

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, January 23, 2017

The Senate met at 2:12 p.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, Galgiani, Glazer, Hernandez, Hertzberg, Hill,
Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning,
Moorlach, Morrell, Newman, Nguyen, Pan, Roth, Skinner, Stern, Stone,
Vidak, Wieckowski, Wiener, and Wilk—37.

Quorum present.

(NOTE: Senators Gaines and Portantino will be excused this day on personal business. Senator Nielsen will be excused this day to attend a funeral.)



PRAYER

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

The Lord is my pace-setter; I shall not rush,
 God helps me stop and rest for quiet intervals.
 He provides me with images of stillness,
 Which restores my serenity.
 God leads me in the way of efficiency through calmness of mind;
 God's guidance is peace.

Even though I have many things to accomplish today,
 And crisis may pile upon crisis,
 I will not fall apart, for God's presence is here;
 God's timelessness will keep me in balance.

God prepares refreshment and renewal in the midst of my activities.
 God anoints my mind with the oil of inspiration.
 Surely harmony and effectiveness will be the fruit of my hours,
 And I shall walk in the peace of the Lord this day.—AMEN.

(Adapted from Psalm 23 for Busy People.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Wiener introduced Louis Lam, President of the American Teo Chew Business Association, Bill Wong, President of the Chinese Consolidated Benevolent Association (Six Companies), Albert Tam, President of the New Comers Service Center, Wilson Chu, President of the Chinese American Democratic Club, Rex Tabora, Executive Director of the Asian Pacific American Community Center, Josephine Zhao, co-founder of Better Housing Policy, Marlene Tran, Community Activist for Minorities and Immigrants, Leon Chow, Director of SEIU Local 2015 San Francisco County Region, Richard Ow, Commissioner of San Francisco Aging and Adult Services, in honor of their visit to the California State Senate.



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
January 20, 2017

To the Senate of the State of California:

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

Sincerely,

EDMUND G. BROWN JR., Governor

ERIC L. SKLAR, has been reappointed to the California Fish and Game Commission, where he has served since 2015. Sklar has been founder and managing partner at Yount Ridge Cellars since 2012 and president at Preslar Ventures Inc. since 2001. He was founder and managing partner at Alpha Omega Winery from 2005 to 2013, and served as a member of the St. Helena City Council from 2003 to 2010 and of the City of St. Helena Planning Commission from 2002 to 2003. Sklar was chairman and chief executive officer at Infohaze Inc. from 1999 to 2001, an adjunct professor at the Georgetown University, McDonough School of Business from 1997 to 1999, and founder and chief executive officer at Burrito Brothers Inc. from 1989 to 1999. He earned a Master of Business Administration degree from the Georgetown University, McDonough School of Business. Reappointed 01/17/2017. Effective 01/18/2017.

Member, Fish and Game Commission, vice, self, reappointed.
Term ending 01/15/2023.

DENNIS M. MATHISEN, has been appointed state fire marshal at the California Department of Forestry and Fire Protection, where he has been chief of state fire training since 2016, and has served in several positions since 2012, including chief of public education and information officer. Mathisen was a part-time fire technology program instructor at Sierra College from 2012 to 2016. He was regional fire sprinkler specialist for the National Fire Protection Association in 2011, and served in several positions at the Roseville Fire Department from 1997 to 2011, including division chief and fire marshal. He held several positions at the American River Fire Protection District from 1985 to 1997, including fire inspector supervisor, acting fire marshal, fire inspector, and draftsman. Appointed 01/10/2017. Effective 01/12/2017.

State Fire Marshal, Department of Forestry and Fire Protection, vice, Tonya Hoover, retired, 07/15/2016. Term ending at the pleasure of the Governor.



