

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-FOURTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, March 8, 2018

The Senate met at 9:04 a.m.  
Hon. Ricardo Lara, of the 33rd District, presiding.  
Secretary Daniel Alvarez at the Desk.  
Assistant Secretary Heshani Wijemanne 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, Hertzberg, Hill, Hueso, Lara,  
Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman,  
Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak,  
Wieckowski, Wiener, and Wilk—36.

Quorum present.

*(NOTE: Senators De León, Hernandez, and Jackson will be excused this day on personal business.)*



**PRAYER**

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

On this International Women's Day, Audre Lorde encourages us when she says: "When I dare to be powerful, to use my strength in the service of my vision, then it becomes less and less important whether I am afraid."

*Gracious and loving God*, as we enter a new mode of human presence where women are not merely observers, but where each can be a participant in this moment of evolution, we are determined to be bold participants, rather than timid saints-in-waiting; we choose to exercise the authority of honesty, rather than to fearfully defer to power; we wish to influence others for justice, rather than impress them for gain; and, by Your grace, we will bring treasures of joy, friendship, and peace to our world when we all use our strength in the service of our vision.—AMEN.

(Adapted from *Wrestling the Light* by Ted Loder.)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

**Assembly Bill 105—2/26/2018 9 p.m.**—An act to amend the Budget Act of 2017 (Chapter 14 of the Statutes of 2017) by amending Item 9100-101-0001 of Section 2.00 of, and amending Section 39.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

Bill read third time and presented by Senator Mitchell.

**Roll Call**

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.



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

**Assembly Bill 106—2/26/2018 9 p.m.**—An act to amend Sections 144 and 26051.5 of the Business and Professions Code, relating to cannabis, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Mitchell.

**Roll Call**

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

AYES (35)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (1)—Senator Morrell.

Bill ordered transmitted to the Assembly.

**Assembly Bill 108—2/27/2018 9 p.m.**—An act to amend Sections 8212, 8332, 8332.1, 8332.2, 8332.3, 8332.4, 8332.5, 8332.7, 8335.1, 8335.3, 8335.4, 8347.2, 8347.3, 8347.4, and 8499.5 of, to amend the heading of Article 15.1 (commencing with Section 8332) of Chapter 2 of Part 6 of Division 1 of Title 1 of, to add Sections 8332.25, 8332.8, and 8335.5 to, to repeal Section 8335.2 of, and to repeal Article 15.1.1 (commencing with Section 8333), Article 15.1.1 (commencing with Section 8334), Article 15.3 (commencing with Section 8340), Article 15.4.1 (commencing with Section 8348), and Article 15.4.2 (commencing with Section 8349) of Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, to amend Sections 99101, 99102, 99106, 99108, and 99109 of, and to repeal Section 99104 of, the Government Code, and to add Item 6980-102-0001 to, and to repeal Item 0954-101-0001 of, Section 2.00 of the Budget Act of 2017, relating to education, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Mitchell.

**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, Gaines, Galgiani, Glazer, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mitchell, Monning, 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.



**Assembly Bill 110—3/1/2018 9 p.m.**—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 and repeal Section 11461.35 of, 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 third time and presented by Senator Mitchell.

**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, Gaines, Galgiani, Glazer, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mitchell, Monning, 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.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (AB 105)**

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

**Roll Call**

The names of the absentees were called and AB 105 was passed by the following vote:

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

**NOES (0)**—None.

Above bill ordered transmitted to the Assembly.

**DEMOCRATIC CAUCUS**

At 9:18 a.m., Senator Monning announced a Democratic Caucus.

**REPUBLICAN CAUCUS**

At 9:18 a.m., Senator Bates announced a Republican Caucus.

**REASSEMBLED**

At 9:45 a.m., the Senate reassembled.

Hon. Ricardo Lara, of the 33rd District, presiding.

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Skinner presented a member's resolution to Carol T. Christ, Chancellor of the University of California, Berkeley, in recognition of the 150th anniversary of the University of California.



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

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

March 5, 2018                      March 6, 2018                      March 7, 2018  
March 8, 2018

**MOTION TO TAKE MEASURES FROM INACTIVE FILE**

Without objection, **AB 417** was taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 417**

**Assembly Bill 417**—An act to amend Sections 100501, 100502, 100503, and 100522 of the Government Code, to amend Section 1366.6 of the Health and Safety Code, and to amend Section 10112.3 of the Insurance Code, relating to health coverage.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 417 pursuant to Joint Rule 58.

ASSEMBLY MEMBER WOOD

**Permission of Rules Committee**

Senate Chamber, March 8, 2018

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 417.

