

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 4, 2018

The Senate met at 9:15 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, Berryhill, Bradford, Cannella,
De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg,
Hill, Jackson, Lara, Leyva, McGuire, Mitchell, Moorlach, Newman,
Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak,
Wieckowski, Wiener, and Wilk—36.

Quorum present.

*(NOTE: Senators Hueso and Morrell will be excused this day due to illness.
Senator Mendoza will be excused this day on personal business. Senator
Monning will be excused this day on legislative business.)*



PRAYER

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

God of the small, the subtle, the unimportant,
God of the vague, the cloudy, the ambiguous,
open our hearts to Your presence.

Open our eyes to the little signs,
our ears to the soft murmurs.

Slow us down to listen and hear the cries of the unspoken.

Awaken us to the losses that are blessings,

Awaken us to the wounds that are openings,

Awaken us to the weaknesses that are the sources of Your strength.

Wake us from the stupor of busyness, the daze of desire,
to witness Your drawing near, to behold Your presence,

even in these ordinary moments,

these feeble prayers,

these beating hearts.—AMEN.

*(Adapted from *Unfolding Light* by Steve Garnaas-Holmes.)*

PLEDGE OF ALLEGIANCE TO THE FLAG

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

At 9:30 a.m., Hon. Connie M. Leyva, of the 20th District, Presiding

**At 9:33 a.m., Hon. Hannah-Beth Jackson, of the 19th District,
Presiding**

PRIVILEGES OF THE FLOOR**MOMENT OF SILENCE**

The Senate observed a moment of silence in remembrance of those killed during the Las Vegas Shooting on October 1, 2017.

COMMUNICATIONS AND PETITIONS

The following letter was ordered printed in the Journal:

January 4, 2018

The Honorable Kevin de León

President pro Tempore of the Senate

Dear Senator De León: Pursuant to Senate Floor session yesterday, I have agreed to take a temporary leave of absence commencing today through not later than January 26, 2018.

Sincerely,

TONY MENDOZA

Senator, 32nd District



REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, January 4, 2018

Madam President: The Committee on Rules has examined:

SB 227	SB 460	SB 524
SB 656	SB 726	SB 759

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, January 4, 2018

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

SB 419

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 419—An act to amend Section 2241.6 of, and to add Section 4075.7 to, the Business and Professions Code, and to add Section 11167.7 to the Health and Safety Code, relating to healing arts.

Bill read second time.

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

MOTIONS, RESOLUTIONS AND NOTICES

UNANIMOUS CONSENT TO SUSPEND JOINT RULE 62(a)

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Rules to meet Thursday, January 4, 2018 without four days’ notice in the Daily File.

UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

October 16, 2017	January 3, 2018	January 4, 2018
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MOTION TO REFER MEASURES TO INACTIVE FILE

Senator Mitchell moved that **AB 127** be ordered to the inactive file. Motion carried.

At 10:10 a.m., Hon. Ricardo Lara, of the 33rd District, Presiding

At 10:14 a.m., Hon. Hannah-Beth Jackson, of the 19th District, Presiding



LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day due to illness: Senators Hueso and Morrell.

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

The following Senator was granted leave of absence for the day on legislative business: Senator Monning.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 10:19 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 8, 2018.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
January 4, 2018

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business January 4, 2018, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Elizabeth M. Perez Member, Veterans Board of California
Sincerely,

EDMUND G. BROWN JR., Governor

Above withdrawal transmitted to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 4, 2018

Mr. Daniel Alvarez
Secretary of the Senate

Dear Daniel: Pursuant to the instructions of the Assembly, I am herewith returning **Assembly Bill 166** to the Senate for further action.

Sincerely,

E. DOTSON WILSON, Chief Clerk of the Assembly

Above bill ordered held at Desk.



REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, January 4, 2018

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

STANDING COMMITTEE APPOINTMENTS

Appointed Senator Pan as a member of the Health Committee to replace Senator Atkins.

Appointed Senator Wieckowski as a member of the Labor and Industrial Relations Committee to replace Senator Atkins.

Appointed Senator McGuire as a member of the Natural Resources and Water Committee to replace Senator Atkins.

Appointed Senator Dodd as a member of the Transportation and Housing Committee to replace Senator Atkins.

JOINT COMMITTEE APPOINTMENTS

Ratified the Joint Committee on Rules Subcommittee on Sexual Harassment Prevention and Response, composed of eight members, and the appointments of Senator Mitchell as Vice Chair and Senators Bates, Fuller, and Leyva as members to fill all Senate vacancies.

