

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, August 30, 2017

The Senate met at 9 a.m.
Hon. Jerry Hill, of the 13th 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, Mendoza, Mitchell,
Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth,
Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—39.
Quorum present.

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



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
August 30, 2017

To the Senate of the State of California:

I have the honor to transmit to you herewith the following reappointment heretofore made by me to offices which by law are to be filled by the Governor. This reappointment is subject to Senate confirmation and consent. I hereby nominate this reappointee to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

JETHROE MOORE II, has been reappointed to the Commission on Peace Officer Standards and Training, where he has served since 2013. Moore has been a school community specialist for the East Side Union High School District since 2004. He was assistant pastor at Immanuel Baptist Church from 2001 to 2004 and held several positions at the United Parcel Service from 1978 to 2000, including driver and supervisor. He is president of the San Jose-Silicon Valley Branch of the National Association for the Advancement of Colored People and a member of the San Jose Police Chief's Community Advisory Board. Reappointed 08/18/2017. Effective 08/28/2017.

Member, Commission on Peace Officer Standards and Training, vice, self, reappointed. Term ending 07/01/2020.

Above reappointment referred to the Committee on Rules.

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

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

Resolution read second time and ordered to third reading.

SECOND 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 second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third 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 second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third 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 second time and ordered to third reading.

Assembly Bill 1647—An act to add Section 42705.6 to the Health and Safety Code, relating to nonvehicular air pollution.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 747—An act to add and repeal Section 20175 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, August 30, 2017

Mr. President: The Committee on Rules has examined:

SR 57

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, August 30, 2017

Mr. President: The Committee on Rules has examined:

SCR 6

SJR 11

SJR 13

And reports the same correctly engrossed.

DE LEÓN, Chair



Committee on Environmental Quality

Date of Hearing, August 30, 2017

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

AJR 20

Reports the same back with the recommendation: Be adopted.

WIECKOWSKI, Chair

Above resolution ordered to third reading.

Committee on Natural Resources and Water

Senate Chamber, August 30, 2017

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

AB 18

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 18—An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a clean water, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, 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 Appropriations

Senate Chamber, August 30, 2017

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

AB 1646

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 1646—An act to add Section 25536.6 to the Health and Safety Code, relating to hazardous materials.

Bill read second time.

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



Committee on Governmental Organization

Senate Chamber, August 30, 2017

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

AB 253

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

DODD, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 253—An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 253 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BIGELOW

Permission of Rules Committee

Senate Chamber, August 30, 2017

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 253.

DE LEÓN, Chair

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

Committee on Rules

State Capitol, August 30, 2017

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

SCR 81	SCR 82	SCR 83	SCR 84
SR 56	SR 57	SR 58	ACR 114

State Capitol, August 30, 2017

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

Appropriations—ACA 17.

The Committee on Rules has referred the following measure to two committees:

Governance and Finance and **Elections and Constitutional Amendments**—ACA 12.



Committee on Insurance, Banking and Financial Institutions

Date of Hearing, August 30, 2017

Mr. President: The Committee on Insurance, Banking and Financial Institutions, to which was referred:

AJR 5

Reports the same back with the recommendation: Be adopted.

MENDOZA, Chair

Above resolution ordered to third reading.

Committee on Rules

Senate Chamber, August 30, 2017

Mr. President: The Committee on Rules has examined:

SB 65	SB 157	SB 285	SB 335
SB 401	SB 407	SB 410	SB 427
SB 455	SB 489	SB 525	SB 554
SB 565	SB 614	SB 628	SB 639
SB 654	SB 663	SB 666	SB 684
SB 704	SB 764		

And reports the same have been correctly enrolled and presented to the Governor on the 30th day of August, 2017, at 3 p.m.

DE LEÓN, Chair

Committee on Judiciary

Date of Hearing, August 29, 2017

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

SCR 79

Reports the same back with the recommendation: Be adopted as amended.

JACKSON, Chair

Above resolution ordered to second reading.

Date of Hearing, August 29, 2017

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

AJR 16

Reports the same back with the recommendation: Be adopted as amended.

JACKSON, Chair

Above resolution ordered to second reading.



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

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

SB 691

UNANIMOUS CONSENT TO RESCIND (AB 1325)

Without objection, action rescinded whereby on July 20, 2017, **AB 1325** was read third time, passed, and ordered transmitted to the Assembly.

