

CALIFORNIA LEGISLATURE
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SENATE DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 10, 2017

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, De León,
Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill,
Hueso, Jackson, Leyva, McGuire, Mendoza, Mitchell, Monning,
Moorlach, Morrell, 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 Lara will be excused this day due to illness in the family. Senator Newman will be excused this day to attend a funeral.)



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

Senate Bill 671—An act to amend Section 31582 of the Government Code, relating to county employees’ retirement.

Bill read second time and ordered to third reading.

Senate Bill 59—An act to add Section 14670.37 to the Government Code, relating to state property.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 626—An act to add Section 20 to the Military and Veterans Code, relating to military.

Bill read second time and ordered to third reading.

Senate Bill 277—An act to amend Section 65850 of the Government Code, relating to land use.

Bill read second time and ordered to third reading.

Senate Bill 503—An act to amend Sections 18891, 18892, 18893, and 18894 of, to amend the heading of Article 19 (commencing with Section 18891) of Chapter 3 of Part 10.2 of Division 2 of, and to add Section 18874.1 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Senate Bill 684—An act to amend Sections 1368.1 and 1370 of the Penal Code, and to amend Section 5008 of the Welfare and Institutions Code, relating to criminal trial.

Bill read second time and ordered to third reading.

Senate Bill 373—An act to amend Section 22161 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, May 10, 2017

Mr. President: The Committee on Rules has examined:

SB 147	SB 167	SB 277	SB 298
SB 466	SB 503	SB 550	SB 624
SB 658	SB 684	SB 755	

And reports the same correctly engrossed.

DE LEÓN, Chair



Senate Chamber, May 10, 2017

Mr. President: The Committee on Rules has examined:

SB 11 SB 33 SB 612 SB 618
SB 711 SB 741

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Transportation and Housing

Date of Hearing, May 9, 2017

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

SB 268

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.

Date of Hearing, May 9, 2017

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

SB 622

Reports the same back with the recommendation: Do pass as amended, and be ordered to the consent calendar.

BEALL, Chair

Above bill ordered to second reading.

Date of Hearing, May 9, 2017

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

SCA 6

Reports the same back with the recommendation: Be adopted.

BEALL, Chair

Above resolution ordered to second reading.

Date of Hearing, May 9, 2017

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

SCR 46

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To consent calendar.

BEALL, Chair

Above resolution ordered to second reading.



Committee on Judiciary

Date of Hearing, May 9, 2017

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

SB 36

Reports the same back with the recommendation: Do pass.

JACKSON, Chair

Above bill ordered to second reading.

Date of Hearing, May 9, 2017

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

SB 491

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

JACKSON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, May 9, 2017

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

SB 543

Reports the same back with the recommendation: Do pass and be ordered to the consent calendar.

JACKSON, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, May 10, 2017

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

SB 477

SB 802

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 477—An act to add Section 14070.5 to the Government Code, relating to transportation.

Bill read second time.

Senate Bill 802—An act to add Section 38751 to the Vehicle Code, relating to autonomous vehicles.

Bill read second time.

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



Second Reading of Bills—Author's Amendments

Senate Bill 4—An act to add Chapter 12.495 (commencing with Section 8879.80) to Division 1 of Title 2 of the Government Code, and to amend Section 2192 of the Streets and Highways Code, relating to goods movement, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

Bill read second time.

Senate Bill 540—An act to add Article 10.10 (commencing with Section 65620) to Chapter 3 of Division 1 of Title 7 of the Government Code, relating to land use.

Bill read second time.

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

Committee on Rules

State Capitol, May 10, 2017

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

SCR 47	SCR 49	SCR 51	SCR 52
SR 36	SR 37	SR 38	ACR 18
ACR 60	ACR 65	ACR 74	

State Capitol, May 10, 2017

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

Agriculture—AB 564, AB 768, AB 1131.

Appropriations—AB 212.

Business, Professions and Economic Development—AB 89, AB 593, AB 658, AB 1727.

Education—AB 24, AB 37, AB 226, AB 446, AB 949, AB 1354.

Elections and Constitutional Amendments—AB 4, AB 187, AB 195, AB 840, AB 855.

Environmental Quality—AB 245, AB 249, AB 366, AB 367, AB 911, AB 1218, AB 1439, AB 1441.

