

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, August 14, 2018

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, Bradford, Cannella, Chang,
De León, Delgado, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez,
Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell,
Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Skinner,
Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senators Berryhill and Nguyen will be excused this day due to illness.)



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 13, 2018

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

SJR 12

And respectfully requests your honorable body to concur in said amendments.

Above resolution ordered to unfinished business.

Assembly Chamber, August 13, 2018

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

ACR 192

ACR 259

ACR 264

ACR 266

ACR 269

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 192—Relative to Gold Star Mothers' and Families' Day.

Assembly Concurrent Resolution 259—Relative to Pediatric Acute-onset Neuropsychiatric Syndrome (PANS) Awareness Day.

Assembly Concurrent Resolution 264—Relative to India's Independence Day.

Assembly Concurrent Resolution 266—Relative to Red Ribbon Week.

Assembly Concurrent Resolution 269—Relative to Dosan Ahn Chang Ho Day.

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

Senate Concurrent Resolution 157—Relative to Italian American Heritage Month.

Resolution read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to consent calendar.



SECOND READING OF ASSEMBLY BILLS

Assembly Bill 998—An act to amend the heading of Title 5.3 (commencing with Section 13750) of, to add the heading of Chapter 1 (commencing with Section 13750) to Title 5.3 of, and to add Chapter 2 (commencing with Section 13752) to Title 5.3 of, Part 4 of the Penal Code, relating to crime victims.

Bill read second time and ordered to third reading.

Assembly Bill 1981—An act to amend Section 42649.87 of the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

Assembly Bill 2063—An act to amend Sections 22017, 22018, 22105, 22157, 22680, 22681, 22682, 22684, 22686, 22687, 22689, 22691, 22693, and 22716 of the Financial Code, and to amend Section 5913 of the Streets and Highways Code, relating to the Property Assessed Clean Energy program.

Bill read second time and ordered to third reading.

Assembly Bill 2119—An act to amend Sections 16001.9 and 16010.2 of the Welfare and Institutions Code, relating to foster care.

Bill read second time and ordered to third reading.

Assembly Bill 2346—An act to add Section 454.85 to the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 2447—An act to amend Section 21092 of, and to add Chapter 2.8 (commencing with Section 21099.50) to Division 13 of, the Public Resources Code, relating to land use.

Bill read second time and ordered to third reading.

Assembly Bill 2463—An act to add and repeal Article 7 (commencing with Section 12100.60) of Chapter 1.6 of Part 2 of Division 3 of Title 2 of the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

Assembly Bill 1897—An act relating to the California Victim Compensation Board, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1914—An act to amend Section 4216.4 of the Government Code, relating to state government.

Bill read second time and ordered to third reading.



Assembly Bill 1976—An act to amend Section 1031 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 2516—An act to amend Section 6429 of the Water Code, relating to dams and reservoirs.

Bill read second time and ordered to third reading.

Assembly Bill 2679—An act to add Section 1275.8 to the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2938—An act to add and repeal Section 6368.8 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 1080—An act to add Chapter 2.3 (commencing with Section 2030) to Part 1 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 2132—An act to add Section 17951.7 to the Health and Safety Code, relating to housing.

Bill read second time and ordered to third reading.

Assembly Bill 3047—An act to amend Section 70617 of the Government Code, relating to court fees.

Bill read second time and ordered to third reading.

Assembly Bill 93—An act to amend Sections 728, 2290.5, 4980.01, 4980.03, 4980.35, 4980.397, 4980.399, 4980.40, 4980.42, 4980.43, 4980.44, 4980.50, 4980.78, 4980.79, 4982, 4982.15, 4984.01, 4984.7, 4992.05, 4992.09, 4992.3, 4996.17, 4996.18, 4996.23, 4999.12, 4999.36, 4999.42, 4999.46, 4999.50, 4999.51, 4999.52, 4999.55, 4999.62, 4999.63, and 4999.90 of, to amend and renumber Section 4980.45 of, to add Sections 4980.43.1, 4980.43.2, 4980.43.3, 4980.43.5, 4996.20, 4996.21, 4996.23.1, 4996.23.2, 4996.23.3, 4999.46.1, 4999.46.2, 4999.46.3, 4999.46.4, and 4999.46.5 to, and to repeal Sections 4996.24, 4999.34, 4999.44, 4999.45, 4999.455, and 4999.47 of, the Business and Professions Code, and to amend Section 124260 of the Health and Safety Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2302—An act to amend Section 801.6 of the Penal Code, relating to mandated reporters.

