

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED THIRTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, August 24, 2017

The Senate met at 9:17 a.m.  
Hon. Connie M. Leyva, of the 20th 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,  
Dodd, Fuller, 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—39.

Quorum present.

*(NOTE: Senator De León will be excused this day on legislative business.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Chairman Leland Kinter, Yoche Dehe Wintun Nation:

*God*, please grant me the strength to pray today, and help our leaders and decision-makers with all the hard things that they have to do in these Chambers. And make sure that we have the strength to do the right thing.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senators McGuire, Berryhill, and Hueso presented member's resolutions to the Northern California Tribal Chairmen's Association representative, Hon. Garth Sundberg, Chairman of Northern California Tribal Chairmen's Association and Chairman of Cher-Ae Heights Indian Community of the Trinidad Rancheria; the Central California Tribal Chairmen's Association representative, Hon. Glenda Nelson from the Enterprise Tribe; and the Southern California Tribal Chairmen's Association representative, Hon. Bo Mazzetti, Vice Chairman, Southern California Tribal Chairmen's Association and Chairman of Rincon Band of Luiseño Indians, in recognition of the 50th anniversary of Native Day. Without objection, Senator Hueso invited Hon. Bo Mazzetti to address the Senate.

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

**Senate Concurrent Resolution 76**—Relative to California Runaway and Homeless Youth Prevention Month.

Resolution read third time and presented by Senator Wiener.

**Roll Call**

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

**AYES (39)**—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, 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.

**NOES (0)**—None.

Resolution ordered transmitted to the Assembly.



**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Wiener introduced staff and youth from the Larkin Street Youth Services, in honor of California Runaway and Homeless Youth Prevention Month.

Senator Dodd introduced members of the California Precast Concrete Pipe Association, in honor of their visit to the California State Senate.

**SPECIAL RECOGNITIONS**

Senators Hertzberg and Vidak presented member's resolutions to the 2017 Senate Fellows, in recognition of their service to the California State Senate.

**At 9:38 a.m., Hon. Hannah-Beth Jackson, of the 19th District,  
Presiding**

**At 9:39 a.m., Hon. Connie M. Leyva, of the 20th District, Presiding**

**DEMOCRATIC CAUCUS**

At 9:50 a.m., Senator Monning announced a Democratic Caucus.

**REPUBLICAN CAUCUS**

At 9:50 a.m., Senator Bates announced a Republican Caucus.

**REASSEMBLED**

At 10:13 a.m., the Senate reassembled.

Hon. Connie M. Leyva, of the 20th District, presiding.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, August 24, 2017

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

SB 113

And respectfully requests your honorable body to concur in said amendments.

Above bill ordered to unfinished business.

Assembly Chamber, August 24, 2017

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

SB 117

And respectfully requests your honorable body to concur in said amendments.

E. DOTSON WILSON, Chief Clerk of the Assembly

Above bill ordered to unfinished business.



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

**Consideration of Assembly Amendments**

**Senate Bill 113—8/21/2017 4 a.m.**—An act to amend the Budget Act of 2017 by amending Items 0250-001-3037, 0250-001-3066, 0845-001-0217, 1111-011-0001, 2660-302-0042, 2740-001-0044, 3360-001-0465, 3790-493, 4260-001-0001, 5225-002-0001, 6100-001-0890, 6100-105-0001, 6100-113-0001, 6100-113-0890, 6100-119-0890, 6100-134-0890, 6100-149-0001, 6100-156-0001, 6100-156-0890, 6100-194-0001, 6100-194-0890, 6100-197-0890, 6100-403, 6870-301-6087, 6870-403, and 9100-101-0001 of, and adding Item 6100-495 to, Section 2.00 of, and amending Sections 3.60, 31.00, and 39.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

Bill presented by Senator Mitchell.

The question being: “Shall the Senate concur in the Assembly amendments to SB 113?”

