutions exempt from the 72-hour requirement of Proposition 54?

**Response of the Presiding Officer**

The Presiding Officer responded that resolutions are exempt from that requirement.



**Parliamentary Inquiry**

Senator Moorlach further inquired:

Has the Senate, as a body, agreed to that exemption or is suspending the rules sufficient?

**Response of the Presiding Officer**

The Presiding Officer responded that a required number of votes were recorded to suspend the rules.

**Roll Call**

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

AYES (29)—Senators Allen, Atkins, Beall, Bradford, Cannella, De León, Dodd, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Nguyen, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, Wiener, and Wilk.

NOES (9)—Senators Anderson, Bates, Fuller, Gaines, Moorlach, Morrell, Nielsen, Stone, and Vidak.

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Senate Chamber, March 6, 2017

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

SB 54

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

LARA, Chair

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

**Senate Bill 54**—An act to add Chapter 17.25 (commencing with Section 7284) to Division 7 of Title 1 of the Government Code, to repeal Section 11369 of the Health and Safety Code, and to add Sections 3058.10 and 3058.11 to the Penal Code, relating to law enforcement, 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.



**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS**

**Consideration of Governor’s Appointments**

Senator De León placed the following Governor’s appointments before the Senate:

JUDITH N. FRANK, Member, California Health Facilities Financing Authority.

JAY C. HANSEN, Member, California Health Facilities Financing Authority.

The President put the question: “Will the Senate advise and consent to the appointments by the Governor?”

**Roll Call**

The roll was called and the appointments were confirmed by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.  
NOES (0)—None.

**Consideration of Governor’s Appointments**

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

CAROL R. BAKER, Member, California Water 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 (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.  
NOES (0)—None.



**Consideration of Governor's Appointments**

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

LISA THONG, Member, State Board of Barbering and Cosmetology.

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

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SCR 28)**

On motion of Senator Stone, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SCR 28 was adopted by the following vote:

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

NOES (0)—None.

Above resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SR 19)**

On motion of Senator Leyva, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SR 19 was adopted by the following vote:

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

NOES (0)—None.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SR 20)**

On motion of Senator Glazer, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SR 20 was adopted by the following vote:

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

**NOES (0)**—None.

**MOTIONS, RESOLUTIONS AND NOTICES****MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Insurance and re-referred to the Committees on Governance and Finance and Insurance:

SB 325

**INTRODUCTION AND FIRST READING OF SENATE MEASURES  
(RESUMED)**

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

**Senate Concurrent Resolution 31:** By Senator Pan—Relative to California Transverse Myelitis Awareness Day.

**Senate Concurrent Resolution 32:** By Senator Pan—Relative to state employee merit awards.

**Senate Resolution 23:** By Senators Wiener, Atkins, Beall, Bradford, De León, Dodd, Hernandez, Hill, Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Newman, Pan, Portantino, and Wieckowski—Relative to President Trump's connections with Russia.

**LEAVES OF ABSENCE**

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

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



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Dodd requested that when the Senate adjourns this day it do so in memory of James L. Wright of Napa, Constance Curry Kay of St. Helena, and Joanne Beitler Moskowitz of Napa.

Senator Hill requested that when the Senate adjourns this day it do so in memory of Geoffrey Craighead of San Carlos.

Senator Moorlach requested that when the Senate adjourns this day it do so in memory of Gil Coerper of Huntington Beach.

Senator Newman requested that when the Senate adjourns this day it do so in memory of Mary Janet Monforte Hicks of Buena Park.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Carol Johnston of Carmichael.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Rona Lunde of Duarte.

**ADJOURNMENT**

At 4:21 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 7, 2017.

NEVA MARIE PARKER, Minute Clerk

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