

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, March 13, 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, Dodd,
Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso,
Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell,
Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone,
Vidak, Wieckowski, Wiener, and Wilk—37.

Quorum present.

(NOTE: Senators Berryhill and De León will be excused this day on legislative business.)



REPORTS OF STANDING COMMITTEES
Committee on Transportation and Housing

Senate Chamber, March 13, 2018

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

SB 831

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

BEALL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 831—An act to amend Sections 65852.2 and 65852.22 of, and to add and repeal Section 65852.23 of, the Government Code, relating to land use.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, March 13, 2018

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

SB 1015

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

HERTZBERG, Chair

Above bill re-referred to the Committee on Environmental Quality.

Date of Hearing, March 13, 2018

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

SB 881

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

HERTZBERG, Chair

Above bill re-referred to the Committee on Judiciary.



Committee on Rules

Senate Chamber, March 13, 2018

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

AB 276

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 276—An act relating to postsecondary education.

Bill read second time.

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

Senate Chamber, March 13, 2018

Mr. President: The Committee on Rules has examined:

SB 821	SB 825	SB 941	SB 962
SB 968	SB 1000	SB 1009	SB 1010
SB 1018	SB 1023	SB 1027	SB 1036

And reports the same correctly engrossed.

DE LEÓN, Chair

MESSAGES FROM THE GOVERNOR

Governor’s Office, State Capitol
March 13, 2018

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments and reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments and reappointments are subject to Senate confirmation and consent. I hereby nominate these appointees and reappointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor



JERRY C. FLEMING, has been appointed to the Covered California Governing Board. Fleming held several positions at Kaiser Foundation Health Plan from 1977 to 2015, including national senior vice president of health care reform implementation and policy and health plan manager and program development, and vice president of administration and health plan manager for the Northern California region, and director of planning and program development and medical economics for the Northern California region. He was an economist at the Montana Department of Community Affairs from 1975 to 1977. Fleming earned a Master of Business Administration degree from the Stanford Graduate School of Business. Appointed 02/12/2018. Effective 02/13/2018.

Member, Covered California Governing Board, vice, Genoveva Islas, resigned 02/12/2018. Term ending 01/01/2019.

SANDRA R. HERNANDEZ, M.D., has been appointed to the Covered California Governing Board. Hernandez has been president and chief executive officer at the California Health Care Foundation since 2014, and has been an assistant clinical professor at the University of California, San Francisco School of Medicine since 1992. She was chief executive officer at the San Francisco Foundation from 1997 to 2013. Hernandez was director of public health at the San Francisco Department of Public Health from 1994 to 1997, where she served in several positions from 1988 to 1994, including county health officer, deputy director for community public health services, and for the AIDS Office, acting medical director for community public health services, director for the AIDS Office, and branch chief for health resources and services and for the AIDS Office. Hernandez was a community outreach coordinator of the San Francisco General Hospital AIDS Activities Division from 1987 to 1988. She is a member of the California Medical Association and the San Francisco Medical Association. Hernandez earned a Doctor of Medicine degree from the Tufts University School of Medicine. Appointed 02/12/2018. Effective 03/03/2018.

Member, Covered California Governing Board, vice, Martin Morgenstern, resigned 11/15/2017. Term ending 01/01/2019.

DARIUS W. ANDERSON, has been appointed to the California Community Colleges Board of Governors. Anderson has been chief executive officer and founder at Kenwood Investments since 2000 and at Platinum Advisors since 1998. He was chief of staff at Yucaipa Companies LLC, and vice president of external affairs at Ralphs Grocery Stores Inc. from 1993 to 1998. Appointed 03/01/2018. Effective 03/02/2018.

Member, California Community Colleges Board of Governors, vice, Nancy Sumner, term expired. Term ending 01/15/2024.