Bill read second time and ordered to third reading.



Assembly Bill 3086—An act to amend Section 46600 of the Education Code, relating to pupil attendance.

Bill read second time and ordered to third reading.

Assembly Bill 2735—An act to add Section 60811.8 to the Education Code, relating to English learners.

Bill read second time and ordered to third reading.

Assembly Bill 2026—An act to add Sections 11704.6 and 11801 to the Vehicle Code, relating to vehicle sales.

Bill read second time and ordered to third reading.

Assembly Bill 2863—An act to add Section 4079 to the Business and Professions Code, to add Section 1367.47 to the Health and Safety Code, and to add Section 10123.65 to the Insurance Code, relating to prescription drugs.

Bill read second time and ordered to third reading.

Assembly Bill 2954—An act to amend Section 50079 of the Government Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 1205—An act to amend Section 130232 of the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 2732—An act to add Sections 1019.3 and 1019.5 to the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, August 14, 2018

Mr. President: The Committee on Rules has examined:

SJR 30

And reports the same correctly engrossed.

ATKINS, Chair

Committee on Public Safety

Date of Hearing, August 14, 2018

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

AB 1488

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SKINNER, Chair

Above bill re-referred to the Committee on Appropriations.



Date of Hearing: August 14, 2018

Mr. President: The Committee on Public Safety, to which was referred:
AB 1065

Reports the same back with the recommendation: That the bill be returned to the Senate Floor for consideration.

SKINNER, Chair

Above bill ordered to third reading.

Committee on Public Employment and Retirement

Date of Hearing, August 13, 2018

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AJR 41

Reports the same back with the recommendation: Be adopted.

PAN, Chair

Above resolution ordered to third reading.

Committee on Human Services

Date of Hearing, August 14, 2018

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

AJR 46

Reports the same back with the recommendation: Be adopted.

WIENER, Chair

Above resolution ordered to third reading.

Date of Hearing, August 14, 2018

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

SJR 29

Reports the same back with the recommendation: Be adopted.

WIENER, Chair

Above resolution ordered to third reading.

Committee on Transportation and Housing

Date of Hearing, August 14, 2018

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

SCR 159

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

BEALL, Chair

Above resolution re-referred to the Committee on Appropriations.



Date of Hearing, August 14, 2018

Mr. President: The Committee on Transportation and Housing, to which were referred:

ACR 201

ACR 250

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

BEALL, Chair

Above resolutions re-referred to the Committee on Appropriations.

Date of Hearing: August 14, 2018

Mr. President: The Committee on Transportation and Housing, to which were referred:

AB 193

AB 3163

Reports the same back with the recommendation: That the bills be returned to the Senate Floor for consideration.

BEALL, Chair

Above bills ordered to third reading.

Date of Hearing, August 14, 2018

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

AB 2330

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

BEALL, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Budget and Fiscal Review

Senate Chamber, August 14, 2018

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

AB 1829

AB 1841

AB 1843

AB 1846

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 1829—An act relating to the Budget Act of 2018. Bill read second time.

Assembly Bill 1841—An act relating to the Budget Act of 2018. Bill read second time.

Assembly Bill 1843—An act relating to the Budget Act of 2018. Bill read second time.



Assembly Bill 1846—An act relating to the Budget Act of 2018.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, August 14, 2018

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

AB 2054

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

HERTZBERG, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, August 14, 2018

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

AB 18

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

PORTANTINO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 18—An act to amend Section 853 of the Business and Professions Code, relating to healing arts, 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 Judiciary

Date of Hearing, August 14, 2018

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

ACR 215

Reports the same back with the recommendation: Be adopted.

JACKSON, Chair

Above resolution ordered to third reading.



Committee on Elections and Constitutional Amendments

Date of Hearing, August 14, 2018

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

AB 84

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

STERN, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Budget and Fiscal Review

Senate Chamber, August 14, 2018

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

AB 1840

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 1840—An act relating to the Budget Act of 2018.

Bill read second time.

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

Senate Chamber, August 14, 2018

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

AB 1833

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 1833—An act relating to the Budget Act of 2018.

Bill read second time.