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

**AYES (25)**—Senators Allen, Atkins, Beall, Bradford, Dodd, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, and Wiener.

**NOES (13)**—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Moorlach, Morrell, Nguyen, Nielsen, Stone, Vidak, and Wilk.

Above bill ordered enrolled.

**Senate Bill 117—8/21/2017 4 a.m.**—An act to amend Section 4005 of, to add Section 4005.5. to, to repeal Section 11105 of, and to repeal and add Sections 11104, 11106, 11108, and 11324 of, the Elections Code, and to repeal Section 93 of Chapter 28 of the Statutes of 2017, relating to elections, making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill presented by Senator Mitchell.

The question being: “Shall the Senate concur in the Assembly amendments to SB 117?”



**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (25)—Senators Allen, Atkins, Beall, Bradford, Dodd, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, and Wiener.

NOES (13)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Moorlach, Morrell, Nguyen, Nielsen, Stone, Vidak, and Wilk.

Above bill ordered enrolled.

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

Senate Chamber, August 24, 2017

Madam President: The Committee on Rules has examined:

SCR 69	SCR 70	SCR 72	SCR 73
SCR 75	SCR 76	SCR 77	

And reports the same correctly engrossed.

DE LEÓN, Chair

**MOTIONS, RESOLUTIONS AND NOTICES****CONSENT CALENDAR****Objections Raised**

Senator Wieckowski objected to **AB 459** being on the consent calendar.

Senator Galgiani objected to **SCR 64** being on the consent calendar.

Senator Roth objected to **AB 1034** being on the consent calendar.

Senator Hernandez objected to **AB 417** being on the consent calendar.

Senator Pan objected to **AB 939** being on the consent calendar.

The President ordered the above measures to third reading.

**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Wilk moved that **AB 171** be ordered to the inactive file.

Motion carried.

**CONSENT CALENDAR****Objections Raised**

Senator Bradford objected to **AB 1422** and **AB 1696** being on the consent calendar.

Senator Dodd objected to **AB 880** and **AB 1723** being on the consent calendar.

The President ordered the above measures to third reading.



**SPECIAL CONSENT CALENDAR****Objections Raised**

Senator Monning objected to **AB 280** being on the special consent calendar.

The President ordered the above measure to third reading.

**CONSENT CALENDAR****Objections Raised**

Senator Monning objected to **AB 766** being on the consent calendar.

The President ordered the above measure to third reading.

**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Monning moved that **AB 1330** be ordered to the inactive file.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)****SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 1074**—An act to amend Section 1374.73 of the Health and Safety Code, to amend Section 10144.51 of the Insurance Code, and to amend Section 14132.56 of the Welfare and Institutions Code, relating to health care coverage.

Bill read second time.

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

**Assembly Bill 1516**—An act to amend Sections 303, 2221.1, 4927, 7542, 7596.4, 10177, 19604, 19619, 22973.3, 22977.1, 24049.5, and 25600.3 of, to amend the heading of Chapter 3.5 (commencing with Section 19300) of Division 8 of, and to amend the heading of Division 8.6 (commencing with Section 22970) of, the Business and Professions Code, to amend Sections 19, 54.27, 56.06, 2079.13, and 4777 of the Civil Code, to amend Sections 9, 26, 469, 810, and 1002 of the Code of Civil Procedure, to amend Sections 2282 and 16955 of the Corporations Code, to amend Sections 8482.8, 17296, 22955.1, 35710, 41580, 44253.4, 44259.1, 44265.6, 44332.5, 44332.6, 48204, 48204.3, 48240, 51225.3, 52052.3, 56601, 60227, 60605.5, 67102, 67432, 67434, and 92965 of, and to amend and renumber the heading of Chapter 16 (commencing with Section 67380) of Part 40 of Division 5 of Title 3 of, the Education Code, to amend Sections 3017, 10010, 21534, 21535, and 23002 of the Elections Code, to amend Sections 452.5 and 754 of the Evidence Code, to amend Sections 14103, 14556, and 22370 of the Financial Code, to amend Sections 31603, 46003, 46004.1, 46013.2, 52255.5, 52289, and 67132 of the Food and Agricultural Code, to amend Sections 4216.24, 7514.7, 8590.7, 8593.2, 8920, 8921, 8922, 8924, 9111, 12587.1, 12588, 12589, 12591, 15643, 18152, 20931, 20969.3, 27521, 30025, 31462.05, 31653, 50079, 65057, 65073, 65850.6, 66474.02, 68203, 70395, and 82002 of, to amend the heading of Article 5 (commencing with Section 8585) of Chapter 7 of Division 1 of Title 2 of, and to amend and renumber Section 8455 of, the



