

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, January 18, 2018

The Senate met at 9:13 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, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Morrell,
Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone,
Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senators Mendoza and Moorchach will be excused this day on personal business.)



PRAYER

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

I am sick and tired of being sick and tired. (Fannie Lou Hamer)

Today we bring ourselves into Your presence again—

God of Martin and Rosa, of Fannie Lou and Harriet;

God of Malcolm, Harvey, and Cesar,

of Tenzin, Desmond, and Malala;

God of Pope Francis:

We do not ask to see the road ahead.

We do not ask for power or brilliance.

Give us passion.

Give us gratitude for our companions on the journey.

Open our hearts to our oneness with all people,

That we may work for justice and healing,

Not because we ought to, but because we know it is right and good.

God of all who have suffered, all who have struggled, all who have yearned for love:

We are millions, and we are one.

Give us this day that we may give it back to You, radiant with hope.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRIVILEGES OF THE FLOOR**SPECIAL INTRODUCTIONS**

Senator Newman introduced Hon. Kathy Flachmeier, Council Member from the City of La Palma and Laurie A. Murray, City Manager of the City of La Palma, in honor of their visit to the California State Senate.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, January 18, 2018

Madam President: The Committee on Rules has examined:

SB 70

And reports the same correctly engrossed.

DE LEÓN, Chair

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

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

January 16, 2018

January 17, 2018

January 18, 2018



MOTION TO REFER MEASURES TO INACTIVE FILE

Senator Nguyen moved that **SCR 86, SCR 87, SCR 88, and SR 71** be ordered to the inactive file.

Motion carried.

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

Senator Cannella placed the following Governor's appointment before the Senate:

MICHAEL RUFF, Commissioner, Board of Parole Hearings.

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

NOES (0)—None.

Consideration of Governor's Appointments

Senator Cannella placed the following Governor's appointment before the Senate:

PAULA D. LABRIE, Member, California Gambling Control 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 (37)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, and Wiener.

NOES (0)—None.



THIRD READING OF SENATE BILLS

Senate Joint Resolution 15—Relative to the Children's Health Insurance Program (CHIP).

Resolution read third time and presented by Senator Dodd.

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, Mitchell, Monning, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Anderson introduced Jason Kaminsky, in honor of his visit to the California State Senate.

Senator Nguyen introduced Hon. Mark A. Chirco, Council Member from the City of Los Alamitos and Bret M. Plumlee, City Manager of the City of Los Alamitos, in honor of their visit to the California State Senate.

Senator Jackson introduced students from the Language Academy of Sacramento, in honor of their visit to the California State Senate.

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on personal business: Senators Mendoza and Moorlach.

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

At 9:48 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 22, 2018.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 18, 2018

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

AB 282

AB 306

AB 1584

E. DOTSON WILSON, Chief Clerk of the Assembly



FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 282—An act to amend Section 401 of the Penal Code, relating to suicide.

Assembly Bill 306—An act to amend Section 3017 of the Elections Code, relating to elections.

Assembly Bill 1584—An act to add Section 300.7 to the Penal Code, relating to criminal law.

REPORTS OF STANDING COMMITTEES

Committee on Business, Professions and Economic Development

Senate Chamber, January 18, 2018

Madam President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

AB 710

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

HILL, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 710—An act to amend Section 101.7 of the Business and Professions Code, relating to professions and vocations.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 710 pursuant to Joint Rule 58.

ASSEMBLY MEMBER WOOD

Permission of Rules Committee

Senate Chamber, January 18, 2018

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 710.

DE LEÓN, Chair

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

Committee on Appropriations

Senate Chamber, January 18, 2018

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

SB 691

Reports the same back with the recommendation: That the above bill be ordered to second reading pursuant to Senate Rule 28.8.

LARA, Chair

Above bill ordered to second reading.



Date of Hearing, January 18, 2018

Madam President: The Committee on Appropriations, to which were referred:

SB 215	SB 227	SB 320
SB 460	SB 759	

Reports the same back with the recommendation: Do pass.

LARA, Chair

Above bills ordered to second reading.