PETER SILVA, has been reappointed to the California Fish and Game Commission, where he has served since 2016. Silva has been president and chief executive officer at Silva-Silva International since 2011. He was assistant administrator for water at the U.S. Environmental Protection Agency from 2009 to 2011, senior policy advisor at the Metropolitan Water District of Southern California from 2005 to 2009, and a member of the State Water Resources Control Board from 2000 to 2005. Silva was deputy general manager at the Border Environment Cooperation Commission from 1997 to 2000, and served in several positions at the City of San Diego Utilities Department from 1987 to 1997, including deputy director for water utilities, assistant deputy director for the clean water program, and civil engineer. He was a resident engineer at the International Boundary and Water Commission from 1983 to 1987. Silva was an engineer at the San Diego Regional Water Quality Control Board from 1982 to 1983, at the Otay Water District from 1980 to 1982, and at the Los Angeles Regional Water Quality Control Board from 1977 to 1980. Reappointed 02/09/2018. Effective 03/07/2018.

Member, California Fish and Game Commission, vice, self, reappointed. Term ending 01/15/2024.

WILLIAM H. EDGAR, has been reappointed to the Central Valley Flood Protection Board, where he has served since 2012. Edgar has been co-owner at Edgar and Associates LLP since 1999. He was contract executive director at the Sutter Butte Flood Control Agency from 2007 to 2012, and a special advisor at McDonough Holland and Allen from 2001 to 2005. Edgar was a member of the California State Reclamation Board from 2001 to 2005, and executive director at the Sacramento Area Flood Control Agency from 1988 to 1992. He served in several positions for the City of Sacramento from 1977 to 1999, including as city manager and assistant city manager. Edgar earned a Master of Public Policy degree in city management from the University of Pennsylvania. Reappointed 02/09/2018. Effective 02/15/2018.

Member, Central Valley Flood Protection Board, vice, self, reappointed. Term ending 01/01/2022.



PRISCILLA S. WINSLOW, has been reappointed to the California Public Employment Relations Board, where she has served since 2013, and served as legal advisor from 2012 to 2013 and from 1979 to 1983. Winslow served as assistant chief counsel for the California Teachers Association from 1996 to 2012, where she was a staff attorney from 1983 to 1984. She was managing partner at the Law Offices of Priscilla S. Winslow from 1986 to 1996, and an adjunct professor at the New College of California School of Law from 1984 to 1993. Winslow was an associate at Boltuch and Siegel from 1984 to 1986. She is member of the American Constitution Society. Winslow earned a Juris Doctor degree from the University of California, Davis School of Law. Reappointed 02/23/2018. Effective 03/01/2018.

Member, Public Employment Relations Board, vice, Anita Martinez, resigned, 07/05/2016. Term ending 12/31/2018.

ELVA YANEZ, has been reappointed to the California State Park and Recreation Commission, where she has served since 2011. Yanez has been director of health equity at the Prevention Institute since 2015. She was president at Colibri Strategies from 2009 to 2014, project director at the California Community Foundation from 2008 to 2009, and director of the Audubon Center at Debs Park from 2006 to 2008. She held several positions at the Trust for Public Land from 2004 to 2006, including director of local government relations and director of the Center for Parks and Health. She held several positions at the Praxis Project from 2002 to 2004, including policy director and deputy director. Yanez earned a Master of Library Science degree from the University of Southern California. Reappointed 02/09/2018. Effective 03/05/2018.

Member, California State Park and Recreation Commission, vice, self, reappointed. Term ending 01/15/2022.



LAURIE S. BERMAN, has been appointed director of the California Department of Transportation, where she has been District 11 director since 2009, and has served in several positions since 1983, including chief deputy district director of project delivery, State Route 125 south toll road corridor project manager, design manager, and senior transportation engineer. She is a member of the American Society of Civil Engineers and the Women's Transportation Seminar. Appointed 02/20/2018. Effective 03/05/2018.

Director, Department of Transportation, vice, Malcom Dougherty, resigned, 03/02/2018. Term ending at the pleasure of the Governor.

