

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

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**IN SENATE**

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Senate Chamber, Sacramento  
Friday, January 13, 2017

The Senate met at 9:06 a.m.  
Hon. Ricardo Lara, of the 33rd 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, Hernandez, Hertzberg, Hill,  
Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Monning, Moorlach,  
Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone,  
Vidak, Wieckowski, Wiener, and Wilk—37.

Quorum present.

*(NOTE: Senators Glazer and Morrell will be excused this day on personal business. Senator Leyva will be excused this day due to illness.)*



**PRAYER**

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

Father, Mother, God,

Thank You for Your presence during the hard and mean days; for then we have You to lean upon.

Thank You for Your presence during the bright and sunny days; for then we can share that which we have with those who have less.

And thank You for Your presence during the Holy Days; for then we are able to celebrate You, and our families, and our friends.

For those who have no voice, we ask You to speak.

For those who feel unworthy, we ask You to pour out Your love in waterfalls of tenderness.

For those who live in pain, we ask You to bathe them in the river of Your healing.

For those who are lonely, we ask You to keep them company.

For those who are depressed, we ask You to shower upon them the light of hope.

Dear Creator, You, the borderless sea of substance:

We ask You to give to all the world that which we need most—peace.—AMEN.

(Maya Angelou)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

**Senate Concurrent Resolution 7**—Relative to Korean-American Day.

Resolution read third time and presented by Senator Moorlach.

**Roll Call**

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

AYES (35)—Senators Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Monning, Moorlach, 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 Moorlach introduced a delegation of 14 members of the Korean American Foundation and the Korean American Federation, including Paul Cho, president of the Korean American Foundation in Sacramento, Laura Jeon, president of the Korean American Federation of Los Angeles, and Seokhyo Kang, president of the Korean American Federation of Sacramento, in honor of Korean-American Day.

Senator Pan introduced Ms. Lewandowski's fourth grade class from Phoebe A. Hearst Elementary School in Sacramento, in honor of their visit to the California State Senate.

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

Senator Nguyen moved that **SCR 2**, **SCR 4**, and **SR 10** be ordered to the inactive file.

Motion carried.

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

**Consideration of Governor's Appointments**

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

NEGAR NOUSHKAM, Member, State Mining and Geology Board.

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 (35)—Senators Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Monning, Moorlach, 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:

ANDREW J. BALL, 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 (36)—Senators Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Monning, Moorlach, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator De León introduced Remi Lacombe and Anne-Sophie Williams, and presented them with a memorial resolution in honor of the life of Alejandra García Williams, Consul General of Mexico in Sacramento.

**LEAVES OF ABSENCE**

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

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

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

At 9:56 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 Tuesday, January 17, 2017.

Motion carried.



**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Senate Chamber, January 13, 2017

Mr. President: The Committee on Rules has examined:

SB 43

And reports the same correctly engrossed.

DE LEÓN, Chair

**Committee on Judiciary**

Date of Hearing, January 13, 2017

Mr. President: The Committee on Judiciary, to which were referred:

SR 9

SR 12

Reports the same back with the recommendation: Be adopted.

JACKSON, Chair

Above resolutions ordered to third reading.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 13, 2017

*Mr. Daniel Alvarez*  
*Secretary of the Senate*

Dear Daniel: The Assembly on this day did advise and consent to the confirmation of the Governor’s appointment of Xavier Becerra to the office of Attorney General of the State of California by a vote of 56–23.

Sincerely,

E. DOTSON WILSON, Chief Clerk of the Assembly

Assembly Chamber, January 13, 2017

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

ACR 3

ACR 5

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Concurrent Resolution 3**—Relative to Korean-American Day.

**Assembly Concurrent Resolution 5**—Relative to Martin Luther King, Jr. Day.



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

State Capitol, January 13, 2017

Mr. President: The Committee on Rules has ordered the following measure to third reading:

ACR 5

**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 138:** By Senator McGuire (Principal coauthor: Senator Mitchell) (Coauthors: Senators Beall and Portantino)—An act to amend Section 49562 of, and to add Section 49563 to, the Education Code, relating to school meals.

**Senate Bill 139:** By Senator Wilk (Principal coauthor: Senator Galgiani) (Coauthor: Assembly Member Lackey)—An act to add Section 11364.6 to the Health and Safety Code, relating to harmful substances.

**Senate Bill 140:** By Senator Allen—An act to amend Sections 17053.88 and 23688 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 141:** By Senator Nguyen—An act to amend Section 17144.7 of the Revenue and Taxation Code, relating to taxation.

**Senate Bill 142:** By Senator Beall—An act to add Section 1233.2 to the Penal Code, relating to public safety.

**Senate Bill 143:** By Senator Beall—An act to amend Sections 1170.126 and 1170.18 of the Penal Code, relating to sentencing.

**Senate Bill 144:** By Senators McGuire and Nielsen (Coauthor: Assembly Member Wood)—An act to amend Section 7382 of the Fish and Game Code, relating to fishing, and declaring the urgency thereof, to take effect immediately.

**SENATE COMMITTEE ROLL CALLS****Committee on Judiciary**

**SR 9**—Be adopted

AYES (5)—Senators Hertzberg, Jackson, Monning, Stern, and Wieckowski.

NOES (2)—Senators Anderson and Moorlach.

**SR 12**—Be adopted

AYES (5)—Senators Hertzberg, Jackson, Monning, Stern, and Wieckowski.

NOES (2)—Senators Anderson and Moorlach.

Date of Hearing: 1/13/2017

Jackson, Chair



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Andrew Manion of Napa.

Senator Moorlach requested that when the Senate adjourns this day it do so in memory of Werner Escher of Newport Beach.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Tuesday, January 17, 2017.

NEVA MARIE PARKER, Minute Clerk

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