

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, February 6, 2017

The Senate met at 2:28 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, Wieckowski, Wiener, and Wilk—40.
Quorum present.



PRAYER

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

Let us center ourselves in God's holy presence as I read this poem called "Shine" by Diane Smigielski-Schilling, in acknowledgement of your work for the common good:

For just this Moment, and the Next,

Do not believe that this world cannot feel the Incredible Gift that you have been given and Hold.

There is no comparison to You.

There will always be another ahead of and just behind you on the Path.

One is beckoning for you to follow in the wake of their Wisdom, the other is clinging to you for Hope and Guidance.

Are you to be the Student or the Teacher?

You have been granted the pleasure of experiencing both,

As they are meant to be One.

What this world has led us to believe as strengths and weaknesses, are the Tools that have been given to Carve out our Unique Purpose.

It is time, Dear [Senator, Staff Member, Guest], to allow the Art of your Life to be Seen and Heard

from every angle of the beautiful Sculpture you are Creating.

Consider with Love, that all who are receiving your Gift, are doing so from the Breath of this Moment we are stepping Upon.

Loving God, we ask You to be with us in this moment as we seek to carve out our unique purpose with all its challenges and creativity.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRIVILEGES OF THE FLOOR**SPECIAL RECOGNITIONS**

Senator Pan presented a member's resolution to art educator, music teacher, and constituent, Ronald Ortiz, in recognition of his 80th birthday.



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

Senate Resolution 14—Relative to the University of Southern California football team.

Resolution read third time and presented by Senator Lara.

Roll Call

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

AYES (40)—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, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senators Lara and Mitchell introduced University of Southern California football players Chris Hawkins, Deontay Burnett, and Leon McQuay, in honor of winning the 2017 Rose Bowl.

Senator Anderson introduced the Family, Careers and Community Leaders of America and the Health Occupations Students of America, in honor of their visit to the California State Senate.

Senator Allen introduced University of California, Los Angeles students, Annia Yoshizumi and Avery Do, in honor of their visit to the California State Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, February 3, 2017

Madam President: The Committee on Rules has examined:

SB 57

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Budget and Fiscal Review

Senate Chamber, February 6, 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 to amend the Budget Act of 2016 (Chapter 23 of the Statutes of 2016) by amending Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00 of that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

Bill read second time.

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

Committee on Rules

Senate Chamber, February 6, 2017

Madam President: The Committee on Rules has examined:

SB 47

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 232: By Senator Bates (Coauthor: Senator Galgiani)—An act to add and repeal Article 3.7 (commencing with Section 11337) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

Senate Bill 233: By Senator Beall—An act to amend Section 49069.3 of the Education Code, relating to pupil records.

Senate Bill 234: By Senator Berryhill—An act to add Section 5504 to the Fish and Game Code, relating to fishing.

Senate Bill 235: By Senator Allen—An act to amend Section 30534 of the Public Resources Code, relating to coastal resources.

Senate Bill 236: By Senator Nguyen—An act to amend Section 66028 of the Education Code, relating to public postsecondary education.

Senate Bill 237: By Senator Hertzberg—An act to amend Section 849 of the Penal Code, relating to criminal procedure.

Senate Bill 238: By Senator Hertzberg—An act to amend Section 1417.7 of the Penal Code, relating to evidence, and declaring the urgency thereof, to take effect immediately.



Senate Bill 239: By Senator Wiener (Principal coauthor: Assembly Member Gloria) (Coauthors: Assembly Members Chiu and Eggman)—An act to amend Sections 1603.3 and 1644.5 of, to repeal Sections 1621.5, 120291, and 120292 of, and to repeal and add Section 120290 of, the Health and Safety Code, and to amend Sections 1001, 1001.1, and 1202.1 of, to add Sections 1170.21 and 1170.22 to, to repeal Sections 647f, 1001.10, 1001.11, and 1463.23 of, and to repeal and add Section 1202.6 of, the Penal Code, relating to infectious and communicable diseases.

