

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SEVENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, May 14, 2018

The Senate met at 2:16 p.m.  
Hon. Ted Gaines, of the 1st 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, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach,  
Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern,  
Stone, Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

*(NOTE: Senator Hueso will be excused this day due to illness.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Sister Hansa, Coordinator of Brahmakumaris, Sacramento Branch:

*Loving Presence*, we are gathered today to ask for Your wise and loving guidance as we make decisions that will affect all of Your precious residents here in California. We pray that our leaders make decisions for the betterment of California and to make policy and choices that help our wonderful state to not only thrive, but flourish. Help our minds to be open to new ideas and to leave our egos at the door so that we remember our goals for California. Help us to remember it is our duty to uphold promises we have made to our voters. May we always live our lives in gratitude because we live in this grand state, knowing it a privilege to love and serve You. Keep us safe. And thank You for this beautiful state. May we all continue to prosper and serve You in gratitude.

Omshanti, peace to all.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**MOTIONS, RESOLUTIONS AND NOTICES****UNANIMOUS CONSENT TO SUSPEND SENATE RULE 55**

Without objection, Senate Rule 55 was suspended to allow lobbyists and guests on the Floor of the Senate for today's session.

**PRIVILEGES OF THE FLOOR****SPECIAL INTRODUCTIONS**

Senator Gaines introduced Barrett Dudley, Reading Clerk for the Arkansas House of Representatives and participant in the American Society of Legislative Clerks and Secretaries Associate Exchange Program.

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

**Senate Concurrent Resolution 131**—Relative to CASA Appreciation Day.

Resolution read third time and presented by Senator Newman.

**Roll Call**

The roll was called.

**CALL OF THE SENATE**

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

Motion carried.



**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Newman introduced representatives of the Court Appointed Special Advocates, Regan Phillips, Chief Executive Officer; Andy Jacobson, Case Supervisor; Pat Cathill, volunteer; Jaynine Warner, Board Member, and Lily Colby, California Policy and Program Coordinator, in honor of Court Appointed Special Advocates Appreciation Day.

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

**Senate Resolution 109**—Relative to the 70th anniversary of the founding of the State of Israel.

Resolution read third time and presented by Senator Allen.

**Roll Call**

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

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

NOES (0)—None.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Allen introduced Shlomi Kofman, Consul General of Israel to the Pacific Northwest; Ravit Baer, Deputy Consul General of Israel to the Pacific Northwest; and representatives from the Jewish Public Affairs Committee of California, The American Jewish Congress of San Francisco, the American Jewish Congress of Los Angeles, and the Jewish Federation of the Sacramento Region, in honor of the 70th anniversary of the founding of the State of Israel.

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

**Senate Resolution 71**—Relative to Áo Dài Day.

Resolution read third time and presented by Senator Nguyen.

**Roll Call**

The roll was called and the resolution was adopted 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, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Nguyen introduced women from the Vietnamese Community dressed in the traditional áo dài, in honor of Áo Dài Day.

Senator Lara introduced Cathy Unger and her grandson, Henry Unger, in honor of their visit to the California State Senate.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 10, 2018

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

ACR 161            ACR 197            ACR 219            ACR 228

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Concurrent Resolution 161**—Relative to the 30th Annual State Scientist Day.

**Assembly Concurrent Resolution 197**—Relative to children.

**Assembly Concurrent Resolution 219**—Relative to Second Chances Month.

**Assembly Concurrent Resolution 228**—Relative to California Wildfire Awareness Week and California Master Mutual Aid Awareness Day.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Senate Chamber, May 11, 2018

Mr. President: The Committee on Rules has examined:

SB 1015	SB 1116	SB 1218
SB 1337	SB 1347	SB 1451
SB 1480	SB 1487	SCA 19

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, May 11, 2018

Mr. President: The Committee on Rules has examined:

SB 838	SB 954	SB 1173
SB 1235	SB 1424	

And reports the same correctly engrossed.

ATKINS, Chair



**Committee on Judiciary**

Date of Hearing, May 8, 2018

Mr. President: The Committee on Judiciary, to which was referred:  
SB 1129

Reports the same back with the recommendation: Do pass as amended.  
JACKSON, Chair

Above bill ordered to second reading.

**Committee on Governmental Organization**

Senate Chamber, May 14, 2018

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

AB 2439

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 2439**—An act to add Section 429.4 to the Government  
Code, relating to state memorials.

Bill read second time.

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

**Committee on Judiciary**

Senate Chamber, May 14, 2018

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

SB 1511

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

JACKSON, Chair

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

**Senate Bill 1511**—An act to amend Sections 400, 3111, 3901, and  
5614 of, and to repeal and add Section 17311.7 of, the Family Code, and  
to amend Section 70677 of, and to add Section 69619.7 to, the Government  
Code, relating to family law, and declaring the urgency thereof, to take  
effect immediately.

Bill read second time.

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





**Committee on Appropriations**

Senate Chamber, May 14, 2018

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

SB 819	SB 904	SB 910	SB 920
SB 1034	SB 1076	SB 1108	SB 1152
SB 1164	SB 1184	SB 1192	SB 1201
SB 1227	SB 1245	SB 1293	SB 1305
SB 1307	SB 1408	SB 1423	SB 1451

Reports the same back with the recommendation: That the above bills be ordered to second reading pursuant to Senate Rule 28.8.

LARA, Chair

Above bills ordered to second reading.

Senate Chamber, May 14, 2018

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

SB 997	SB 1077	SB 1151	SB 1162
SB 1274	SB 1435	SB 1491	SB 1492
SB 1494	SB 1495	SB 1500	

Reports the same back with the recommendation: That the above bills be ordered to second reading pursuant to Senate Rule 28.8, and be ordered to the consent calendar.