Governance and Finance—AB 94, AB 454, AB 1226.

Governmental Organization—AB 88, AB 289.

Health—AB 148, AB 191, AB 462, AB 727, AB 1368.

Human Services—AB 818.

Insurance—AB 407, AB 1373.



Judiciary—AB 218, AB 260, AB 294, AB 299, AB 307, AB 308, AB 309, AB 369, AB 380, AB 383, AB 414, AB 430, AB 452, AB 534, AB 644, AB 712, AB 740, AB 772, AB 828, AB 905, AB 929, AB 1139, AB 1148, AB 1286, AB 1290, AB 1516, AB 1690, AB 1691, AB 1693, AB 1694.

Labor and Industrial Relations—AB 1695.

Natural Resources and Water—AB 184, AB 436, AB 661.

Public Safety—AB 6, AB 7, AB 41, AB 78, AB 149, AB 194, AB 255, AB 264, AB 270, AB 324, AB 335, AB 411, AB 493, AB 529, AB 683, AB 789, AB 1459, AB 1518, AB 1639.

Rules—AB 192, AB 636.

Transportation and Housing—AB 332, AB 344, AB 695, AB 730, AB 790, AB 1303, AB 1452, AB 1625.

Veterans Affairs—AB 431, AB 671.

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

Agriculture and Environmental Quality—AB 1126.

Education and Elections and Constitutional Amendments—SCA 13.

Education and Governance and Finance—AB 1196.

Education and Judiciary—AB 233.

Education and Public Safety—AB 872.

Environmental Quality and Judiciary—AB 1480.

Environmental Quality and Natural Resources and Water—AB 388.

Governmental Organization and Public Safety—AB 400.

Health and Business, Professions and Economic Development—AB 356.

Health and Human Services—AB 251.

Judiciary and Appropriations—AB 814.

Public Safety and Appropriations—AB 368, AB 413, AB 539, AB 721, AB 887, AB 1024.

Public Safety and Veterans Affairs—AB 153.

Transportation and Housing and Governance and Finance—AB 1189.



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

Governance and Finance and Elections and Constitutional Amendments and Appropriations—SCA 12.

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

Environmental Quality—AJR 9.

Public Safety—SCR 48.

Transportation and Housing—ACR 2, ACR 9, ACR 22, ACR 23, ACR 24, ACR 29, ACR 31.

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

Education and Judiciary—ACR 21.

Public Safety and Judiciary—SB 785.

Senate Chamber, May 10, 2017

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

AB 192

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 192—An act to amend Section 54444.2 of the Education Code, relating to migrant education.

Bill read second time.

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

Committee on Insurance

Senate Chamber, May 10, 2017

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

AB 407

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

MENDOZA, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 407—An act to amend Section 9095 of the Insurance Code, relating to insurance.

Bill read second time.

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

Committee on Appropriations

Senate Chamber, May 10, 2017

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

SB 5

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 5—An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, 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 Rules

Senate Chamber, May 10, 2017

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

SCR 44

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 Concurrent Resolution 44—Relative to young workers.

Resolution read second time.

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



State Capitol, May 10, 2017

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

Cecilia V. Estolano, Member, California Community Colleges Board of Governors (3-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, May 10, 2017

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

Valerie L. Shaw, Member, California Community Colleges Board of Governors (4-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, May 10, 2017

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

Lauren Zeise, Ph.D., Director, Environmental Health Hazard Assessment (4-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.

State Capitol, May 10, 2017

Mr. President: The Committee on Rules has made the following appointments:

Reappointed the Honorable Roberto Uranga as a member of the California Coastal Commission for a term ending May 20, 2021.

Reappointed Agustin A. Beltran as a member of the Contractor's State License Board for a term ending June 1, 2021.

Appointed the Honorable Nancy Skinner as a member of the San Francisco Bay Conservation and Development Commission for a term ending at the pleasure of the Committee.

Appointed Mary Creasman as a member of the Wildlife Conservation Board for a term ending January 1, 2021.