DE LEÓN, Chair

**Amendments Adopted**

Amendments to **AB 417** proposed by Senator Jackson were read and adopted and the measure ordered printed and to second reading.

**At 10:03 a.m., Hon. Ted Gaines, of the 1st District, Presiding**



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

**Assembly Concurrent Resolution 170**—Relative to California Ports Day.

Resolution read third time and presented by Senator Lara.

**At 10:10 a.m., Hon. Ricardo Lara, of the 33rd District, Presiding**

**Roll Call**

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

AYES (34)—Senators Allen, Anderson, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hill, Hueso, Lara, Leyva, McGuire, 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.

**Assembly Bill 1694**—1/12/2018 9 p.m.—An act to repeal Section 11004.5 of the Welfare and Institutions Code, relating to foster care, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Mitchell.

**Urgency Clause**

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Allen, Anderson, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hill, Hueso, Lara, Leyva, McGuire, Mitchell, Monning, 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 (34)—Senators Allen, Anderson, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hill, Hueso, Lara, Leyva, McGuire, Mitchell, Monning, 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.



**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Bradford introduced Willie Hagan, President of California State University, Dominguez Hills, in honor of his visit to the California State Senate.

Senator Allen introduced Hon. Tony Vazquez, Council Member for the City of Santa Monica, Hon. Maria Leon-Vazquez, Board Member for the Santa Monica-Malibu School District, and Hon. Anastasia Foster and Hon. Caroline Torosis, Board Members for the Rent Control Board of the City of Santa Monica, in honor of their visit to the California State Senate.

**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day on personal business: Senators De León, Hernandez, and Jackson.

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

At 10:30 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, March 12, 2018.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, March 8, 2018

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 105            AB 106            AB 108            AB 110

E. DOTSON WILSON, Chief Clerk of the Assembly

**REPORTS OF STANDING COMMITTEES**

**Committee on Insurance, Banking and Financial Institutions**

Senate Chamber, March 8, 2018

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

SB 894

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

GAINES, Vice Chair



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

**Senate Bill 894**—An act to amend Sections 675.1 and 2051.5 of, and to add Section 10103.7 to, the Insurance Code, relating to insurance.

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**

Senate Chamber, March 8, 2018

Mr. President: The Committee on Rules has examined:

SB 899

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, March 8, 2018

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

AB 813

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**

**Assembly Bill 813**—An act to amend Sections 334, 335, 336, 337, 338, 339, 340, 341, 341.1, 341.2, 341.3, 341.4, 341.5, 347, 348, 349, 352, and 359 of, to add Section 399.23 to, and to repeal and add Section 359.5 of, the Public Utilities Code, relating to electricity.

Bill read second time.

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

Senate Chamber, March 8, 2018

Mr. President: The Committee on Rules has examined:

SCR 94

And reports the same has been correctly enrolled and presented to the Secretary of State on the 8th day of March, 2018, at 11:30 a.m.

DE LEÓN, Chair

Senate Chamber, March 8, 2018

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

SB 967

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 967**—An act to amend Section 4000 of the Welfare and Institutions Code, relating to mental health.

Bill read second time.

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

State Capitol, March 8, 2018

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

**Business, Professions and Economic Development**—SB 1371, SB 1442, SB 1447, SB 1448, SB 1451, SB 1465, SB 1480, SB 1481, SB 1482, SB 1483, SB 1491, SB 1492.