Senate Bill 240: By Senator Dodd (Principal coauthor: Assembly Member Aguiar-Curry)—An act to amend Section 25213.2 of the Government Code, relating to local government.

Senate Bill 241: By Senator Monning—An act to amend Section 123110 of the Health and Safety Code, and to amend Section 5328 of the Welfare and Institutions Code, relating to medical records.

Senate Bill 242: By Senator Skinner—An act relating to the Property Assessed Clean Energy program.

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

Senate Resolution 17—Relative to Female Genital Mutilation and Cutting Awareness Day.

Resolution read third time and presented by Senator Atkins.

Roll Call

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

AYES (40)—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, Moirlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

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

At 2:56 p.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 Wednesday, February 8, 2017.

Motion carried.



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
February 6, 2017

To the Senate of the State of California:

I have the honor to transmit to you herewith the following reappointments heretofore made by me to offices which by law are to be filled by the Governor. These reappointments are subject to Senate confirmation and consent. I hereby nominate these reappointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

CECILIA V. ESTOLANO, has been reappointed to the California Community Colleges Board of Governors, where she has served since 2014. Estolano has been co-founder at Estolano LeSar Perez Advisors since 2011. She was chief strategist for state and local initiatives at Green for All from 2009 to 2011, chief executive officer at the City of Los Angeles Community Redevelopment Agency from 2006 to 2009, and a lecturer at the University of California, Los Angeles School of Public Affairs from 2006 to 2009. Estolano was of counsel at Gibson Dunn and Crutcher LLP from 2005 to 2006 and served as special assistant city attorney in the Los Angeles City Attorney's Office from 2001 to 2005. She served as a senior policy advisor at the U.S. Environmental Protection Agency from 1993 to 1995. Estolano earned a Juris Doctor degree from University of California, Berkeley School of Law. Reappointed 01/13/2017. Effective 01/17/2017.

Member, California Community Colleges Board of Governors, vice, self, reappointed. Term ending 01/15/2023.

VALERIE L. SHAW, has been reappointed to the California Community Colleges Board of Governors, where she has served since 2015. Shaw was a commissioner at the Los Angeles City Board of Public Works from 1996 to 2013, where she was president from 2001 to 2005, and was an adjunct professor at the University of Southern California, Department of Political Science from 2004 to 2011. She served as district director for Los Angeles City Council Member Ruth Galanter from 1987 to 1993 and was a program manager at the Drew Economic Development Corporation from 1985 to 1987. Shaw served as public information officer for the Century Freeway Project from 1981 to 1985. She is a member of the 211 Los Angeles County Board of Directors, California Community Foundation's Centinela Valley Medical and Community Funds Advisory Board, Wilfandel Club, and the Los Angeles African American Women's Public Policy Institute. Shaw earned a Master of Public Administration degree from the University of Southern California. Reappointed 01/13/2017. Effective 01/18/2017.

Member, California Community Colleges Board of Governors, vice, self, reappointed. Term ending 01/15/2023.



R. MICHAEL PARAVAGNA, has been reappointed to the California Commission on Disability Access, where he has served since 2013. Paravagna has been an independent contractor at California State University, Sacramento since 2016 and a part-time senior program access specialist at Sally Swanson Architects Inc. since 2005. He was manager of the Build Los Angeles Community College District Americans with Disabilities Act Project from 2009 to 2011 and Americans with Disabilities Act coordinator for the City of Sacramento from 2007 to 2009. Paravagna held multiple positions at the California Department of Rehabilitation from 1975 to 2007, including chief of the Disability Access Division, assistant chief for community resources development, and program administrator for the vocational rehabilitation and work activity program. He is a member of the National Association of ADA Coordinators Board of Directors. He earned a Master of Science degree from California State University, Sacramento. Reappointed 01/09/2017. Effective 01/11/2017.

Member, California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2020.

