

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, July 19, 2017

The Senate met at 9 a.m.
Hon. Henry I. Stern, of the 27th District, presiding.
Secretary Daniel Alvarez at the Desk.
Assistant Secretary Zachary L. Twilla reading.

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,
Moorlach, Morrell, Newman, Nguyen, Pan, Portantino, Roth, Skinner,
Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senator Mendoza will be excused this day due to death in the family. Senator Nielsen will be excused this day due to illness.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 19, 2017

The Honorable Kevin de León
President pro Tempore of the Senate
The Honorable Anthony Rendon
Speaker of the Assembly

Dear Members of the California State Legislature: I have executed a tribal-state gaming compact between the State of California and Wilton Rancheria, a federally recognized Indian tribe, located in the State of California. I am forwarding copies of this tribal-state gaming compact for consideration by the Legislature.

Sincerely,

EDMUND G. BROWN JR., Governor

Above tribal-state gaming compact ordered held at Desk.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 1636—An act to amend Sections 22715 and 23026 of the Financial Code, relating to the Department of Business Oversight.

Bill read second time.

The amendments proposed by the Committee on Insurance, Banking and Financial Institutions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 420—An act to add Section 17209 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1193—An act to amend Section 214 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.



Assembly Bill 485—An act to amend Section 31753 of the Food and Agricultural Code, and to amend Section 122357 of, and to add Section 122354.5 to, the Health and Safety Code, relating to public health.

Bill read second time.

The amendments proposed by the Committee on Business, Professions and Economic Development were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 943—An act to add Section 65863.15 to the Government Code, relating to land use.

Bill read second time.

The amendments proposed by the Committee on Elections and Constitutional Amendments were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1083—An act to add Section 740.14 to the Public Utilities Code, relating to transportation electrification.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 705—An act to amend Section 78213 of the Education Code, relating to community colleges.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1082—An act to add Section 740.13 to the Public Utilities Code, relating to transportation electrification.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1217—An act to add and repeal Chapter 2.7 (commencing with Section 59170) of Part 32 of Division 4 of Title 2 of the Education Code, relating to pupil instruction.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.



Assembly Bill 1321—An act to add Section 33130 to the Education Code, relating to education finance.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 677—An act to add Section 51514 to the Education Code, and to amend Section 8310.8 of the Government Code, relating to data collection.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 766—An act to add Sections 76300.1 and 89713 to the Education Code, and to amend Section 11402 of, and to add Section 11402.7 to, the Welfare and Institutions Code, relating to foster care.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 748—An act to amend Section 6254 of the Government Code, and to amend Section 832.18 of the Penal Code, relating to peace officers.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 295—An act to amend Section 21019 of, and to add Chapter 7 (commencing with Section 21708) to Part 1 of Division 9 of, the Public Utilities Code, relating to aviation.

Bill read second time and ordered to third reading.

Assembly Bill 1568—An act to amend Section 53398.59 of, and to add Section 53398.75.5 to, the Government Code, relating to local government.

Bill read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1637—An act to add Article 4.5 (commencing with Section 34340) to Chapter 1 of Part 2 of Division 24 of the Health and Safety Code, relating to housing.

Bill read second time and ordered to consent calendar.



Assembly Bill 1418—An act to amend Sections 373a, 1424, and 11105 of the Penal Code, and to amend Sections 1807.5, 1808.4, and 1810.5 of the Vehicle Code, relating to city prosecutors.

Bill read second time and ordered to third reading.

**MOTIONS, RESOLUTIONS AND NOTICES
RE-REFERENCE TO COMMITTEE
PURSUANT TO JOINT RULE 10.5**

Pursuant to Joint Rule 10.5, the following measure was re-referred to the Committee on Appropriations:

AB 1518

**REPORTS OF STANDING COMMITTEES
Committee on Judiciary**

Date of Hearing, July 18, 2017

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

AB 228

Reports the same back with the recommendation: Do pass as amended, and be ordered to the consent calendar.

JACKSON, Chair

Above bill ordered to second reading.

Date of Hearing, July 18, 2017

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

AB 646

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

JACKSON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, July 18, 2017

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

AB 307

AB 611

AB 1108

AB 1119

AB 1412

Reports the same back with the recommendation: Do pass and be ordered to the consent calendar.

JACKSON, Chair

Above bills ordered to second reading.



Date of Hearing, July 18, 2017

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

AB 375

AB 859

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

JACKSON, Chair

Above bills re-referred to the Committee on Rules.

Date of Hearing, July 18, 2017

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

AB 233

AB 360

AB 1396

AB 1455

AB 1491

AB 1535

Reports the same back with the recommendation: Do pass.

JACKSON, Chair

Above bills ordered to second reading.

Committee on Appropriations

Senate Chamber, July 19, 2017

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 175

AB 211

AB 262

AB 669

AB 1006

AB 1699

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

LARA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 175—An act to add Section 26121 to the Business and Professions Code, relating to marijuana.

Bill read second time.

Assembly Bill 211—An act to amend Section 4214 of the Public Resources Code, relating to fire prevention.

Bill read second time.

Assembly Bill 262—An act to amend and renumber the heading of Article 5 (commencing with Section 3400) of Chapter 3 of Part 1 of Division 2 of, and to add Article 5 (commencing with Section 3500) to Chapter 3 of Part 1 of Division 2 of, the Public Contract Code, relating to public contracts.

Bill read second time.