Government Code, to amend Section 655.1 of the Harbors and Navigation Code, to amend Sections 443.2, 1250.11, 1256.1, 1259, 1502, 1502.2, 1502.21, 1505, 1522.41, 1531.1, 1797.197a, 9002, 11362.775, 11375.7, 11400, 11401, 25257.2, 38530, 38561, 38562, 38562.5, 38562.7, 39713, 39730.7, 43212, 44559.13, 50833, 101993, 101996, 103526, 103527.5, 103885, 111070.5, 116555, 122450, 123955, and 128371 of the Health and Safety Code, to amend Sections 38.6, 1063.135, 1063.14, and 10235.52 of the Insurance Code, to amend Sections 139.21, 201.3, 1072, 1285, 1286, 1288, 1290, 1291, 1299, 1301, 1302, 1303, 1304, 1305, 1308, 1308.3, 1308.11, 1309, 1310, 1311, 1312, 1390, 1391, 1393, 1393.5, 1394, 1398, 1399, 1420, 1433, 4603.2, 4616.4, and 4800 of, to repeal the heading of Article 2 (commencing with Section 1285) of Chapter 2 of Part 4 of Division 2 of, and to repeal the heading of Article 2 (commencing with Section 1390) of Chapter 3 of Part 4 of Division 2 of, the Labor Code, to amend Sections 800 and 803 of the Military and Veterans Code, to amend Sections 186.22, 308, 653w, 830.3, 832.18, 987.8, 991.5, 1001.87, 1170, 1170.18, 1347.1, 3409, 11105.04, 11105.08, 11106, 11174.32, 12021.5, 12022.2, 12022.4, 13835.4, 29180, 29181, and 29182 of, the Penal Code, to amend Section 20928.2 of the Public Contract Code, to amend Sections 3357, 5795.20, 25402.12, 30960, and 33204.8 of the Public Resources Code, to amend Sections 372, 399.4, 399.13, 454.55, 913.4, 913.8, 955.5, 972, 2827.10, 2870, 2881.4, 5445.2, 9605, 99684.5, 185020, and 185040 of the Public Utilities Code, to amend Sections 5097, 6366.4, 7094, 12206, 12258, 12491, 12636, 17058, 17220, 17851.5, 18708, 19192, 19854, 21026, 23610.5, 25128, 45153.5, 50112.1, 55042.5, 60207.5, and 60632 of, and to amend the heading of Part 20 (commencing with Section 41001) of Division 2 of, the Revenue and Taxation Code, to amend Section 5898.16 of the Streets and Highways Code, to amend Sections 1110, 2737, 11003, and 13002 of the Unemployment Insurance Code, to amend Sections 13353.6, 22513.1, 23301.5, 27427, and 34501.12 of, and to repeal Section 41501 of, the Vehicle Code, to amend Sections 366, 13321, and 71611.5 of the Water Code, to amend Sections 208.3, 361.2, 366.3, 727, 727.1, 4096.5, 4652.5, 5848.5, 5849.1, 5849.35, 5849.8, 5849.14, 5890, 5899, 10553.12, 10559, 10621, 11405, 14087.325, 14132.100, 14134.25, 14184.40, 14184.50, 14184.60, 14184.70, 14184.80, 14717.1, 14717.5, 18250, and 18986.50 of, to amend the heading of Chapter 12.86 (commencing with Section 18987.6) of Part 6 of Division 9 of, to amend and renumber Sections 18986.60, 18986.86, 18986.87, and 18986.89 of, and to amend and renumber the heading of Chapter 12.9 (commencing with Section 18986.40) and the heading of Chapter 12.95 (commencing with Section 18986.50) of Part 6 of Division 9 of, the Welfare and Institutions Code, to amend Section 5 of Chapter 10 of the Statutes of 2016, to amend Section 1 of Chapter 283 of the Statutes of 2016, to amend Section 501 of the North Fork Kings Groundwater Sustainability Agency (Chapter 392 of the Statutes of 2016), and to amend Section 3 of Chapter 535 of the Statutes of 2016, relating to the maintenance of the codes.