JOHN MCGRORY, has been appointed to the California State University Board of Trustees. McGrory has been chief executive officer at La Jolla MJ Management LLC since 2009. He was a chief executive officer at the Price Group LLC from 2001 to 2009, and a chief operating officer for the San Diego Padres at Petco Park from 1999 to 2001. McGrory was a chief executive officer at Price Enterprises Inc. from 1997 to 1999. He served as San Diego city manager from 1991 to 1997. McGrory earned a Juris Doctor degree from University of San Diego School of Law and a Master of Public Administration degree in public administration from San Diego State University. Appointed 03/05/2018. Effective 03/06/2018.

Member, California State University Board of Trustees, vice, Roberta Achtenberg, term expired. Term ending 03/01/2023.

Above appointments and reappointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization

Date of Hearing, March 13, 2018

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

SB 892

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

DODD, Chair

Above bill re-referred to the Committee on Education.



Date of Hearing, March 13, 2018

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

SB 973

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

DODD, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing, March 13, 2018

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

AB 1065

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, March 13, 2018

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

SB 896

SB 978

SB 1025

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

SKINNER, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing, March 13, 2018

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

SB 977

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.

DODD, Chair

Above bill re-referred to the Committee on Appropriations.



Committee on Rules

Senate Chamber, March 13, 2018

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

SB 1045

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 1045—An act relating to conservatorship.

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 13, 2018

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

SB 822

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 822—An act relating to communications.

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 WITHDRAWN AND RE-REFERRED TO COMMITTEE

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

SB 962

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Resolution 92: By Senator Cannella—Relative to Professional Geologist and Professional Geophysicist Week.



SENATE COMMITTEE ROLL CALLS
Committee on Governmental Organization

SB 892—Do pass and re-refer to the Committee on Education with the recommendation: To consent calendar

AYES (10)—Senators Bradford, Cannella, Dodd, Gaines, Galgiani, Glazer, Hill, Lara, Portantino, and Vidak.

NOES (0)—None.

SB 905—Do pass as amended and re-refer to the Committee on Appropriations

AYES (8)—Senators Bradford, Cannella, Dodd, Galgiani, Glazer, Hill, Lara, and Portantino.

NOES (2)—Senators Gaines and Vidak.

SB 973—Do pass and re-refer to the Committee on Appropriations

AYES (10)—Senators Bradford, Cannella, Dodd, Gaines, Galgiani, Glazer, Hill, Lara, Portantino, and Vidak.

NOES (0)—None.

SB 977—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (10)—Senators Bradford, Cannella, Dodd, Gaines, Galgiani, Glazer, Hill, Lara, Portantino, and Vidak.

NOES (0)—None.

Date of Hearing: 3/13/2018

Dodd, Chair

Committee on Natural Resources and Water

SB 835—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Allen, Hertzberg, Jackson, McGuire, Monning, and Stern.

NOES (2)—Senators Stone and Vidak.

SB 836—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Allen, Hertzberg, Jackson, McGuire, Monning, and Stern.

NOES (2)—Senators Stone and Vidak.

SB 881—Do pass and re-refer to the Committee on Judiciary with the recommendation: To consent calendar

AYES (8)—Senators Allen, Hertzberg, Jackson, McGuire, Monning, Stern, Stone, and Vidak.

NOES (0)—None.

SB 919—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Allen, Hertzberg, Jackson, McGuire, Monning, and Stern.

NOES (0)—None.



SB 1015—Do pass and re-refer to the Committee on Environmental Quality

AYES (6)—Senators Allen, Hertzberg, Jackson, McGuire, Monning, and Stern.
NOES (2)—Senators Stone and Vidak.

Date of Hearing: 3/13/2018 Hertzberg, Chair

Committee on Public Safety

SB 896—Do pass and re-refer to the Committee on Appropriations

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

NOES (0)—None.

SB 978—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.

SB 1025—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Anderson, Bradford, Jackson, Mitchell, Skinner, and Wiener.

NOES (1)—Senator Stone.

AB 1065—Do pass and re-refer to the Committee on Appropriations

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

NOES (0)—None.

Date of Hearing: 3/13/2018 Skinner, Chair

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on legislative business: Senators Berryhill and De León.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, March 14, 2018.

NEVA MARIE PARKER, Minute Clerk

O

