

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY

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**IN SENATE**

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Senate Chamber, Sacramento  
Tuesday, August 29, 2017

The Senate met at 9 a.m.  
Hon. Benjamin Allen, of the 26th 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, 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 Glazer will be excused this day due to illness.)*



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, August 28, 2017

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

ACR 114

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Concurrent Resolution 114**—Relative to World War I.**CONSIDERATION OF DAILY FILE****SECOND READING OF ASSEMBLY BILLS****Assembly Bill 1361**—An act to amend Section 71611.5 of the Water Code, relating to water.

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 1133**—An act to add Section 2080.6 and 2080.7 to, and to add and repeal Section 2080.5 of, the Fish and Game Code, relating to fish and wildlife.

Bill read second time and ordered to consent calendar.

**Assembly Bill 1714**—An act to amend Sections 18909, 18916, 18929.1, 18938, 33760, 34312.3, 50052.5, and 50675.6 of the Health and Safety Code, and to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to buildings.

Bill read second time and ordered to consent calendar.

**Assembly Bill 23**—An act to add and repeal Article 4.5 (commencing with Section 232) of Chapter 2 of Part 1 of Division 1 of Title 1 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 210**—An act to add Chapter 18 (commencing with Section 18999.8) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to public social services.

Bill read second time and ordered to third reading.

**Assembly Bill 271**—An act to amend Section 53356.2 of, and to add Sections 53340.8 and 53340.9 to, the Government Code, and to amend Sections 8680 and 8833 of, and to add Section 5898.34 to, the Streets and Highways Code, relating to the Property Assessed Clean Energy program.

Bill read second time and ordered to third reading.



**Assembly Bill 434**—An act to add Section 11546.7 to the Government Code, relating to state government.

Bill read second time and ordered to third reading.

**Assembly Bill 527**—An act to amend Sections 11901, 11902, 11905, and 11910 of, and to add Section 11902.5 to, the Food and Agricultural Code, relating to pest control operations.

Bill read second time and ordered to third reading.

**Assembly Bill 1158**—An act to amend Sections 42971 and 42972 of, and to add Sections 42972.1 and 42972.2 to, the Public Resources Code, relating to recycling.

Bill read second time and ordered to third reading.

**Assembly Bill 1194**—An act to amend Section 9401 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

**Assembly Bill 1328**—An act to amend Section 13268 of, and to add Section 13267.5 to, the Water Code, relating to oil and gas.

Bill read second time and ordered to third reading.

**Assembly Bill 1598**—An act to add Division 5 (commencing with Section 62250) to Title 6 of the Government Code, relating to housing.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

**Assembly Bill 1620**—An act to amend Section 87406 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

**Assembly Bill 1660**—An act to add Article 6 (commencing with Section 8050) to Chapter 13 of Division 3 of the Business and Professions Code, relating to court reporters, and making an appropriation therefor.

Bill read second time and ordered to third reading.

**Assembly Bill 613**—An act to add and repeal Section 1246.7 of the Business and Professions Code, relating to clinical laboratories.

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 213**—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.



**Assembly Bill 1069**—An act to amend Section 53075.5 of, and to add Section 53075.51 to, the Government Code, and to amend Section 1808.1 of the Vehicle Code, relating to local government.

Bill read second time and ordered to third reading.

**Assembly Bill 634**—An act to amend Sections 714.1 and 4600 of, and to add Section 4746 to, the Civil Code, relating to real property.

Bill read second time and ordered to third reading.

**Assembly Bill 233**—An act to add Section 35183.1 to the Education Code, relating to pupils.

Bill read second time and ordered to third reading.

**Assembly Bill 291**—An act to amend Section 6103.7 of the Business and Professions Code, to amend Sections 1940.2, 1940.3, and 1942.5 of, and to add Sections 1940.05, 1940.35, and 3339.10 to, the Civil Code, and to add Section 1161.4 to the Code of Civil Procedure, relating to housing.

Bill read second time and ordered to third reading.

**Assembly Bill 1578**—An act to add Section 11362.6 to the Health and Safety Code, relating to cannabis.

Bill read second time and ordered to third reading.

**Assembly Bill 1344**—An act to amend Section 2105.5 of, and to add Section 2105.6 to, the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

**Assembly Bill 575**—An act to amend Section 15610.37 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read second time and ordered to third reading.

**Assembly Bill 837**—An act to amend Section 14105 of, to add Sections 14105.2 and 14227.5 to, and to add Chapter 6 (commencing with Section 13500) to Division 13 of, the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

**Assembly Bill 978**—An act to amend Sections 6319.3 and 6401.7 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

**Assembly Bill 1283**—An act to add Section 8619.7 to the Government Code, relating to volunteer firefighters.

Bill read second time and ordered to third reading.

**Assembly Bill 890**—An act to amend Section 65867.5 of, and to add Sections 65363 and 65850.10 to, the Government Code, relating to land use.

Bill read second time and ordered to third reading.



**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Senate Chamber, August 29, 2017

Mr. President: The Committee on Rules has examined:

SCR 74

And reports the same correctly engrossed.