Bill read second time and ordered to third reading.



**Assembly Bill 467**—An act to amend Section 180203 of the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

**Assembly Bill 1119**—An act to amend Section 5328 of the Welfare and Institutions Code, relating to public social services.

Bill read second time and ordered to third reading.

**Assembly Bill 61**—An act to amend Section 11770 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time and ordered to third reading.

**Assembly Bill 1401**—An act to amend Section 340 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time and ordered to third reading.

**Assembly Bill 532**—An act to add and repeal Section 11875 of the Health and Safety Code, relating to drug and alcohol programs.

Bill read second time and ordered to third reading.

**Assembly Bill 841**—An act to add Section 49431.9 to the Education Code, relating to pupil nutrition.

Bill read second time and ordered to third reading.

#### **THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Joint Resolution 7**—Relative to salmon fishery restoration. Resolution read third time and presented by Senator McGuire.

##### **Roll Call**

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

AYES (34)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Resolution 37**—Relative to Diabetes Awareness Month.

Resolution read third time and presented by Senator Hertzberg.

##### **Roll Call**

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

AYES (39)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, 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.

NOES (0)—None.



**Senate Bill 159—6/15/2017 9 p.m.**—An act to amend Section 38225 of the Vehicle Code, relating to off-highway vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Allen.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**Roll Call**

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 174—7/10/2017 9 p.m.**—An act relating to public utilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Lara.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.



**Roll Call**

The roll was called and the bill was passed by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill 1606—7/20/2017 9 p.m.**—An act to add Section 12012.81 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Galgiani.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**Roll Call**

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**MOTIONS, RESOLUTIONS AND NOTICES****CONSENT CALENDAR****Objections Raised**

Senator Hertzberg objected to **AB 611** being on the consent calendar. The President ordered the above measure to third reading.

**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Hertzberg moved that **AB 1162** be ordered to the inactive file. Motion carried.



**CONSIDERATION OF DAILY FILE (RESUMED)**  
**CONSENT CALENDAR**

**Assembly Bill 1108—5/4/2017 9 p.m.**—An act to amend Section 21707 of, and to amend, repeal, and add Sections 21701, 21703, 21705, and 21712 of, the Business and Professions Code, relating to self-service storage facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1412—7/3/2017 2 p.m.**—An act to amend Sections 4041 and 5800 of the Civil Code, relating to common interest developments.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 242—7/3/2017 2 p.m.**—An act to amend Section 102875 of, and to add Section 102791 to, the Health and Safety Code, relating to certificates of death.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 662—7/18/2017 9 p.m.**—An act to amend Sections 2085.5 and 2085.6 of the Penal Code, relating to restitution.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 836—7/3/2017 9 p.m.**—An act to amend Section 113936 of the Health and Safety Code, relating to retail food.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 863—6/22/2017 9 p.m.**—An act to amend Sections 75210 and 75213 of the Public Resources Code, relating to sustainable communities.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 938—4/25/2017 9 p.m.**—An act to amend Sections 922.4, 922.5, and 922.85 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Bill 1219—7/18/2017 9 p.m.**—An act to amend Section 1714.25 of the Civil Code, to amend Section 58502 of, and to repeal Section 58506 of, the Food and Agricultural Code, and to amend Sections 114432, 114433, and 114434 of, and to add Section 114435 to, the Health and Safety Code, relating to food donations.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1387—4/18/2017 9 p.m.**—An act to amend, repeal, and add Section 111656.1 of the Health and Safety Code, relating to public health.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 1710—3/6/2017 9 p.m.**—An act to amend Section 394 of the Military and Veterans Code, relating to service members.

