

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, February 8, 2018

The Senate met at 9:16 a.m.
Hon. Hannah-Beth Jackson, of the 19th District, presiding.
Secretary Daniel Alvarez at the Desk.
Assistant Secretary Zachary L. Twilla reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

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, Bradford, Cannella, De León,
Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill,
Hueso, Jackson, Lara, McGuire, Mitchell, Monning, Moorchach, Morrell,
Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone,
Vidak, Wieckowski, Wiener, and Wilk—37.

Quorum present.

(NOTE: Senator Berryhill will be excused this day due to illness. Senator Leyva will be excused this day to attend a funeral. Senator Mendoza will be excused this day on personal business.)



PRAYER

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

God of mercy, may those deprived of freedom and dignity find consolation in the life of Josephine Bakhita. Transform and heal the hearts of those who inflict pain and anguish on others. Give hope and resilience to all those working to eradicate this crime of slavery around the world and in California.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRIVILEGES OF THE FLOOR**SPECIAL INTRODUCTIONS**

Senator Monning introduced Bob and Ronna Streeton, in honor of their visit to the California State Senate.

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

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

February 5, 2018

February 6, 2018

February 7, 2018

February 8, 2018

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****Consideration of Governor's Appointments**

Senator Cannella placed the following Governor's appointment before the Senate:

BRIAN E. DUFFY, Associate Director, Division of Adult Institutions, Department of Corrections and Rehabilitation.

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

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Cannella moved a call of the Senate.

Motion carried.



**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
Consideration of Governor's Appointments**

Senator Cannella placed the following Governor's appointment before the Senate:

EINAR M. NYBORG, Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

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

Roll Call

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

AYES (37)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (GOVERNOR'S APPOINTMENTS)**

On motion of Senator Cannella, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the appointment of Brian E. Duffy was confirmed by the following vote:

AYES (37)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



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

Assembly Bill 1407—1/11/2018 9 p.m.—An act to amend Sections 2262, 2263, 2265, 2266, 2267, 2268, 2269, and 2270 of the Elections Code, relating to voter registration.

Bill read third time and presented by Senator Stern.

Roll Call

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

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

NOES (12)—Senators Anderson, Bates, Cannella, Fuller, Gaines, Moorlach, Morrell, Nguyen, Nielsen, Stone, Vidak, and Wilk.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, February 8, 2018

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

SCR 94	SCR 95	SR 80	SR 81
ACR 140	ACR 147	ACR 156	

MOTIONS, RESOLUTIONS AND NOTICES

MOTION TO TAKE UP WITHOUT REFERENCE TO FILE

Senator Mitchell asked for, and was granted, unanimous consent to take up **SR 81** at this time, without reference to file.

Consideration of Senate Resolution 81

Senate Resolution 81—Relative to Women and Girls in Science Day in California.

Resolution read third time and presented by Senator Mitchell.

Roll Call

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

AYES (37)—Senators Allen, Anderson, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



LEAVES OF ABSENCE

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

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

The following Senator was granted leave of absence for the day on personal business: Senator Mendoza.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:49 a.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator De León moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, February 12, 2018.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, February 8, 2018

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

Agriculture—SB 965.

Appropriations—SB 939, SB 941, SB 942.

Education—SB 940, SB 947, SB 949, SB 968.

Elections and Constitutional Amendments—SB 962.

Energy, Utilities and Communications—SB 959.

Environmental Quality—SB 966.

Governance and Finance—SB 946, SB 951, SB 958.

Governmental Organization—SB 936.

Health—SB 945.

Judiciary—SB 954.

Public Safety—SB 931.



Rules—SB 929, SB 930, SB 932, SB 933, SB 934, SB 935, SB 938, SB 943, SB 944, SB 948, SB 950, SB 952, SB 953, SB 955, SB 956, SB 960, SB 963, SB 964, SB 967, SB 971.

Transportation and Housing—SB 957.

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

Labor and Industrial Relations and Judiciary—SB 970.

Natural Resources and Water and Environmental Quality—SB 961.

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

Transportation and Housing and Judiciary and Appropriations—SB 969.

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

Governance and Finance—SJR 18.

Transportation and Housing—SCR 92.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

Senate Bill 1028: By Senator Hill—An act to add Section 751 to the Public Utilities Code, relating to public utility rates, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1029: By Senator McGuire—An act relating to transportation.