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



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

Assembly Bill 1891—An act to amend Sections 25503.56 and 25503.57 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to **AB 1891** proposed by Senator Skinner were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 2968—An act to amend Sections 337 and 728 of the Business and Professions Code, relating to healing arts.

Bill read third time.

Amendments Adopted

Amendments to **AB 2968** proposed by Senator Galgiani were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 2086—An act to amend Section 11165 of the Health and Safety Code, relating to controlled substances.

Bill read third time.

Amendments Adopted

Amendments to **AB 2086** proposed by Senator Hernandez were read and adopted and the measure ordered printed, and to second reading.

MOTIONS, RESOLUTIONS AND NOTICES
MOTION TO TAKE MEASURES FROM INACTIVE FILE

Without objection, **AB 1561** was taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1561

Assembly Bill 1561—An act to amend Sections 13996.55 and 63010 of the Government Code, relating to economic development.

Bill read second time.

Amendments Adopted

Amendments to **AB 1561** proposed by Senator Hueso were read and adopted and the measure ordered printed, and to second reading.



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

Assembly Bill 2524—An act to amend Sections 113789, 113818, 113843, 113846, and 114143 of, to add Sections 113739.1 and 113806.1 to, and to add Chapter 10.1 (commencing with Section 114328) to Part 7 of Division 104 of, the Health and Safety Code, relating to the California Retail Food Code.

Bill read third time.

Amendments Adopted

Amendments to **AB 2524** proposed by Senator Cannella were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 2452—An act to amend Sections 25503.4, 25503.56, and 25503.57 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to **AB 2452** proposed by Senator Dodd were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1529—An act to amend Section 116810 of, and to add Sections 116555.5, 116801, and 116812 to, the Health and Safety Code, relating to drinking water.

Bill read third time.

Amendments Adopted

Amendments to **AB 1529** proposed by Senator Lara were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1996—An act to amend Sections 2525.1 and 26190.5 of the Business and Professions Code, to amend Section 11362.9 of the Health and Safety Code, to amend Section 34019 of the Revenue and Taxation Code, and to amend Section 2429.7 of the Vehicle Code, relating to cannabis.

Bill read third time.

Amendments Adopted

Amendments to **AB 1996** proposed by Senator Wilk were read and adopted and the measure ordered printed, and to second reading.



Assembly Bill 3017—An act to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 3017 pursuant to Joint Rule 58.

ASSEMBLY MEMBER ACOSTA

Permission of Rules Committee

Senate Chamber, August 14, 2018

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 3017.

ATKINS, Chair

Amendments Adopted

Amendments to **AB 3017** proposed by Senator Wilk were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 2789—An act to add Section 688 to the Business and Professions Code, relating to healing arts.

Bill read third time.

Amendments Adopted

Amendments to **AB 2789** proposed by Senator Hill were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 2221—An act to amend Sections 2570.2, 2570.3, 2570.6, 2570.7, 2570.10, 2570.14, 2570.18, 2570.185, 2570.20, 2570.28, 2570.29, and 2571 of the Business and Professions Code, relating to healing arts.

Bill read third time.

Amendments Adopted

Amendments to **AB 2221** proposed by Senator Dodd were read and adopted and the measure ordered printed, and to second reading.



Assembly Bill 2884—An act to amend Sections 10001, 10016, 10027, 10050, 10131, 10133.1, 10133.2, 10137, 10140.6, 10142, 10143.5, 10144, 10158, 10159, 10159.6, 10159.7, 10164, 10176, 10177, 10178, 10179, 10186.2, 10232.3, 10238, 10243, 10509, 10561, 11212, and 11267 of, to add Sections 10010.5, 10015.1, 10015.2, 10015.3, 10015.4, 10015.5, 10018.01, 10018.02, 10018.03, 10018.04, 10018.05, 10018.06, 10018.07, 10018.08, 10018.09, 10018.10, 10018.11, 10018.13, 10018.14, 10018.15, 10018.16, and 10018.17 to, to repeal Sections 10132 and 10160 of, and to repeal and add Section 10161.8 of, the Business and Professions Code, relating to real estate.

Bill read third time.

Amendments Adopted

Amendments to **AB 2884** proposed by Senator Hill were read and adopted and the measure ordered printed, and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Elections and Constitutional Amendments

AB 84—Do pass and re-refer to the Committee on Appropriations

AYES (3)—Senators Anderson, Hertzberg, and Leyva.