DE LEÓN, Chair

**Committee on Natural Resources and Water**

Senate Chamber, August 29, 2017

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

AB 1668

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 1668**—An act to amend Sections 350, 377, 531.10, 1058.5, 1120, 10608.12, 10608.20, 10608.48, 10610.2, 10610.4, 10620, 10621, 10630, 10631, 10631.2, 10635, 10640, 10641, 10642, 10644, 10645, 10650, 10651, 10653, 10654, 10656, 10801, 10802, 10814, 10817, 10820, 10825, 10826, 10843, 10845, and 10910 of, to amend, renumber, and add Section 10612 of, to add Sections 1846.5, 10608.35, 10617.5, 10618, 10630.5, 10632.1, 10632.2, 10632.3, 10632.4, 10657, and 10826.2 to, to add Chapter 9 (commencing with Section 10609) and Chapter 10 (commencing with Section 10609.40) to Part 2.55 of Division 6 of, to repeal Section 10631.7 of, and to repeal and add Section 10632 of, 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 Public Safety**

Date of Hearing, August 29, 2017

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

SJR 13

SR 55

Reports the same back with the recommendation: Be adopted.

SKINNER, Chair

Above resolutions ordered to third reading.



**Committee on Elections and Constitutional Amendments**

Date of Hearing, August 29, 2017

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

AB 249

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

STERN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, August 29, 2017

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SJR 11

Reports the same back with the recommendation: Be adopted.

STERN, Chair

Above resolution ordered to third reading.

**Committee on Energy, Utilities and Communications**

Date of Hearing, August 29, 2017

Mr. President: The Committee on Energy, Utilities and Communications, to which were referred:

AB 524

AB 1665

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

HUESO, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Appropriations**

Senate Chamber, August 29, 2017

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

AB 249

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 249**—An act to amend Sections 82025, 84305, 84310, 84501, 84505, 84506.5, 84510, 84511, and 85704 of, to add Sections 84504.1, 84504.2, 84504.3, 84504.4, and 84504.5 to, to repeal Sections 84506, 84507, and 84508 of, and to repeal and add Sections 84502, 84503, 84504, and 84509 of, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Committee on Rules**

Senate Chamber, August 29, 2017

Mr. President: The Chair of the Committee on Rules, to which was referred:

SR 57

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

DE LEÓN, Chair

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

**Senate Resolution 57**—Relative to Ukrainian Independence Day.

Resolution read second time.

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

**MOTIONS, RESOLUTIONS AND NOTICES**

**MEASURES PLACED ON SPECIAL CONSENT CALENDAR**

Without objection, the following measures were set as a special consent calendar to be taken up on Thursday, August 31, 2017:

- |        |        |        |        |
|--------|--------|--------|--------|
| SB 544 | SB 11  | SB 40  | SB 61  |
| SB 330 | SB 368 | SB 373 | SB 420 |
| SB 440 | SB 468 | SB 513 | SB 809 |
| SB 811 | SB 812 | SB 814 |        |

**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Transportation and Housing and re-referred to the Committee on Rules:

AB 174

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

AB 1488



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

**Assembly Bill 851**—An act to amend Sections 20146 and 21162 of, and to add Section 22162.5 to, the Public Contract Code, relating to public contracts.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 851** proposed by Senator Hill were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1292**—An act to amend Section 739 of the Public Utilities Code, relating to energy utilities services.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1292** proposed by Senator Hill were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1189**—An act to amend Section 240306 of the Public Utilities Code, relating to transportation.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1189** proposed by Senator Beall were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 25**—An act to amend Section 612 of, and to add Section 21118 to, the Vehicle Code, relating to tour buses.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 25** proposed by Senator Allen were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 546**—An act to add Section 65850.8 to the Government Code, relating to local government.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 546** proposed by Senator Allen were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1206**—An act to add and repeal Section 22659.6 of the Vehicle Code, relating to vehicles.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1206** proposed by Senator Skinner were read and adopted and the measure ordered printed and to second reading.



**Assembly Bill 1724**—An act to amend Sections 24204 and 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1724** proposed by Senator Dodd were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1647**—An act to add Section 42705.5 to the Health and Safety Code, relating to nonvehicular air pollution.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 1647** proposed by Senator Wieckowski were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 556**—An act to amend Sections 25132 and 53069.4 of the Government Code, relating to local government.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 556** proposed by Senator Jackson were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 747**—An act to amend Sections 2503.1, 2503.2, and 2512 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

**Amendments Adopted**

Amendments to **AB 747** proposed by Senator Atkins were read and adopted and the measure ordered printed and to second reading.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution 6**—Relative to the Republic of Vietnam Month.

Resolution read third time.

**Amendments Adopted**

Amendments to **SCR 6** proposed by Senator Nguyen were read and adopted and the measure ordered printed, engrossed, and to second reading.



**SENATE COMMITTEE ROLL CALLS****Committee on Elections and Constitutional Amendments****SJR 11**—Be adopted

AYES (4)—Senators Allen, Hertzberg, Leyva, and Stern.

NOES (1)—Senator Anderson.

**AB 249**—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Allen, Hertzberg, Leyva, and Stern.

NOES (1)—Senator Anderson.

Date of Hearing: 8/29/2017

Stern, Chair

**Committee on Energy, Utilities and Communications****AB 524**—Do pass and re-refer to the Committee on Appropriations

AYES (10)—Senators Bradford, Hertzberg, Hill, Hueso, McGuire, Morrell, Skinner, Stern, Vidak, and Wiener.

NOES (0)—None.

**AB 1665**—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Bradford, Hertzberg, Hill, Hueso, Skinner, Stern, Vidak, and Wiener.

NOES (0)—None.

Date of Hearing: 8/29/2017

Hueso, Chair

**Committee on Public Safety****SJR 13**—Be adopted

AYES (7)—Senators Anderson, Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.

NOES (0)—None.

**SR 55**—Be adopted

AYES (7)—Senators Anderson, Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.

NOES (0)—None.

Date of Hearing: 8/29/2017

Skinner, Chair

**LEAVES OF ABSENCE**

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

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, August 30, 2017.

NEVA MARIE PARKER, Minute Clerk

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