HAYDEE RODRIGUEZ, has been reappointed to the California Commission on Teacher Credentialing, where she has served since 2014. Rodriguez has served as a teacher for the Central Union High School District since 2006. She was a teacher at Holtville Middle School from 2004 to 2006, education director at the Farmworker Institute for Education and Leadership Development in 2004, and a teacher at East Palo Alto Academy from 2001 to 2003. Rodriguez served as lead adult education teacher and literacy specialist at Desert Oasis High School from 1998 to 2001. She earned a Master of Arts degree in education from Stanford University. Reappointed 01/10/2017. Effective 01/19/2017.

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

Above appointments and reappointments referred to the Committee on Rules.

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 166: By Senator Skinner—An act to amend and repeal Section 4055 of the Family Code, relating to child support.

Senate Bill 167: By Senator Skinner—An act to add Section 5067 to the Penal Code, and to add Section 18901.35 to the Welfare and Institutions Code, relating to public social services.

Senate Bill 168: By Senator Wieckowski—An act to amend Section 14550 of the Public Resources Code, relating to recycling.

Senate Bill 169: By Senators Jackson and De León—An act relating to postsecondary education.

Senate Bill 170: By Senator Leyva—An act to amend Section 3042 of the Family Code, relating to child custody.

Senate Bill 171: By Senator Hernandez (Coauthor: Assembly Member Wood)—An act to amend Section 10951 of the Welfare and Institutions Code, relating to Medi-Cal.

Senate Bill 172: By Senator Portantino—An act to add Section 1374.551 to the Health and Safety Code, and to add Section 10119.61 to the Insurance Code, relating to health care coverage.

Senate Bill 173: By Senator Dodd—An act to amend Sections 101, 10004, 10005, and 10050 of the Business and Professions Code, and Section 12804 of the Government Code, relating to real estate.

MOTIONS, RESOLUTIONS AND NOTICES

MOTION TO REFER MEASURES TO INACTIVE FILE

Senator Lara moved that **SCR 3** be ordered to the inactive file.

Motion carried.



**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Wieckowski introduced Thomas Birbeck of the Fremont Unified School District, in honor of his visit to the California State Senate.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

Consideration of Governor's Appointments

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

XAVIER BECERRA, California Attorney General.

The President put the question: "Will the Senate advise and consent to the nomination by the Governor?"

Roll Call

The roll was called and the nominee was confirmed by the following vote:

AYES (26)—Senators Allen, Atkins, Beall, Bradford, De León, Dodd, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Roth, Skinner, Stern, Wieckowski, and Wiener.

NOES (9)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Moorlach, Morrell, Vidak, and Wilk.

LEAVES OF ABSENCE

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

The following Senator was granted leave of absence for the day to attend a funeral: Senator Nielsen.

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

At 3:21 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 Tuesday, January 24, 2017.

Motion carried.



MOTIONS, RESOLUTIONS AND NOTICES**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules:

SB 28

**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 174: By Senators Lara and Leyva—An act to amend Section 4156 of, and to add Section 4000.15 to, the Vehicle Code, relating to vehicles.

Senate Bill 175: By Senator McGuire—An act to amend Sections 19332.5 and 26063 of the Business and Professions Code, relating to marijuana.

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

Senate Concurrent Resolution 16: By Senator Leyva (Principal coauthor: Assembly Member Lackey) (Coauthors: Senators Bates, Cannella, Galgiani, Hertzberg, Jackson, Nguyen, Nielsen, and Wieckowski) (Coauthors: Assembly Members Baker, Caballero, Chiu, and Waldron)—Relative to Teen Dating Violence Awareness and Prevention Month.

Senate Resolution 14: By Senator Lara—Relative to the University of Southern California football team.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Gene Vick of Rio Vista.

Senators Morrell and Leyva requested that when the Senate adjourns this day it do so in memory of Jack H. Brown of San Bernardino.

Senator Newman requested that when the Senate adjourns this day it do so in memory of Larry Colletti of Brea.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, January 24, 2017.

NEVA MARIE PARKER, Minute Clerk

