

CALIFORNIA LEGISLATURE
2017-18 REGULAR SESSION

SENATE DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, March 9, 2017

The Senate met at 9:12 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, Bates, Beall, Bradford, Cannella, De León, Dodd,
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—37.

Quorum present.

(NOTE: Senators Atkins and Berryhill will be excused this day on personal business. Senator Fuller will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by the Rev. Elizabeth Griswold, Pastor of Parkside Community Church:

Precious, Merciful, and Abundant God, we come before You this morning with thanksgiving in our hearts for this glorious day; as well as for the health of body, mind, and spirit that each of us enjoys, to the degree that we were able to rise up this morning and come here today to serve Your purposes.

We are grateful God also for yesterday, a day we know as International Women's Day—a day to honor women in every culture, in every corner of Your Creation, as well as right here at home in California.

And I ask Your blessing, God, on each of these lawmakers, chosen by the people of their diverse communities to represent them here. As they do this important work, may You infuse them, God, with Your generous Spirit. Inspired by words used by our Governor recently, "The truth is marching on!" may this Senate know the truth that ours is a fine state, and that *every* Californian—men and women; old and young; black, white, and brown; gay and straight; immigrant and indigenous—that every Californian has something to contribute to the greater good.

And may this truth live on in the words and deeds of each of us, this day and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

Parliamentary Inquiry

Senator Morrell arose to the following parliamentary inquiry:

Please clarify the document received in response to the parliamentary inquiry that was made on February 27, 2017. What specific rule did the Senator from Garden Grove violate which led to her being forcefully removed from the Chamber?

Response of the Presiding Officer

The Presiding Officer yielded her response to the Majority Floor Leader.

Response of the Majority Floor Leader

The Majority Floor Leader responded that the body never had an opportunity to decide on the point of order pursuant to the procedure set forth in Section 149 of Mason's Manual of Legislative Procedure.

Response of the Presiding Officer

The Presiding Officer recited Senate Rule 36, and further responded that Senate Rule 20 allows for Mason's Manual of Legislative Procedure and customs and practices of the Senate to prevail in times when no rule is provided for.



Parliamentary Inquiry

Senator Anderson arose to the following parliamentary inquiry:
Are there other rules we should be referencing?

Response of the Presiding Officer

The Presiding Officer responded that the Senate Rules, as adopted by the Senate, should be used.

Parliamentary Inquiry

Senator Nguyen arose to the following parliamentary inquiry:
Could the Majority Floor Leader please clarify if he was arising to a point of order?

Response of the Presiding Officer

The Presiding Officer yielded her response to the Majority Floor Leader.

Response of the Majority Floor Leader

The Majority Floor Leader responded that he was arising to a point of order.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Newman introduced Nancy Montgomery of Irvine Valley College and Terence Nelson of Saddleback College, in honor of their work with the Veteran’s Resource Center; Rochelle Mills and George Searcy, in honor of their work on affordable housing; and his wife, Darcy Lewis, his daughter, Cecily Newman, and his father-in-law, John Lewis, in honor of Mr. Lewis’ service as an Army veteran and his work in the aerospace industry.

SPECIAL RECOGNITIONS

Senator McGuire presented a member’s resolution to Joshua Asel, winner of the California Department of Fish and Wildlife’s 2016 Photo of the Year.

SPECIAL INTRODUCTIONS

Senator Hueso introduced members of the Rotary Club of Roseville and the Rotary Club from Zacapu, Michoacán, Mexico, in honor of their visit to the California State Senate.

Senator Allen introduced Hon. Caroline M. Torosis and Hon. Anastasia Foster, Commissioners on the City of Santa Monica Rent Control Board, in honor of their visit to the California State Senate.

REPUBLICAN CAUCUS

At 9:45 a.m., Senator Nielsen announced a Republican Caucus.

DEMOCRATIC CAUCUS

At 9:45 a.m., the Majority Floor Leader announced a Democratic Caucus.



REASSEMBLED

At 10:10 a.m., the Senate reassembled.

Hon. Hannah-Beth Jackson, of the 19th District, presiding.

**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator De León presented a member's resolution to a delegation from Canada led by Hon. Jim S. Nickel, Director General of North American Advocacy; Hon. Brandon Lee, Consul General of Canada in San Francisco; Hon. James Villeneuve, Consul General of Canada in Los Angeles; and Constable Jessica Brown of the Royal Canadian Mounted Police.

SPECIAL INTRODUCTIONS

Senator Nielsen introduced his daughter, Prima Diva, and her guest, Paul F. Webb Jr., in honor of their visit to the California State Senate.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, March 9, 2017

Madam President: The Committee on Rules has examined:

SCR 30

SCR 31

And reports the same correctly engrossed.

DE LEÓN, Chair

MOTIONS, RESOLUTIONS AND NOTICES**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Pan moved that **SCR 31** be ordered to the inactive file.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, March 8, 2017

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

Business, Professions and Economic Development—SB 663, SB 795, SB 796, SB 797, SB 798, SB 799, SB 800.

Education—SB 723, SB 727, SB 730, SB 751, SB 769, SB 777, SB 787, SB 803.

