

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, January 12, 2018

The Senate met at 9:19 a.m.
Hon. Mike McGuire, of the 2nd 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:
Atkins, Bates, Beall, Bradford, Cannella, Dodd, Fuller, Gaines,
Galgiani, Glazer, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mitchell,
Monning, Moorlach, Morrell, Newman, Nguyen, Pan, Portantino, Roth,
Stone, Vidak, Wieckowski, Wiener, and Wilk—30.

Quorum present.

(NOTE: Senators Allen, Anderson, De León, Jackson, Nielsen, and Stern will be excused this day on legislative business. Senators Berryhill, Hernandez, and Mendoza will be excused this day on personal business. Senator Skinner will be excused this day due to illness.)



**MOTIONS, RESOLUTIONS AND NOTICES
UNANIMOUS CONSENT FOR PHOTOGRAPHER**

Without objection, a photographer was permitted on the Floor of the Senate for today's session.

PRAYER

Upon invitation of the President, the following prayer was offered by Senior Pastor Joseph Sissac, Center of Praise Ministries:

To You Lord we are grateful for another day to live and to serve, giving honor unto Your name. We are thankful for this day and opportunity to remember the legacy and dream of Your servant Dr. Martin Luther King, Jr. Grant us today the grace, as You did Dr. King, to "discern righteousness and justice and equity and every good course" (Pr. 2:9). Align our hearts and actions with that of Your Son, that we have NOT "come to be served, but to serve" (Mt. 20:28). I pray for each and every one assembled here today that the labor of their hands would in the words of Dr. King produce, "out of the mountain of despair, a stone of hope." Bless those here today to collaborate, to legislate, to do justice and to serve those who sent them, upon this stone of hope. Give us hope today. Hope for tomorrow. Hope to live the dream. In Your name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Pan introduced Valentina Chung, Jeremy Tsai, and Willis Tsai, in honor of their visit to the California State Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, January 12, 2018

Mr. President: The Committee on Rules has examined:

SB 327 SB 419 SB 720

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, January 12, 2018

Mr. President: The Committee on Rules has examined:

SB 320 SB 721 SB 766 SB 816

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:

January 8, 2018 January 9, 2018 January 10, 2018
January 11, 2018 January 12, 2018

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 691—An act to amend Section 66251 of the Education Code, relating to educational equity.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 327—An act to add Title 1.81.26 (commencing with Section 1798.91.01) to Part 4 of Division 3 of the Civil Code, relating to information privacy.

Bill read second time and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1407—An act to amend Sections 2262, 2263, 2265, 2266, 2267, 2268, 2269, and 2270 of the Elections Code, relating to voter registration.

Bill read second time and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution 85—Relative to Reverend Dr. Martin Luther King, Jr.

Resolution read third time and presented by Senator Bradford.

Roll Call

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

AYES (30)—Senators Atkins, Bates, Beall, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Pan, Portantino, Roth, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



**PRIVILEGES OF THE FLOOR
SPECIAL PRESENTATION**

A special presentation was made in honor of the Martin Luther King, Jr. holiday.

SPECIAL RECOGNITIONS

Senators Mitchell and Bradford presented member's resolutions to the California Legislative Black Caucus 2018 Unsung Heroes Tyree A. Boyd, History Curator and Program Manager at the California African American Museum, and Hon. Robert C. Ferrell, former Los Angeles City Council Member.

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on legislative business: Senators Allen, Anderson, De León, Jackson, Nielsen, and Stern.

The following Senators were granted leaves of absence for the day on personal business: Senators Berryhill, Hernandez, and Mendoza.

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

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

At 10:15 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 Tuesday, January 16, 2018.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 12, 2018

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

ACR 137

E. DOTSON WILSON, Chief Clerk of the Assembly



FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 137—Relative to public lands and conservation.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, January 12, 2018

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

SJR 16

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 Joint Resolution 16—Relative to federal Temporary Protected Status.