Consideration of Assembly Bill 1325

Assembly Bill 1325—An act to amend Sections 22303.5, 22306, 22660, 22713, 23801, 23804, 23851, 23854, 23880, 23881, 24106, 24208, 24600, 25011, 25011.1, 25018, 25018.1, 25022.5, 26004, 26807, 26807.5, 26906, 26906.5, 27001, 27007, 44922, and 87483 of, and to repeal Section 26215 of, the Education Code, relating to state teachers' retirement.

Bill read third time.

Amendments Adopted

Amendments to **AB 1325** proposed by Senator Pan were read and adopted and the measure ordered printed and to second reading.

UNANIMOUS CONSENT TO RESCIND (AB 415)

Without objection, action rescinded whereby on July 20, 2017, **AB 415** was read third time, passed, and ordered transmitted to the Assembly.

Consideration of Assembly Bill 415

Assembly Bill 415—An act to add Section 18926.7 to the Welfare and Institutions Code, relating to CalFresh.

Bill read third time.

Amendments Adopted

Amendments to **AB 415** proposed by Senator Leyva were read and adopted and the measure ordered printed and to second reading.

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

Assembly Bill 1723—An act to amend Sections 19613.05, 19640, and 19641 of the Business and Professions Code, relating to horse racing.

Bill read third time.

Amendments Adopted

Amendments to **AB 1723** proposed by Senator Dodd were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 424—An act to amend Section 626.9 of the Penal Code, relating to firearms.

Bill read third time.

Amendments Adopted

Amendments to **AB 424** proposed by Senator Skinner were read and adopted and the measure ordered printed and to second reading.

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 third time.

Amendments Adopted

Amendments to **AB 23** proposed by Senator Mitchell were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1705—An act to repeal and add Chapter 9.5 (commencing with Section 7200) of Division 3 of the Business and Professions Code, relating to professions and vocations.

Bill read third time.

Amendments Adopted

Amendments to **AB 1705** proposed by Senator Hill were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 926—An act to amend Section 7612.6 of the Business and Professions Code, and to amend Sections 8725, 8726, and 8726.1 of, and to add Section 8726.2 to, the Health and Safety Code, relating to cemeteries.

Bill read third time.

Amendments Adopted

Amendments to **AB 926** proposed by Senator Wiener were read and adopted and the measure ordered printed and to second reading.

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 third time.

Amendments Adopted

Amendments to **AB 485** proposed by Senator Galgiani were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 1340—An act to amend Section 2191 of the Business and Professions Code, relating to healing arts.

Bill read third time.

Amendments Adopted

Amendments to **AB 1340** proposed by Senator Pan were read and adopted and the measure ordered printed and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Resolution 59: By Senator Dodd—Relative to Latex Allergy Awareness Week.

Senate Resolution 60: By Senators Fuller and Pan—Relative to Adrenoleukodystrophy Awareness Month.

Senate Resolution 61: By Senators Fuller and Pan—Relative to Chiari Malformation Awareness Month.

SENATE COMMITTEE ROLL CALLS
Committee on Environmental Quality

AJR 20—Be adopted

AYES (5)—Senators Hill, Lara, Skinner, Stern, and Wieckowski.

NOES (1)—Senator Stone.

Date of Hearing: 8/30/2017

Wieckowski, Chair

Committee on Insurance, Banking and Financial Institutions

AJR 5—Be adopted

AYES (9)—Senators Gaines, Galgiani, Glazer, Hueso, Mendoza, Mitchell, Newman, Portantino, and Roth.

NOES (0)—None.

Date of Hearing: 8/30/2017

Mendoza, Chair

Committee on Judiciary

SCR 78—Be adopted

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

NOES (0)—None.

SCR 79—Be adopted as amended

AYES (4)—Senators Hertzberg, Jackson, Stern, and Wieckowski.

NOES (1)—Senator Anderson.

SJR 10—Be adopted as amended

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

NOES (0)—None.



AJR 16—Be adopted as amended

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

NOES (0)—None.

Date of Hearing: 8/29/2017

Jackson, Chair

Committee on Labor and Industrial Relations

SB 418—That the Assembly amendments be concurred in

AYES (5)—Senators Atkins, Bradford, Jackson, Mitchell, and Stone.

NOES (0)—None.

Date of Hearing: 8/30/2017

Bradford, Chair

LEAVES OF ABSENCE

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 10 a.m., Thursday, August 31, 2017.

NEVA MARIE PARKER, Minute Clerk

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