

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, March 1, 2018

The Senate met at 9:12 a.m.
Hon. Ricardo Lara, of the 33rd 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,
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—38.

Quorum present.

(NOTE: Senator Leyva will be excused this day on personal business.)



PRAYER

Upon invitation of the President, the following prayer was offered by Sr. Libby Fernandez, RSM, Founder of Mercy Pedalers:

Spirit of God, we long to mend the broken circle.

We long to heal the fractures in the world around us and within our own souls: to transform those parts of ourselves and our world that block our making contact with our deepest reality, and with the deepest most sacred dimensions of all other beings.

Spirit of God, we long to see reality: to contact our deepest yearning for a world pulsating with justice and truth, to create a society where all sit down at the Great Banquet, where all persons eat until they are full.

Spirit of God, we long to discover anew the courage deep within us: to see and to listen, to discover our true selves, to take steps to stop the cycle of violence, in our homes, in our work-places, in our neighborhoods, in our country, and in our whole world.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRIVILEGES OF THE FLOOR**SPECIAL RECOGNITIONS**

Senator Fuller presented a member's resolution to Colonel Sekou Karega, Commanding Officer of the Marine Corps Logistics Base Barstow, in recognition of the 75th anniversary of the Marine Corps Logistics Base Barstow.

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

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

KEVIN M. KUNG, Member, Commission on Teacher Credentialing.

MONICA R. MARTINEZ, PH.D., Member, Commission on Teacher Credentialing.

CASTLE W. REDMOND, Member, Commission on Teacher Credentialing.

The President put the question: "Will the Senate advise and consent to the appointments 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.



**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator Morrell presented a member's resolution to Kim Carter, recipient of the James Irvine Foundation Leadership Award.

Senator Fuller presented a member's resolution to Susana De Anda and Laurel Firestone, recipients of the James Irvine Foundation Leadership Award.

Senator Wiener presented a member's resolution to Christina Fialho and Christina Mansfield, recipients of the James Irvine Foundation Leadership Award.

Senator Atkins presented a member's resolution to Dr. Teresa Smith, recipient of the James Irvine Foundation Leadership Award.

At 9:34 a.m., Hon. Mike McGuire, of the 2nd District, Presiding

Senator Mitchell presented a member's resolution to Oscar Menjivar and Anthony Thigpenn, recipients of the James Irvine Foundation Leadership Award.

At 9:50 a.m., Hon. Ricardo Lara, of the 33rd District, Presiding

**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 Kevin M. Kung, Monica R. Martinez, Ph.D., and Castle W. Redmond were confirmed by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, 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.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, March 1, 2018

Mr. President: The Committee on Rules has examined:

SB 897

And reports the same correctly engrossed.

DE LEÓN, Chair



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 26, 2018 February 27, 2018 February 28, 2018
March 1, 2018

UNANIMOUS CONSENT TO SUSPEND JOINT RULE 62(a)

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Rules to meet Monday, March 5, 2018 without four days' notice in the Daily File.

LEAVES OF ABSENCE

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

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

At 9:55 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, March 5, 2018.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 1, 2018

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

SCR 95

E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolution ordered enrolled.

**REPORTS OF STANDING COMMITTEES
Committee on Transportation and Housing**

Senate Chamber, March 1, 2018

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

SB 827

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

BEALL, Chair



Second Reading of Bills—Author’s Amendments

Senate Bill 827—An act to add Section 65917.7 to the Government Code, relating to land use.

Bill read second time.

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

Committee on Rules

State Capitol, February 28, 2018

Mr. President: The Committee on Rules has appointed George Woolverton, J.D., as a member of the Sacramento-San Joaquin Delta Conservancy Governing Board for a term ending February 28, 2022.

DE LEÓN, Chair

State Capitol, February 28, 2018

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

Karen S. Yamamoto, Member, Teachers’ Retirement Board (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, February 28, 2018

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

Rebecca B. May, Chief, Professional Fiduciaries Bureau (5–0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, February 28, 2018

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

Leland (Lee) C. Adams, III, Member, Commission on State Mandates (5–0)

Maria (Carmen) Ramirez, Member, Commission on State Mandates (5–0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.



Senate Chamber, March 1, 2018

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

SB 922

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 Bill 922—An act to amend Section 56001 of the Government Code, relating to local government.

Bill read second time.

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

Committee on Budget and Fiscal Review

Date of Hearing, March 1, 2018

Mr. President: The Committee on Budget and Fiscal Review, to which were referred:

AB 105

AB 106

AB 108

Reports the same back with the recommendation: Do pass.

MITCHELL, Chair

Above bills ordered to second reading.

Committee on Rules

State Capitol, February 28, 2018

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

Business, Professions and Economic Development—SB 1229, SB 1254, SB 1286.

Education—SB 1203, SB 1243, SB 1275, SB 1321, SB 1348, SB 1349.

Energy, Utilities and Communications—SB 1205, SB 1339.

Environmental Quality—SB 1335.

Governance and Finance—SB 1210, SB 1211, SB 1212, SB 1213, SB 1214, SB 1218, SB 1231, SB 1237, SB 1251, SB 1302, SB 1323, SB 1333, SB 1337.

Governmental Organization—SB 1283, SB 1297, SB 1313.

Health—SB 1268, SB 1280, SB 1285, SB 1288, SB 1317, SB 1322.

Insurance, Banking and Financial Institutions—SB 1291.

Judiciary—SB 1196, SB 1276, SB 1289, SB 1320.

Labor and Industrial Relations—SB 1188, SB 1252.