Bill read third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 2**—Relative to the Officer Jose “Gil” Vega and Officer Lesley Zerebny Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 9**—Relative to Officer Jonathan M. De Guzman Memorial Bridge.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 22**—Relative to the Detective Sergeant Thomas A. Smith, Jr. Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 23**—Relative to the Ritchie Valens Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 24**—Relative to the California Highway Patrol Officer Nathan Taylor Memorial Overcrossing.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Concurrent Resolution 29**—Relative to the Deputy Sheriff Jack Hopkins Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 31**—Relative to Los Angeles County Sheriff's Sergeant Steven C. Owen Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 43**—Relative to Humboldt County Sheriff's Office Corporal Rich Schlesiger Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 46**—Relative to the Modesto Police Officer Leo Volk, Jr., and Modesto Police Sergeant Steve May Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 47**—Relative to the CalFire Firefighter Andrew Maloney Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 49**—Relative to the Police Sergeant Scott Lunger Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 70**—Relative to the Staff Sergeant Ricardo "Ricky" Barraza Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 76**—Relative to the Officer Keith Boyer Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*



**Assembly Concurrent Resolution 88**—Relative to the Charles I. Walter Memorial Highway.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

#### **Consent Calendar Roll Call**

The roll was called and the above measures on the consent calendar passed by the following vote:

**AYES (38)**—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

**NOES (0)**—None.

#### **SPECIAL CONSENT CALENDAR**

**Senate Concurrent Resolution 12**—Relative to Philippine Independence Day.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 407—6/26/2017 9 p.m.**—An act to add Section 4515 to the Civil Code, relating to common interest developments.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 554—6/15/2017 4 a.m.**—An act to add Sections 2836.4 and 3502.1.5 to the Business and Professions Code, relating to healing arts.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 663—7/12/2017 9 p.m.**—An act to add Section 26123 to the Business and Professions Code, relating to cannabis.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 489—7/5/2017 9 p.m.**—An act to amend Section 4610 of the Labor Code, relating to workers' compensation.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*



**Senate Bill 684—7/13/2017 9 p.m.**—An act to amend Sections 1368.1 and 1370 of the Penal Code, and to amend Section 5008 of the Welfare and Institutions Code, relating to criminal trial.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*

**Senate Bill 614—7/18/2017 4 a.m.**—An act to amend Section 640 of the Penal Code, and to amend Sections 99580 and 99581 of the Public Utilities Code, relating to public transit.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

*(NOTE: See Special Consent Calendar Roll Call)*

**Special Consent Calendar Roll Call**

The roll was called and the above measures on the special consent calendar passed by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**MOTIONS, RESOLUTIONS AND NOTICES**

**UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

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

August 21, 2017            August 22, 2017            August 23, 2017  
August 24, 2017

**MOTION TO REFER MEASURES TO INACTIVE FILE**

Senator Skinner moved that **SR 21** be ordered to the inactive file.  
Motion carried.

**SPECIAL CONSENT CALENDAR**

**Objections Raised**

Senator Moorlach objected to **AB 579** being on the special consent calendar.

The President ordered the above measure to third reading.