DE LEÓN, Chair

MOTIONS, RESOLUTIONS AND NOTICES

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, the following measure was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Rules:

SB 227

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, January 4, 2018

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

Governance and Finance—SB 227.

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 831: By Senator Wieckowski—An act to amend Sections 65852.2 and 65852.22 of, and to add and repeal Section 65852.23 of, the Government Code, relating to land use.

Senate Bill 832: By Senators Portantino, Allen, De León, and Stern—An act relating to taxation.



Senate Bill 833: By Senators McGuire, Dodd, and Hill (Principal coauthors: Assembly Members Aguiar-Curry, Levine, and Wood)—An act to add Sections 8588.4 and 8594.6 to the Government Code, relating to emergency services.

Senate Bill 834: By Senators Jackson and Lara (Principal coauthor: Senator McGuire) (Principal coauthor: Assembly Member Muratsuchi) (Coauthors: Senators Allen, Stern, and Wiener) (Coauthor: Assembly Member Bloom)—An act to add Section 6245 to the Public Resources Code, relating to state lands.

Senate Bill 835: By Senator Glazer (Coauthor: Senator Allen) (Coauthors: Assembly Members Baker and Mark Stone)—An act to add Section 5008.9 to the Public Resources Code, relating to parks.

Senate Bill 836: By Senator Glazer (Coauthor: Senator Allen) (Coauthors: Assembly Members Baker and Mark Stone)—An act to add Section 5008.9 to the Public Resources Code, relating to state beaches.

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

Senate Joint Resolution 16: By Senator Wilk—Relative to federal Temporary Protected Status.

Senate Resolution 72: By Senators Leyva, Atkins, Galgiani, Jackson, Mitchell, and Skinner—Relative to the 45th anniversary of the Roe v. Wade decision.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Allen requested that when the Senate adjourns this day it do so in memory of Sandy Casey and Rachael Parker of Manhattan Beach, Christiana Duarte of Redondo Beach, and Lisa Patterson of Lomita.

Senator Atkins requested that when the Senate adjourns this day it do so in memory of Jennifer Topaz Irvine of San Diego.

Senator Bates requested that when the Senate adjourns this day it do so in memory of Victor Link of Aliso Viejo.

Senator Fuller requested that when the Senate adjourns this day it do so in memory of Kelsey Breanne Meadows of Taft, and Jack Beaton and Bailey Schweitzer of Bakersfield.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Kurt Von Tillow of Cameron Park.

Senator Hill requested that when the Senate adjourns this day it do so in memory of Hon. Eric Reed of Belmont.



Senator Jackson requested that when the Senate adjourns this day it do so in memory of Denise Cohen of Carpenteria, Chris Hazencomb of Camarillo, Lt. Derrick "Bo" Taylor of Oxnard, and Sue Grafton of Santa Barbara.

Senator Leyva requested that when the Senate adjourns this day it do so in memory of Dana Gardner of Grand Terrace and Lawrence Falce of San Bernardino.

Senator McGuire requested that when the Senate adjourns this day it do so in memory of Stacey Etcheber of Novato.

Senator Mitchell requested that when the Senate adjourns this day it do so in memory of David S. Cunningham Jr. of Los Angeles.

Senator Monning requested that when the Senate adjourns this day it do so in memory of Andrew Meyer of Marina.

Senator Moorchach requested that when the Senate adjourns this day it do so in memory of Andrea Castilla of Huntington Beach and Hon. March Fong Eu of Irvine.

Senator Newman requested that when the Senate adjourns this day it do so in memory of Michelle Vo of Los Angeles, Brian Fraser of La Palma, and Teresa Nicol Kimura of Placentia.

Senator Nguyen requested that when the Senate adjourns this day it do so in memory of Candice Bowers of Garden Grove.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Jordyn Rivera of La Verne.

Senator Roth requested that when the Senate adjourns this day it do so in memory of Carrie Barnette, Austin Davis, Thomas Day Jr., and Angela Gomez of Riverside, Patricia Mestas of Corona, Rocio Guillen Rocha of Eastvale, and Christopher Roybal of Colorado Springs, CO.

Senator Stern requested that when the Senate adjourns this day it do so in memory of Susan Smith of Simi Valley, Keri Galvan of Thousand Oaks, and Doris Mattos of Washington, D.C.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Hannah Ahlers of Murrieta.

Senator Wiener requested that when the Senate adjourns this day it do so in memory of Hon. Ed Lee of San Francisco.

Senator Wilk requested that when the Senate adjourns this day it do so in memory of Melissa Ramirez of Littlerock, Jennifer Parks of Lancaster, and John Phippen of Santa Clarita.



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, January 8, 2018.

NEVA MARIE PARKER, Minute Clerk

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