Natural Resources and Water—SB 1247, SB 1293, SB 1309, SB 1310, SB 1311.

Public Employment and Retirement—SB 1195, SB 1234, SB 1270.

Public Safety—SB 1185, SB 1187, SB 1191, SB 1198, SB 1199, SB 1204, SB 1219, SB 1221, SB 1232, SB 1233, SB 1242, SB 1271, SB 1273, SB 1281, SB 1294, SB 1345, SB 1346.

Rules—SB 908, SB 1184, SB 1189, SB 1192, SB 1193, SB 1194, SB 1197, SB 1200, SB 1202, SB 1206, SB 1207, SB 1209, SB 1216, SB 1217, SB 1220, SB 1223, SB 1224, SB 1228, SB 1230, SB 1239, SB 1241, SB 1244, SB 1245, SB 1246, SB 1248, SB 1249, SB 1250, SB 1253, SB 1255, SB 1256, SB 1257, SB 1258, SB 1261, SB 1264, SB 1266, SB 1267, SB 1277, SB 1278, SB 1279, SB 1282, SB 1284, SB 1287, SB 1290, SB 1292, SB 1295, SB 1299, SB 1306, SB 1307, SB 1308, SB 1314, SB 1315, SB 1324, SB 1326, SB 1327, SB 1329, SB 1330, SB 1331, SB 1332, SB 1334, SB 1338, SB 1341, SB 1342, SB 1347.

Transportation and Housing—SB 1226, SB 1227, SB 1236, SB 1259, SB 1262, SB 1296, SB 1328.

Veterans Affairs—SB 1304.

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

Business, Professions and Economic Development and Public Safety—SB 1240.

Education and Elections and Constitutional Amendments—SCA 16.

Education and Governance and Finance—SB 1225.

Environmental Quality and Governance and Finance—SB 1215.

Governance and Finance and Public Safety—SB 1272, SB 1303.

Health and Judiciary—SB 1190, SB 1238, SB 1325, SB 1336.

Human Services and Judiciary—SB 1274.

Insurance, Banking and Financial Institutions and Appropriations—SB 1263.

Insurance, Banking and Financial Institutions and Judiciary—SB 1183, SB 1201, SB 1235, SB 1269.

Judiciary and Environmental Quality—SB 1340.

Judiciary and Public Safety—SB 1208.

Labor and Industrial Relations and Judiciary—SB 1300, SB 1343.



Natural Resources and Water and Environmental Quality—SB 1222, SB 1301.

Natural Resources and Water and Governmental Organization—SB 1316.

Public Safety and Judiciary—SB 1186.

Public Safety and Labor and Industrial Relations—SB 1298.

Transportation and Housing and Judiciary—SB 1265.

Veterans Affairs and Public Employment and Retirement—SB 1312.

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

Education and Governance and Finance and Judiciary—SB 1344.

Health and Business, Professions and Economic Development and Judiciary—SB 1305.

Natural Resources and Water and Environmental Quality and Governance and Finance—SB 1260.

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

Transportation and Housing—SCR 105.

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

Public Safety and Labor and Industrial Relations—SB 825.

Committee on Budget and Fiscal Review

Senate Chamber, March 1, 2018

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

AB 110

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

MITCHELL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 110—An act to amend Sections 7284.6 and 27388.1 of the Government Code, and to amend Sections 12306.1 and 12306.16 of, and to add Section 11461.35 to, the Welfare and Institutions Code, relating to government services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

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, March 1, 2018

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

SB 908

SB 933

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 Bill 908—An act to amend Section 9075, and to add Article 3.7 (commencing with Section 9085) to Chapter 1.5 of Part 1 of Division 2 of Title 2, of the Government Code, relating to the Legislature.

Bill read second time.

Senate Bill 933—An act relating to visual and performing arts education.

Bill read second time.

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

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 1496: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hernandez, Hertzberg, Lara, Moorlach, and Nguyen)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1497: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hernandez, Hertzberg, Lara, Moorlach, and Nguyen)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Senate Bill 1498: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hernandez, Hertzberg, Lara, Moorlach, and Nguyen)—An act to amend Sections 34090, 34093, 34852, 34855, 34857, 36522, 36802, 37107, 37547, 37607, 37683, 38400, 38406, 38741, 38780, 38782, 39501, 39560, 39564, 39573, 39574, 39901, 40537, 40538, 40539, 40603, 40604, 40804, 40806, 40812, 40813, 40814, 41204, 41205, 41602, 41603, 41605, 41608, 41609, 41610, 41611, 41803.7, 43625, and 43626 of the Government Code, relating to local government.



Senate Bill 1499: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hernandez, Hertzberg, Lara, Moorlach, and Nguyen)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

SENATE COMMITTEE ROLL CALLS
Committee on Budget and Fiscal Review

AB 105—Do pass

AYES (15)—Senators Anderson, Glazer, Jackson, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Skinner, Stone, Wieckowski, and Wilk.

NOES (0)—None.

AB 106—Do pass

AYES (15)—Senators Anderson, Glazer, Jackson, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Skinner, Stone, Wieckowski, and Wilk.

NOES (0)—None.

AB 108—Do pass

AYES (15)—Senators Anderson, Glazer, Jackson, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Skinner, Stone, Wieckowski, and Wilk.

NOES (0)—None.

Date of Hearing: 3/1/2018

Mitchell, Chair

ADJOURNMENT

At 3:30 p.m., on motion of Senator De León, the Senate adjourned until 2 p.m., Monday, March 5, 2018.

NEVA MARIE PARKER, Minute Clerk

O