**REQUESTS TO BE ADDED TO ROLL CALL**

August 24, 2017

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measure taken up on this day:

AB 1606—Aye

PATRICIA BATES, Minority Floor Leader



**LEAVES OF ABSENCE**

The following Senator was granted leave of absence for the day on legislative business: Senator De León.

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

At 11:36 a.m., on motion of Senator Cannella, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Cannella 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, August 28, 2017.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, August 24, 2017

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

ACA 17

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read first time and transmitted to the Committee on Rules for assignment:

**Assembly Constitutional Amendment 17**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 10 of Article II thereof, and by amending Section 4 of Article XVIII thereof, relating to ballot measures.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, August 24, 2017

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

SB 65	SB 157	SB 285	SB 335
SB 401	SB 410	SB 427	SB 455
SB 525	SB 565	SB 628	SB 639
SB 654	SB 666	SB 704	SB 747
SB 752	SB 764		

Above bills ordered enrolled.

Assembly Chamber, August 24, 2017

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

SJR 6

Above resolution ordered enrolled.





State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Ilene W. Straus, Ed.D., Member, State Board of Education (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Raji K. Brar, Member, Water Quality Control Board, Central Valley Region (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Daniel B. Marcum, Ph.D., Member, Water Quality Control Board, Central Valley Region (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Martha Guzman Aceves, Member, Public Utilities Commission (3–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Clifford L. Rechtschaffen, Member, Public Utilities Commission (3–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.



State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Monica S. Hunter, Ph.D., Member, Water Quality Control Board, Central Coast Region (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Thomas J. Davis, Member, Water Quality Control Board, Colorado River Basin Region (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Robert K. Dyas, Member, Water Quality Control Board, Lahontan Region (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

James (Jay) S. Famiglietti, Ph.D., Member, Water Quality Control Board, Los Angeles Region (5-0)

Cynthia Guzman, Member, Water Quality Control Board, Los Angeles Region (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.



State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Hector A. Bedolla, Member, Water Quality Control Board, North Coast Region (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Jayne E. Battey, Member, Water Quality Control Board, San Francisco Bay Region (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, August 23, 2017

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Lana E. Peterson, Member, Water Quality Control Board, Santa Ana Region (5-0)

Daniel P. Selmi, Member, Water Quality Control Board, Santa Ana Region (5-0)

William P. Von Blasingame, Member, Water Quality Control Board, Santa Ana Region (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, August 24, 2017

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

SCR 80

Senate Chamber, August 24, 2017

Madam President: The Committee on Rules has examined:

SB 113

SB 117

And reports the same have been correctly enrolled and presented to the Governor on the 24th day of August, 2017, at 11:30 a.m.

DE LEÓN, Chair



**Committee on Natural Resources and Water**

Date of Hearing, August 22, 2017

Madam President: The Committee on Natural Resources and Water, to which was referred:

AB 524

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Energy, Utilities and Communications.

HERTZBERG, Chair

Above bill ordered to second reading.

Senate Chamber, August 24, 2017

Madam President: The Chair of the Committee on Natural Resources and Water, to which was referred:

AB 869

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

HERTZBERG, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 869**—An act to add Sections 1058.6, 10609.1, and 13551.5 to the Water Code, relating to water.

Bill read second time.

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

**Committee on Appropriations**

Senate Chamber, August 24, 2017

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

AB 1603

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 1603**—An act to amend Sections 3501, 3507, and 3507.1 of the Government Code, relating to public employment.

Bill read second time.

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



**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill 55**—An act to amend Section 25536.7 of, and to add Section 25536.9 to, the Health and Safety Code, relating to hazardous materials.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 55** proposed by Senator Bradford were read and adopted and the measure ordered printed and to second reading.

**MOTIONS, RESOLUTIONS AND NOTICES  
MOTION TO TAKE MEASURES FROM INACTIVE FILE**

Senator Skinner moved that **AB 1284** be taken from the inactive file and ordered to second reading.

Motion carried.