**Education**—SB 1354, SB 1368, SB 1406, SB 1471.

**Energy, Utilities and Communications**—SB 1358, SB 1374, SB 1399, SB 1410.

**Governance and Finance**—SB 1352, SB 1363, SB 1395, SB 1398, SB 1411, SB 1417, SB 1473, SB 1484, SB 1486.

**Governmental Organization**—SB 1396, SB 1430, SB 1490.

**Health**—SB 1373, SB 1457, SB 1476, SB 1495.

**Human Services**—SB 1446.

**Judiciary**—SB 1431.

**Labor and Industrial Relations**—SB 1404, SB 1470.

**Natural Resources and Water**—SB 1365, SB 1367, SB 1493.

**Public Safety**—SB 1355, SB 1382, SB 1391, SB 1392, SB 1393, SB 1437, SB 1449, SB 1494.

**Rules**—SB 1100, SB 1350, SB 1351, SB 1353, SB 1356, SB 1360, SB 1361, SB 1364, SB 1369, SB 1372, SB 1375, SB 1376, SB 1377, SB 1378, SB 1379, SB 1380, SB 1383, SB 1385, SB 1386, SB 1389, SB 1390, SB 1400, SB 1402, SB 1403, SB 1405, SB 1408, SB 1413, SB 1414, SB 1418, SB 1419, SB 1420, SB 1421, SB 1422, SB 1423, SB 1424, SB 1425, SB 1426, SB 1427, SB 1432, SB 1433, SB 1434, SB 1436, SB 1438, SB 1440, SB 1441, SB 1443, SB 1444, SB 1445, SB 1452, SB 1454, SB 1458, SB 1459, SB 1460, SB 1461, SB 1462, SB 1463, SB 1464, SB 1466, SB 1467, SB 1469, SB 1472, SB 1475, SB 1478, SB 1479, SB 1485, SB 1487, SB 1488, SB 1489.



**Transportation and Housing**—SB 1387, SB 1397, SB 1407, SB 1415, SB 1450, SB 1455.

**Veterans Affairs**—SB 1435.

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

**Agriculture and Public Safety**—SB 1409.

**Business, Professions and Economic Development and Education**—SB 1468.

**Education and Appropriations**—SB 1362.

**Education and Human Services**—SB 1359.

**Education and Judiciary**—SB 1381, SB 1388, SB 1456.

**Energy, Utilities and Communications and Environmental Quality**—SB 1477.

**Environmental Quality and Natural Resources and Water**—SB 1401.

**Governance and Finance and Rules**—SB 1384.

**Health and Judiciary**—SB 1474.

**Judiciary and Appropriations**—SB 1453.

**Labor and Industrial Relations and Education**—SB 1428.

**Labor and Industrial Relations and Public Safety**—SB 1412.

**Natural Resources and Water and Environmental Quality**—SB 1370.

**Public Safety and Elections and Constitutional Amendments**—SCA 17.

**Transportation and Housing and Governance and Finance**—SB 1416.

**Veterans Affairs and Transportation and Housing**—SB 1357.

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

**Elections and Constitutional Amendments and Judiciary and Public Safety**—SB 1394.

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

**Governance and Finance**—SB 832.



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

**Health and Judiciary**—SCR 110.

State Capitol, March 8, 2018

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

SCR 106	SCR 107	SCR 108	SCR 109
SR 86	SR87	ACR 162	ACR 164

**Committee on Environmental Quality**

Senate Chamber, March 8, 2018

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

AB 558

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

WIECKOWSKI, Chair

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

**Assembly Bill 558**—An act to amend Section 9147.10 of the Government Code, to amend Section 43102 of the Health and Safety Code, and to amend Section 25722.5 of the Public Resources Code, relating to air resources.

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 8, 2018

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

SB 912

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 912**—An act relating to housing.

Bill read second time.

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



Senate Chamber, March 8, 2018

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

SB 935

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 935**—An act to amend Section 14217 of the Elections Code, relating to elections.

Bill read second time.

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

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Bill 1502:** By the Committee on Environmental Quality (Senators Wieckowski (Chair), Gaines, Hill, Lara, Skinner, Stern, and Stone)—An act to amend Sections 40440.5 and 40440.7 of the Health and Safety Code, relating to the South Coast Air Quality Management District.

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

**Senate Resolution 90:** By Senator Pan—Relative to a sister state relationship with Baden-Württemberg, Germany.

**Senate Resolution 91:** By Senators Dodd, Berryhill, Bradford, Cannella, Gaines, Galgiani, Glazer, Hill, Hueso, Lara, Portantino, and Vidak—Relative to Problem Gambling Awareness Month.



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Bates requested that when the Senate adjourns this day it do so in memory of Harry Victor Cheshire, Jr. of Laguna Niguel and John T. Tengdin of San Clemente.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Conrad Kearney of Napa.

Senator Glazer requested that when the Senate adjourns this day it do so in memory of Ed Regalia of Walnut Creek.

Senator Hill requested that when the Senate adjourns this day it do so in memory of Frederick Ruigomez of San Bruno.

Senator Leyva requested that when the Senate adjourns this day it do so in memory of Jan Misquez, Marilyn Alcantar, and Sally Morana of San Bernardino and Anthony Claude Acevedo of Yucaipa.

Senator Pan requested that when the Senate adjourns this day it do so in memory of Russ Solomon of Sacramento.

Senator Stern requested that when the Senate adjourns this day it do so in memory of Ira Nathan Kanarek of Woodland Hills and Gabriel Fine of West Hills.

Senator Wiener requested that when the Senate adjourns this day it do so in memory of Virginia Caroline Mehegan of San Francisco.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Cannella, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 12, 2018.

NEVA MARIE PARKER, Minute Clerk

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