Date of Hearing, January 18, 2018

Madam President: The Committee on Appropriations, to which were referred:

SB 399	SB 707
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Reports the same back with the recommendation: Do pass as amended.

LARA, Chair

Above bills ordered to second reading.

MOTIONS, RESOLUTIONS AND NOTICES

MOTION TO TAKE MEASURES FROM INACTIVE FILE

Without objection, **SB 168** was taken from the inactive file and taken up at this time.

Consideration of Senate Bill 168

Senate Bill 168—An act to amend, repeal, and add Sections 12024.13, 21608.5, and 23671 of the Business and Profession Code, to amend, repeal, and add Sections 47605.1 and 47612.1 of the Education Code, to amend, add, and repeal Section 1720.4 of the Labor Code, to amend, repeal, and add Sections 186.2 and 186.8 of the Penal Code, to amend Section 12165 of the Public Contract Code, to amend Sections 14526.5, 14571.5, and 14571.8 of, to amend and repeal Section 17002 of, to amend, repeal, and add Sections 615, 5845.8, 14315, 17000, 17001, 19535, 31178, 40003, 42476, 42889, and 48653 of, to add Section 14100.5 to, to add Chapter 9 (commencing with Section 14600) to Division 12.1 of, to add Chapter 20.5 (commencing with Section 42984) to Part 3 of Division 30 of, to repeal Section 40511 of, and to repeal and add Division 12.1 (commencing with Section 14500) of, the Public Resources Code, to amend Sections 17153.5 and 24315 of the Revenue and Taxation Code, to amend, repeal, and add Sections 2370 and 2382 of the Streets and Highways Code, and to amend, repeal, and add Section 79714 of the Water Code, relating to recycling.

Bill read second time.

Amendments Adopted

Amendments to **SB 168** proposed by Senator Wieckowski were read and adopted and the measure ordered printed, engrossed, and to second reading.



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 908: By Senator Nguyen—An act to amend Section 9075, and to add Article 3.7 (commencing with Section 9085) to Chapter 1.5 of Part 1 of Division 2 of Title 2, of the Government Code, relating to the Legislature.

Senate Bill 909: By Senator Hertzberg—An act to add Part 9 (commencing with Section 19501) to Division 9 of the Probate Code, relating to trusts.

Senate Bill 910: By Senator Hernandez—An act to add Section 10123.61 to the Insurance Code, relating to health insurance.

Senate Bill 911: By Senator Gaines—An act to amend Section 600 of the Penal Code, relating to police animals.

Senate Bill 912: By Senator Beall—An act to amend Section 4597.3 of the Public Resources Code, relating to forest resources.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations**

SB 38—Do pass as amended

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.
NOES (0)—None.

SB 215—Do pass

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.
NOES (0)—None.

SB 227—Do pass

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.
NOES (0)—None.

SB 320—Do pass

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.
NOES (2)—Senators Bates and Nielsen.

SB 399—Do pass as amended

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.
NOES (2)—Senators Bates and Nielsen.

SB 459—Do pass as amended

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.
NOES (2)—Senators Bates and Nielsen.

SB 460—Do pass

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.
NOES (2)—Senators Bates and Nielsen.



SB 635—Do pass as amended

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.

NOES (0)—None.

SB 656—Do pass as amended

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.

NOES (0)—None.

SB 707—Do pass as amended

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.

NOES (0)—None.

SB 757—Do pass as amended

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.

NOES (0)—None.

SB 759—Do pass

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.

NOES (2)—Senators Bates and Nielsen.

SB 760—Do pass as amended

AYES (5)—Senators Beall, Bradford, Hill, Lara, and Wiener.

NOES (2)—Senators Bates and Nielsen.

Date of Hearing: 1/18/2018

Lara, Chair

REQUESTS TO ADJOURN IN MEMORIAM

Senator Allen requested that when the Senate adjourns this day it do so in memory of Atticus Anderson of Los Angeles.

Senator Hertzberg requested that when the Senate adjourns this day it do so in memory of Hon. John Varick Tunney of Brentwood.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Mendouhi Medy Mardirossian of Glendale.

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 22, 2018.

NEVA MARIE PARKER, Minute Clerk

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