DE LEÓN, Chair



**MOTIONS, RESOLUTIONS AND NOTICES
MEASURES WITHDRAWN AND PLACED ON FILE**

Without objection, the following measure was withdrawn from the Committee on Appropriations and ordered to second reading:

SB 33

MEASURES RE-REFERRED TO COMMITTEE

Without objection, the following measure was re-referred to the Committee on Appropriations:

SB 167

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

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

SB 807

MOTION TO TAKE MEASURES FROM INACTIVE FILE

Senator Pan moved that **SCR 14** be taken from the inactive file and ordered to second reading.

Motion carried.

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

Senate Concurrent Resolution 14—Relative to Asian and Pacific Islander American Heritage Month.

Resolution read second time.

Amendments Adopted

Amendments to **SCR 14** proposed by Senator Pan were read and adopted and the measure ordered printed, engrossed, and to second reading.

**SENATE COMMITTEE ROLL CALLS
Committee on Governance and Finance**

SB 275—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (6)—Senators Beall, Hernandez, Hertzberg, McGuire, Moorlach, and Nguyen.

NOES (0)—None.

SB 302—Do pass

AYES (5)—Senators Beall, Hernandez, Hertzberg, McGuire, and Nguyen.

NOES (1)—Senator Moorlach.



SB 668—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (6)—Senators Beall, Hernandez, Hertzberg, McGuire, Moorlach, and Nguyen.

NOES (0)—None.

SB 701—Do pass as amended and re-refer to the Committee on Appropriations

AYES (4)—Senators Beall, Hernandez, Hertzberg, and McGuire.

NOES (2)—Senators Moorlach and Nguyen.

SB 703—Do pass

AYES (4)—Senators Beall, Hernandez, Hertzberg, and McGuire.

NOES (2)—Senators Moorlach and Nguyen.

SB 807—Do pass and re-refer to the Committee on Education

AYES (6)—Senators Beall, Hernandez, Hertzberg, McGuire, Moorlach, and Nguyen.

NOES (0)—None.

Date of Hearing: 5/10/2017

McGuire, Chair

Committee on Judiciary

SB 36—Do pass

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

SB 182—Do pass as amended

AYES (5)—Senators Anderson, Hertzberg, Moorlach, Stern, and Wieckowski.

NOES (1)—Senator Jackson.

SB 235—Do pass as amended

AYES (6)—Senators Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (1)—Senator Anderson.

SB 273—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

SB 327—Do pass as amended

AYES (5)—Senators Hertzberg, Jackson, Monning, Stern, and Wieckowski.

NOES (2)—Senators Anderson and Moorlach.

SB 331—Do pass as amended and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.



SB 407—Do pass as amended

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

SB 479—Do pass as amended and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

SB 491—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

SB 543—Do pass and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

SB 579—Do pass as amended and be ordered to the consent calendar

AYES (7)—Senators Anderson, Hertzberg, Jackson, Monning, Moorlach, Stern, and Wieckowski.

NOES (0)—None.

Date of Hearing: 5/9/2017

Jackson, Chair

Committee on Transportation and Housing**SB 71**—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Allen, Atkins, Beall, McGuire, Mendoza, Roth, Skinner, Wieckowski, and Wiener.

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

SB 268—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Atkins, Beall, Cannella, McGuire, Mendoza, Skinner, and Wiener.

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

SB 622—Do pass as amended and be ordered to the consent calendar

AYES (13)—Senators Allen, Atkins, Bates, Beall, Cannella, Gaines, McGuire, Mendoza, Morrell, Roth, Skinner, Wieckowski, and Wiener.

NOES (0)—None.

SB 712—Do pass

AYES (5)—Senators Cannella, Gaines, Morrell, Skinner, and Wiener.

NOES (6)—Senators Allen, Atkins, Beall, McGuire, Roth, and Wieckowski.

Failed Passage



SCA 6—Be adopted

AYES (8)—Senators Allen, Atkins, Beall, McGuire, Mendoza, Skinner, Wieckowski, and Wiener.

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

SCR 46—Be adopted as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (13)—Senators Allen, Atkins, Bates, Beall, Cannella, Gaines, McGuire, Mendoza, Morrell, Roth, Skinner, Wieckowski, and Wiener.

NOES (0)—None.

Date of Hearing: 5/9/2017

Beall, Chair

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 due to illness in the family: Senator Lara.

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, May 11, 2017.

NEVA MARIE PARKER, Minute Clerk

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