Resolution 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, January 12, 2018

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

SB 460

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 460—An act to add Division 2.6 (commencing with Section 5980) to the Public Utilities Code, relating to the Internet, 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.



**MOTIONS, RESOLUTIONS AND NOTICES
MEASURES TAKEN FROM INACTIVE FILE**

Without objection, **AB 1565** was taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1565

Assembly Bill 1565—An act to add Section 514.5 to the Labor Code, relating to employment.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1565 pursuant to Joint Rule 58.

ASSEMBLY MEMBER THURMOND

Permission of Rules Committee

Senate Chamber, January 12, 2018

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1565.

DE LEÓN, Chair

Amendments Adopted

Amendments to **AB 1565** proposed by Senator Bradford were read and adopted and the measure ordered printed and to second reading.

UNANIMOUS CONSENT TO RESCIND (AB 1694)

Without objection, action rescinded whereby on June 19, 2017, **AB 1694** was read third time, passed, and ordered transmitted to the Assembly.

Consideration of Assembly Bill 1694

Assembly Bill 1694—An act to amend Sections 51.7 and 52.1 of the Civil Code, to amend Section 1861.03 of the Insurance Code, and to repeal Section 1 of Chapter 1293 of the Statutes of 1976, relating to civil rights.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1694 pursuant to Joint Rule 58.

ASSEMBLY MEMBER STONE

Permission of Rules Committee

Senate Chamber, January 12, 2018

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1694.

DE LEÓN, Chair

Amendments Adopted

Amendments to **AB 1694** proposed by Senator Mitchell were read and adopted and the measure ordered printed and to second reading.



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 894: By Senators Dodd and McGuire (Coauthor: Assembly Member Levine)—An act to amend Sections 675.1 and 2051.5 of, and to add Section 10103.7 to, the Insurance Code, relating to insurance.

Senate Bill 895: By Senator Nguyen—An act to add Section 51207 to the Education Code, relating to pupil instruction.

Senate Bill 896: By Senator McGuire (Coauthors: Senators Berryhill, Dodd, and Gaines) (Coauthors: Assembly Members Aguiar-Curry, Levine, and Wood)—An act to amend Section 451.5 of the Penal Code, relating to arson.

Senate Bill 897: By Senators McGuire and Dodd (Coauthors: Assembly Members Levine and Wood)—An act to amend Section 2060 of, and to add Sections 2061 and 2062 to, the Insurance Code, relating to residential property insurance.

Senate Bill 898: By Senator Hertzberg (Principal coauthor: Assembly Member Bonta)—An act to add and repeal Section 1824 of the Insurance Code, relating to bail.

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

Senate Resolution 73: By Senators McGuire, Atkins, Beall, De León, Dodd, Hertzberg, Hill, Jackson, Monning, and Wiener—Relative to a new 5-year National Offshore Oil and Gas Leasing Program on the Outer Continental Shelf.

SENATE COMMITTEE ROLL CALLS**Committee on Energy, Utilities and Communications**

SB 460—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Bradford, Hertzberg, Hill, Hueso, McGuire, Skinner, and Wiener.

NOES (2)—Senators Morrell and Vidak.

Date of Hearing: 1/11/2018

Hueso, Chair



REQUESTS TO ADJOURN IN MEMORIAM

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Mary Ng Oweong, Donna Jean Wild Shackford, John Barry Todd, and Robert Almeida of Napa and Elvon Harris of Santa Rosa.

Senator Morrell requested that when the Senate adjourns this day it do so in memory of Martin Sylvan Gelband of Menifee.

Senator Vidak requested that when the Senate adjourns this day it do so in memory of Willie J. Frink, Jr. of Bakersfield.

Senator Wilk requested that when the Senate adjourns this day it do so in memory of Jack Barry Shine of Santa Clarita.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Cannella, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Tuesday, January 16, 2018.

NEVA MARIE PARKER, Minute Clerk

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