Assembly Bill 669—An act to amend Section 14107 of the Government Code, relating to transportation.

Bill read second time.



Assembly Bill 1006—An act to amend Sections 16119, 16206, 16501, and 16501.1 of, and to add Section 371 to, the Welfare and Institutions Code, relating to foster youth.

Bill read second time.

Assembly Bill 1699—An act to amend Sections 132, 134, 705, 705.1, 709.5, 714, 717.5, 742.39, 857, 859, 881, 882, 884, 900.5, 924, 949, 1011.5, 1076, 1091, 1101, 1104.9, 1107.1, 1113, 1140.5, 1192.8, 1194.85, 1215.2, 1215.5, 1401.5, 1589, 1590, 1599, 1601, 1750, 1751, 1751.1, 1751.3, 1751.6, 1755, 1757.2, 1758.62, 1758.7, 1758.81, 1758.92, 1765, 1765.2, 1781.3, 1811, 1842, 4030, 4060, 4093, 5051, 7015.5, 7042, 7045, 9098, 10113.2, 10479.5, 10493, 10506.1, 10506.2, 10507.1, 11019, 11090, 11401, 11520.5, 11620, 11691, 11751, 11751.25, 12105, 12161, 12162, 12166, 12168, 12280.2, 12389, 12416, 12418.1, 12418.3, 12640.10, 12815, 12972, 12973.5, 12973.6, 12975, 12978, 14042, and 14097 of, and to repeal and add Section 12973 of, the Insurance Code, relating to insurance.

Bill read second time.

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

Committee on Rules

State Capitol, July 19, 2017

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

SR 48 SR 50 SR 51 SR 53
ACR 111

State Capitol, July 19, 2017

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

Transportation and Housing—ACR 103.

Committee on Health

Date of Hearing, July 19, 2017

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

AB 156 AB 157

Reports the same back with the recommendation: Do pass.

HERNANDEZ, Chair

Above bills ordered to second reading.



Committee on Appropriations

Senate Chamber, July 19, 2017

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 932 AB 973 AB 1686

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

LARA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 932—An act to add and repeal Section 8698.4 of the Government Code, relating to housing.

Bill read second time.

Assembly Bill 973—An act to add Sections 3016.5 and 3116.5 to the Elections Code, relating to elections.

Bill read second time.

Assembly Bill 1686—An act to amend Section 19322 of the Business and Professions Code, relating to marijuana.

Bill read second time.

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution 7—Relative to salmon fishery restoration.

Resolution read third time.

Amendments Adopted

Amendments to **SJR 7** proposed by Senator McGuire were read and adopted and the measure ordered printed, engrossed, and to second reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 727—An act to amend Section 5892 of the Welfare and Institutions Code, relating to mental health.

Bill read third time.

Amendments Adopted

Amendments to **AB 727** proposed by Senator Hernandez were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 1159—An act to add Section 1550.5 to the Civil Code, and to amend Section 956 of the Evidence Code, relating to marijuana.

Bill read third time.

Amendments Adopted

Amendments to **AB 1159** proposed by Senator McGuire were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1131—An act to amend Section 4051 of the Food and Agricultural Code, relating to district agricultural associations.

Bill read third time.

Amendments Adopted

Amendments to **AB 1131** proposed by Senator Wilk were read and adopted and the measure ordered printed and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 70: By Senator Vidak (Coauthors: Senators Bates and Fuller)—Relative to National Eye Exam Month.

SENATE COMMITTEE ROLL CALLS

Committee on Health

AB 156—Do pass

AYES (8)—Senators Atkins, Hernandez, Leyva, Mitchell, Monning, Newman, Nguyen, and Roth.

NOES (0)—None.

AB 157—Do pass

AYES (8)—Senators Atkins, Hernandez, Leyva, Mitchell, Monning, Newman, Nguyen, and Roth.

NOES (0)—None.

AB 1411—Do pass as amended

AYES (8)—Senators Atkins, Hernandez, Leyva, Mitchell, Monning, Newman, Nguyen, and Roth.

NOES (0)—None.

Date of Hearing: 7/19/2017

Hernandez, Chair



Committee on Judiciary**SB 785**—Do pass as amended

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

NOES (1)—Senator Anderson.

AB 23—Do pass as amended

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 40—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 228—Do pass as amended and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 233—Do pass

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 307—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 314—Do pass as amended

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

NOES (0)—None.

AB 360—Do pass

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 375—Do pass and re-refer to the Committee on Rules

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

NOES (2)—Senators Anderson and Moorlach.

AB 611—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.



AB 634—Do pass as amended

AYES (6)—Senators Anderson, Hertzberg, Jackson, Monning, Stern, and Wieckowski.

NOES (0)—None.

AB 646—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 859—Do pass and re-refer to the Committee on Rules

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

NOES (2)—Senators Anderson and Moorlach.

AB 1108—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 1119—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 1290—Do pass as amended

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 1396—Do pass

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 1412—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 1455—Do pass

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

NOES (2)—Senators Anderson and Moorlach.

AB 1491—Do pass

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

AB 1535—Do pass

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.



AB 1701—Do pass as amended and re-refer to the Committee on Rules
AYES (4)—Senators Hertzberg, Jackson, Monning, and Stern.
NOES (2)—Senators Anderson and Moorlach.

Date of Hearing: 7/18/2017

Jackson, Chair

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day due to death in the family: Senator Mendoza.

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, July 20, 2017.

NEVA MARIE PARKER, Minute Clerk

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