**Consideration of Assembly Bill 1284**

**Assembly Bill 1284**—An act to amend Sections 66025.91, 66450, 67300, 67310, 67311, 67312, 67313, 78212, 78230, 78907, 84750.5, 84850, 87003, 87356, 89037, and 99156 of, and to amend the heading of Article 6 (commencing with Section 84850) of Chapter 5 of Part 50 of Division 7 of Title 3 of, the Education Code, relating to postsecondary education.

Bill read second time.

**Amendments Adopted**

Amendments to **AB 1284** proposed by Senator Skinner were read and adopted and the measure ordered printed and to second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill 307**—An act to repeal and add Section 16350 of the Probate Code, relating to estates and trusts.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 307** proposed by Senator Moorlach were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 492**—An act to add Section 17533.6.5 to the Business and Professions Code, relating to government documents.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 492** proposed by Senator Jackson were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 1031**—An act to add and repeal Article 5.2 (commencing with Section 18749) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1031** proposed by Senator Atkins were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1034**—An act to add Article 7 (commencing with Section 11470) to Chapter 3 of Title 1 of Part 4 of the Penal Code, and to repeal Sections 7907 and 7908 of the Public Utilities Code, relating to criminal procedure.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1034** proposed by Senator Roth were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 359**—An act to amend Sections 1127a and 4001.1 of the Penal Code, relating to crime.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 359** proposed by Senator Skinner were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 611**—An act to amend Section 15630.1 of the Welfare and Institutions Code, relating to elder and dependent adults.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 611** proposed by Senator Mendoza were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1351**—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 1351** proposed by Senator Galgiani were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 597**—An act to amend Section 18961.5 of the Welfare and Institutions Code, relating to child abuse and neglect.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 597** proposed by Senator Hill were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 500**—An act to add Section 44050 to the Education Code, relating to school employees.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 500** proposed by Senator Allen were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 840**—An act to amend Section 3019 of the Elections Code, relating to elections.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 840** proposed by Senator Leyva were read and adopted and the measure ordered printed and to second reading.

**MOTIONS, RESOLUTIONS AND NOTICES**  
**MOTION TO TAKE MEASURES FROM INACTIVE FILE**

Senator Pan moved that **SCR 9** be taken from the inactive file and ordered to second reading.

Motion carried.

**Consideration of Senate Concurrent Resolution 9**

**Senate Concurrent Resolution 9**—Relative to Hmong History Month.

Resolution read second time.

**Amendments Adopted**

Amendments to **SCR 9** proposed by Senator Pan 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 offered and referred to the Committee on Rules:

**Senate Concurrent Resolution 81:** By Senator Lara (Principal coauthor: Assembly Member Eduardo Garcia)—Relative to a sister state relationship with Nayarit, Mexico.

**Senate Concurrent Resolution 82:** By Senator Newman—Relative to Neonatal Nurses Day.

**Senate Concurrent Resolution 83:** By Senator Jackson—Relative to pain awareness.

**Senate Resolution 56:** By Senator De León—Relative to the election of officers.



**SENATE COMMITTEE ROLL CALLS**

**Committee on Education**

**SB 544**—That the Assembly amendments be concurred in

AYES (5)—Senators Allen, Mendoza, Pan, Vidak, and Wilk.

NOES (0)—None.

Date of Hearing: 8/23/2017

Allen, Chair

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Timothy Gerlach of Napa and Thomas Powell of Las Vegas, NV.

Senator Gaines requested that when the Senate adjourns this day it do so in memory of Rick Angelocci of Loomis.

Senator McGuire requested that when the Senate adjourns this day it do so in memory of Robert Rumpfelt of Lakeport.

Senator Newman requested that when the Senate adjourns this day it do so in memory of Alan Sheldon of Yorba Linda.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Calvin Fong of Berkeley.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Al McCandless of La Quinta.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Cannella, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, August 28, 2017.

NEVA MARIE PARKER, Minute Clerk

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