LARA, Chair

Above bills ordered to second reading.

Senate Chamber, May 14, 2018

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

SCR 92	SCR 105	SCR 112
SCR 124	SCR 133	

Reports the same back with the recommendation: That the above resolutions be ordered to second reading pursuant to Senate Rule 28.8, and be ordered to the consent calendar.

LARA, Chair

Above resolutions ordered to second reading.



**Committee on Education**

Senate Chamber, May 14, 2018

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

AB 1962

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

ALLEN, Chair

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

**Assembly Bill 1962**—An act to amend Section 42238.01 of the Education Code, relating to education finance.

Bill read second time.

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

**MOTIONS, RESOLUTIONS AND NOTICES****RE-REFERENCE TO COMMITTEE  
PURSUANT TO JOINT RULE 10.5**

Pursuant to Joint Rule 10.5, the following measure was re-referred to the Committee on Appropriations:

SB 1424

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

**Assembly Concurrent Resolution 172**—Relative to lesbian, gay, bisexual, and transgender individuals.

Resolution read third time.

**Amendments Adopted**

Amendments to **ACR 172** proposed by Senator Wiener were read and adopted and the measure ordered printed, and to second reading.

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senators Pan, Nguyen, and De León presented member's resolutions to the 2018 Asian Pacific Islander Heritage Month honorees: Amanda Nguyen, Excellence in Advocacy; Ronald W. Wong, Excellence in Business; Dave Low, Excellence in Labor; Viet Thanh Nguyen, Excellence in Literature; Maeley Tom, Excellence in Public Service; Peggy Saika, Excellence in Philanthropy; and Vincent Zhou, Excellence in Sports.



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

**Senate Joint Resolution 25**—Relative to Batten Disease Awareness Weekend.

Resolution read third time and presented by Senator Wilk.

**Roll Call**

The roll was called and the resolution was adopted 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, Jackson, 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.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Wilk introduced Chris Velona, Director of Project Sebastian, in honor of Batten Disease Awareness Weekend.

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

**Senate Bill 1393—5/9/2018 9 p.m.**—An act to amend Sections 667 and 1385 of the Penal Code, relating to sentencing.

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

NOES (14)—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Moorlach, Morrell, Newman, Nguyen, Nielsen, Stone, Vidak, and Wilk.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES  
Committee on Appropriations**

Senate Chamber, May 14, 2018

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

SB 831

SB 1465

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**

**Senate Bill 831**—An act to amend Sections 65585 and 65852.2 of, and to add and repeal Section 65852.23 of, the Government Code, relating to land use.

Bill read second time.

**Senate Bill 1465**—An act to add Sections 7071.20, 7071.21, and 7071.22 to the Business and Professions Code, relating to professions and vocations.

Bill read second time.

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

**Committee on Governance and Finance**

Date of Hearing, May 9, 2018

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 1202

Reports the same back with the recommendation: Do pass as amended.

MCGUIRE, Chair

Above bill ordered to second reading.

Date of Hearing, May 9, 2018

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 1352

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MCGUIRE, Chair

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing, May 14, 2018

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

SB 1109

Reports the same back with the recommendation: Do pass.

LARA, Chair

Above bill ordered to second reading.



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

**Assembly Bill 1668—5/3/2018 9 p.m.**—An act to amend Sections 531.10, 1120, 10608.12, 10608.20, 10608.48, 10801, 10802, 10814, 10817, 10820, 10825, 10826, 10843, 10845, and 10910 of, to add Sections 1846.5 and 10826.2 to, and to add Chapter 9 (commencing with Section 10609) and Chapter 10 (commencing with Section 10609.40) to Part 2.55 of Division 6 of, the Water Code, relating to water.

Bill read third time and presented by Senator Hertzberg.

**Roll Call**

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

**AYES (24)**—Senators Allen, Atkins, Beall, Bradford, De León, Dodd, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, and Wiener.

**NOES (14)**—Senators Anderson, Bates, Berryhill, Cannella, Fuller, Gaines, Moorlach, Morrell, Newman, Nguyen, Nielsen, Stone, Vidak, and Wilk.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SCR 131)**

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

**Roll Call**

The names of the absentees were called and SCR 131 was adopted by the following vote:

**AYES (37)**—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hill, Jackson, 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 resolution ordered transmitted to the Assembly.



**At 4:22 p.m., Hon. Connie M. Leyva, of the 20th District, Presiding**

**MOTIONS, RESOLUTIONS AND NOTICES**

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

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

AB 1214

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

AB 1406

**At 4:47 p.m., Hon. Ted Gaines, of the 1st District, Presiding**

**PRIVILEGES OF THE FLOOR**

**MOMENT OF SILENCE**

The Senate observed a moment of silence in remembrance of the Honorable George Deukmejian, former Governor of California.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Concurrent Resolution 144:** By Senator Fuller (Coauthors: Senators Bates, Dodd, Gaines, Glazer, Roth, and Wilk) (Coauthors: Assembly Members Choi, Lackey, Mathis, and Mayes)—Relative to National Military Appreciation Month.

**SENATE COMMITTEE ROLL CALLS**

**Committee on Appropriations**

**SB 1109**—Do pass

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.

NOES (0)—None.

Date of Hearing: 5/14/2018

Lara, Chair

**LEAVES OF ABSENCE**

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



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Allen requested that when the Senate adjourns this day it do so in memory of Maggie Bove-LaMonica of Hermosa Beach.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Patricia Marie Wagenknecht and Koerner Rombauer of Napa.

Senators Lara and Nielsen requested that when the Senate adjourns this day it do so in memory of Hon. George Deukmejian of Long Beach.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Marian Altman of Berkeley.

**ADJOURNMENT**

At 4:55 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, May 15, 2018.

NEVA MARIE PARKER, Minute Clerk

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