EDWIN F. LOWRY, has been reappointed to the California Occupational Safety and Health Appeals Board, where he has served since 2011. Lowry was founder and corporate secretary at 13th Avenue Funding Inc. and a part-time hearing officer at the California Department of Pesticide Regulation from 2009 to 2011. He served as a deputy attorney general at the California Department of Justice, Office of the Attorney General from 2005 to 2007 and from 1988 to 1995. Lowry was director at the California Department of Toxic Substances Control from 1999 to 2004, environmental project director at the California District Attorneys Association from 1995 to 1999, and a deputy city attorney in the San Francisco City Attorney's Office from 1987 to 1988. He earned a Juris Doctor degree from Stanford Law School. Reappointed 01/17/2017. Effective 01/19/2017.

Member, California Occupational Safety and Health Appeals Board, vice, self, reappointed. Term ending 01/15/2021.

TOMMY L. RANDLE, has been reappointed to the California State Park and Recreation Commission, where he has served since 2011. Randle served as partnership coordinator at the U.S. Census Bureau from 2009 to 2010 and as a partnership specialist at the U.S. Department of Commerce from 2008 to 2009. Randle was a member of the San Dimas Parks and Recreation Commission from 1994 to 1999 and a regional product manager at International Business Machines from 1971 to 1994. Reappointed 01/17/2017. Effective 01/23/2017.

Member, California State Park and Recreation Commission, vice, self, reappointed. Term ending 01/15/2021.



ALICIA M. HINDE, has been reappointed to the California Commission on Teacher Credentialing, where she has served since 2011. Hinde has been a teacher at Ocean Grove Charter School since 2016. She was a teacher at Bagby Elementary School in the Cambrian School District from 2001 to 2016. She was president of the Cambrian District Teachers Association from 2010 to 2014. Reappointed 01/10/2017. Effective 01/27/2017.

Member, California Commission on Teacher Credentialing, vice, self, reappointed. Term ending 11/20/2020.

REFUGIO “REF” RODRIGUEZ JR., ED.D., has been reappointed to the California Commission on Teacher Credentialing, where he has served since 2013. Rodriguez has been a lecturer at the Loyola Marymount University, School of Education’s Institute of School Leadership and Administration since 2009. He was co-founder and corporate treasurer at Partnerships to Uplift Communities Inc. from 2009 to 2015, president and chief executive officer at Partners for Developing Futures Inc. from 2009 to 2013, and parish manager at the St. Francis de Sales Parish from 1998 to 2000. Rodriguez was director of administration and development at the Divine Savior School from 1996 to 1998 and an analyst and executive assistant at the California State University, Office of the Vice Chancellor for Business and Finance from 1995 to 1996. He has been a member of the Los Angeles Unified School District Board of Education since 2015. Rodriguez earned a Doctor of Education degree from Fielding Graduate University. Reappointed 01/10/2017. Effective 01/31/2017.

Member, California Commission on Teacher Credentialing, vice, Juliet Tiffany-Morales, resigned 02/02/2016. Term ending 11/20/2020.

Above reappointments referred to the Committee on Rules.

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 243: By Senator Galgiani—An act relating to citrus disease prevention, and making an appropriation therefor, to take effect immediately, usual current expenses of the state.

Senate Bill 244: By Senator Lara—An act to add Chapter 2 (commencing with Section 1798.785) to Title 1.8 of Part 4 of Division 3 of the Civil Code, and to amend Sections 12800.7 and 12801.9 of the Vehicle Code, relating to privacy.

Senate Bill 245: By Senator Leyva—An act to amend Sections 1522.41 and 1529.2 of the Health and Safety Code, and to amend Sections 304.7, 16206, 16501.1, and 16521.5 of the Welfare and Institutions Code, relating to foster youth.



Senate Bill 246: By Senator Bates—An act to amend Section 69.5 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 247: By Senator Moorlach—An act relating to professions and vocations.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Anderson requested that when the Senate adjourns this day it do so in memory of Dave Kebert of Santee and George A. Paccereilli of Colville, WA.

Senator Hill requested that when the Senate adjourns this day it do so in memory of Officer Gerardo Silva of Redwood City.

Senator Vidak requested that when the Senate adjourns this day it do so in memory of Krekor Ohanian of Fresno.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, February 8, 2017.

NEVA MARIE PARKER, Minute Clerk

O