Senate Bill 1030: By Senator Newman—An act to repeal Section 12810.3 of the Vehicle Code, relating to driver's licenses.

Senate Bill 1031: By Senator Moorlach—An act to add Section 7522.45 to the Government Code, relating to public employees' retirement.

Senate Bill 1032: By Senator Moorlach—An act to amend Section 20577, to repeal Sections 20570, 20571, 20571.5, 20573, 20574, 20575, 20577.5, 20579, 20580, 20581, 20582, 20583, 20584, 20585, 20586, 20587, 20588, 20589, 20590, 20591, 20592, and 20593, and to repeal and add Section 20578, of the Government Code, relating to retirement.

Senate Bill 1033: By Senator Moorlach—An act to add Section 20792 to the Government Code, relating to public employees's retirement.

Senate Bill 1034: By Senator Mitchell—An act to amend Section 123222.3 of the Health and Safety Code, relating to health.



Senate Bill 1035: By Senator Jackson—An act to amend Section 65302 of the Government Code, relating to land use.

Senate Bill 1036: By Senator Wilk—An act to repeal Section 49073.5 of, and to repeal and add Section 49073 of, the Education Code, relating to pupils.

Senate Bill 1037: By Senator Cannella—An act to amend Section 2034 of the Streets and Highways Code, relating to transportation.

Senate Bill 1038: By Senator Leyva—An act to amend Section 12940 of the Government Code, relating to employment.

Senate Bill 1039: By Senator Pan—An act to add Article 9.5 (commencing with Section 35975) to Chapter 2 of Part 2 of Division 15 of the Food and Agricultural Code, relating to milk.

Senate Bill 1040: By Senator Dodd—An act to amend Section 12300 of, and to add Sections 12304.41 and 12312 to, the Welfare and Institutions Code, relating to in-home supportive services.

Senate Bill 1041: By Senator Leyva (Principal coauthors: Assembly Members Arambula and Reyes) (Coauthor: Senator Hueso) (Coauthor: Assembly Member Cristina Garcia)—An act to amend Sections 105285, 105300, and 124125 of, and to add Section 105286 to, the Health and Safety Code, relating to public health.

Senate Bill 1042: By Senator Monning—An act to add Section 7099.8 to the Business and Professions Code, relating to professions and vocations.

Senate Bill 1043: By Senator Newman—An act to add Section 972.3 to, and to repeal and add Section 972.1 of, the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1044: By Senator Berryhill (Principal coauthor: Senator Gaines) (Principal coauthor: Assembly Member Patterson) (Coauthors: Senators Fuller, Morrell, and Nielsen) (Coauthor: Assembly Member Obernolte)—An act to amend Section 4229 of, and to add Chapter 1.6 (commencing with Section 4230) to Part 2 of Division 4 of the Public Resources Code, relating to fire prevention.

Senate Bill 1045: By Senators Wiener and Stern (Coauthors: Senators Allen and Bradford)—An act relating to conservatorship.

Senate Bill 1046: By Senator Roth—An act to amend Sections 1722 and 1751.5 of the Insurance Code, relating to insurance.

Senate Bill 1047: By Senator Nielsen—An act relating to Medi-Cal.

Senate Bill 1048: By Senator Allen—An act relating to environmental education.



Senate Bill 1049: By Senator Moorlach—An act to amend Section 2501 of, and repeal Sections 2502 and 2503 of, the Public Contract Code, relating to public contracts.

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

Senate Concurrent Resolution 99: By Senator Newman—Relative to veterans.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Anderson requested that when the Senate adjourns this day it do so in memory of Charles “Chuck” Hansen of El Cajon.

Senator Bates requested that when the Senate adjourns this day it do so in memory of Gregory Marks and Bill Pascual of Laguna Niguel and Bill Clayton of Carlsbad.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Hon. Pauline Clancy of Vacaville.

Senator Morrell requested that when the Senate adjourns this day it do so in memory of Mabel R. Biddinger of San Bernardino.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Marilyn Patricia St. Paul of Anaheim.

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators’ requests until 2 p.m., Monday, February 12, 2018.

NEVA MARIE PARKER, Minute Clerk

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