Elections and Constitutional Amendments—SB 651, SB 665, SB 691.

Energy, Utilities and Communications—SB 692.

Environmental Quality—SB 740, SB 771, SB 774, SB 775.

Governance and Finance—SB 661, SB 693, SB 697, SB 703, SB 742, SB 793.



Governmental Organization—SB 654, SB 664, SB 678, SB 685, SB 702, SB 748.

Health—SB 688, SB 707, SB 786.

Judiciary—SB 657, SB 686, SB 690, SB 718, SB 720, SB 722, SB 755.

Labor and Industrial Relations—SB 789.

Natural Resources and Water—SB 667, SB 704, SB 724, SB 759, SB 773.

Public Employment and Retirement—SB 656, SB 671.

Public Safety—SB 652, SB 655, SB 670, SB 684, SB 695, SB 698, SB 708, SB 725, SB 756, SB 757, SB 770, SB 781, SB 784.

Rules—SB 653, SB 658, SB 659, SB 662, SB 666, SB 668, SB 669, SB 675, SB 676, SB 677, SB 679, SB 681, SB 682, SB 689, SB 694, SB 696, SB 700, SB 706, SB 713, SB 714, SB 715, SB 717, SB 719, SB 726, SB 729, SB 733, SB 735, SB 736, SB 737, SB 738, SB 739, SB 744, SB 745, SB 749, SB 750, SB 752, SB 753, SB 754, SB 758, SB 761, SB 762, SB 763, SB 765, SB 766, SB 768, SB 772, SB 778, SB 779, SB 782, SB 783, SB 788, SB 790, SB 791, SB 794, SB 801, SB 802, SB 804, SB 805, SB 806.

Transportation and Housing—SB 672, SB 673, SB 680, SB 712, SB 732, SB 760.

Veterans Affairs—SB 747.

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

Banking and Financial Institutions and Business, Professions and Economic Development—SB 764.

Business, Professions and Economic Development and Transportation and Housing—SB 721.

Education and Banking and Financial Institutions—SB 674.

Education and Business, Professions and Economic Development—SB 746.

Education and Judiciary—SB 808.

Elections and Constitutional Amendments and Judiciary—SB 734.

Environmental Quality and Appropriations—SB 705.

Governance and Finance and Education—SB 807.

Governance and Finance and Rules—SB 683.

Governance and Finance and Transportation and Housing—SB 711.



Governmental Organization and Agriculture—SB 741.
Health and Appropriations—SB 743.
Health and Governance and Finance—SB 792.
Health and Judiciary—SB 687, SB 716.
Human Services and Judiciary—SB 767.
Judiciary and Appropriations—SB 785.
Natural Resources and Water and Environmental Quality—SB 709,
SB 780.
Natural Resources and Water and Governance and Finance—SB 701.
Public Safety and Veterans Affairs—SB 776.
Transportation and Housing and Environmental Quality—SB 660.
Transportation and Housing and Public Safety—SB 699.
Veterans Affairs and Education—SB 731.
Veterans Affairs and Public Employment and Retirement—SB 728.

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

Public Safety and Natural Resources and Water and Appropriations—SB 710.

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

Health—SR 26.

Judiciary—SR 23.

Public Employment and Retirement—SCR 32.

Senate Chamber, March 9, 2017

Madam President: The Committee on Rules has examined:

SB 138

SB 142

SB 150

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:

March 6, 2017 March 7, 2017 March 8, 2017
March 9, 2017

LEAVES OF ABSENCE

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

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

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, March 13, 2017.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 9, 2017

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

SB 28 SB 47 SB 48

Above bills ordered enrolled.

Assembly Chamber, March 9, 2017

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

SCR 20 SCR 23

E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolutions ordered enrolled.



REPORTS OF STANDING COMMITTEES**Committee on Education**

Senate Chamber, March 9, 2017

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

SB 233

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

ALLEN, Chair

Second Reading of Bills—Author's Amendments

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

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, March 9, 2017

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

SB 79

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

GLAZER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 79—An act to amend Section 25722.8 of the Public Resources Code, relating to public resources.

Bill read second time.

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

Committee on Governance and Finance

Senate Chamber, March 9, 2017

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

SB 35

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 Bill 35—An act to amend Section 65582.1 of, and to add Sections 65589.9 and 65913.4 to, the Government Code, relating to housing.

Bill read second time.

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

Committee on Health

Senate Chamber, March 9, 2017

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

SR 26

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

HERNANDEZ, Chair

Second Reading of Bills—Author’s Amendments

Senate Resolution 26—Relative to the Patient Protection and Affordable Care Act.

Resolution read second time.

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

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

Senate Resolution 27: By Senator Wieckowski—Relative to vehicular air pollution.

REQUESTS TO ADJOURN IN MEMORIAM

Senators Allen and Stern requested that when the Senate adjourns this day it do so in memory of Hon. Anthony C. Beilenson of Los Angeles.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Msgr. John K. Foley of Montrose.

ADJOURNMENT

At 5:14 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators’ requests until 2 p.m., Monday, March 13, 2017.

NEVA MARIE PARKER, Minute Clerk