NOES (2)—Senators Allen and Stern.

Date of Hearing: 8/14/2018

Stern, Chair

Committee on Human Services

SJR 29—Be adopted

AYES (5)—Senators Glazer, Leyva, McGuire, Portantino, and Wiener.

NOES (0)—None.

AJR 46—Be adopted

AYES (5)—Senators Glazer, Leyva, McGuire, Portantino, and Wiener.

NOES (0)—None.

Date of Hearing: 8/14/2018

Wiener, Chair

Committee on Judiciary

ACR 215—Be adopted

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

NOES (0)—None.

Date of Hearing: 8/14/2018

Jackson, Chair



Committee on Natural Resources and Water

AB 2054—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Allen, Hertzberg, Hueso, Jackson, McGuire, Monning, Stern, Stone, and Vidak.

NOES (0)—None.

Date of Hearing: 8/14/2018

Hertzberg, Chair

Committee on Public Employment and Retirement

SCA 8—Be adopted and re-refer to the Committee on Elections and Constitutional Amendments

AYES (2)—Senators Moorlach and Morrell.

NOES (3)—Senators Leyva, Pan, and Portantino.

Refused Adoption

SCA 8—Reconsideration granted

AYES (5)—Senators Leyva, Moorlach, Morrell, Pan, and Portantino.

NOES (0)—None.

SCA 10—Be adopted and re-refer to the Committee on Elections and Constitutional Amendments

AYES (2)—Senators Moorlach and Morrell.

NOES (3)—Senators Leyva, Pan, and Portantino.

Refused Adoption

SCA 10—Reconsideration granted

AYES (5)—Senators Leyva, Moorlach, Morrell, Pan, and Portantino.

NOES (0)—None.

AJR 41—Be adopted

AYES (4)—Senators Leyva, Moorlach, Pan, and Portantino.

NOES (0)—None.

Date of Hearing: 8/13/2018

Pan, Chair

Committee on Public Safety

AB 1065—That the measure be returned to the Senate Floor for consideration

AYES (7)—Senators Anderson, Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.

NOES (0)—None.

AB 1488—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Mitchell, Skinner, and Wiener.

NOES (2)—Senators Anderson and Stone.

Date of Hearing: 8/14/2018

Skinner, Chair



Committee on Transportation and Housing

SCR 159—Be adopted and re-refer to the Committee on Appropriations

AYES (12)—Senators Allen, Beall, Cannella, Dodd, Gaines, Galgiani, McGuire, Morrell, Roth, Vidak, Wieckowski, and Wiener.

NOES (0)—None.

AB 193—That the measure be returned to the Senate Floor for consideration

AYES (10)—Senators Allen, Beall, Cannella, Dodd, Galgiani, McGuire, Roth, Skinner, Wieckowski, and Wiener.

NOES (3)—Senators Gaines, Morrell, and Vidak.

AB 2330—Do pass and re-refer to the Committee on Appropriations

AYES (13)—Senators Allen, Beall, Cannella, Dodd, Gaines, Galgiani, McGuire, Morrell, Roth, Skinner, Vidak, Wieckowski, and Wiener.

NOES (0)—None.

AB 3163—That the measure be returned to the Senate Floor for consideration

AYES (12)—Senators Allen, Beall, Cannella, Dodd, Gaines, Galgiani, McGuire, Roth, Skinner, Vidak, Wieckowski, and Wiener.

NOES (1)—Senator Morrell.

ACR 201—Be adopted and re-refer to the Committee on Appropriations

AYES (13)—Senators Allen, Beall, Cannella, Dodd, Gaines, Galgiani, McGuire, Morrell, Roth, Skinner, Vidak, Wieckowski, and Wiener.

NOES (0)—None.

ACR 250—Be adopted and re-refer to the Committee on Appropriations

AYES (13)—Senators Allen, Beall, Cannella, Dodd, Gaines, Galgiani, McGuire, Morrell, Roth, Skinner, Vidak, Wieckowski, and Wiener.

NOES (0)—None.

Date of Hearing: 8/14/2018

Beall, Chair

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day due to illness: Senators Berryhill and Nguyen.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, August 15, 2018.

NEVA MARIE PARKER, Minute Clerk

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