

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, March 19, 2018

The Senate met at 2:06 p.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:
Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella,
De León, 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, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senator Vidak will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

A Vision

If we will have the wisdom to survive,
to stand like slow-growing trees on a ruined place, renewing, enriching
it . . .

then a long time after we are dead the lives our lives prepare will live
here, their houses strongly placed upon the valley sides,
fields and gardens rich in the windows.

The river will run clear, as we never know it, and over it, birdsong like
a canopy. . . .

Families will be singing in the fields.

They will take nothing from the ground they will not return. . . .

The abundance of this place, the songs of its people and its birds,
will be health and wisdom and indwelling light.

This is no paradisaal dream.

Its hardship is its possibility.

(Adapted from The Selected Poems of Wendell Berry.)

Gracious God, We ask for the grace of perseverance to bring justice and
peace to all our people. We ask this in your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

Assembly Bill 417—3/8/2018 9 p.m.—An act to add and repeal
Section 1271.25 of the Health and Safety Code, relating to health facilities,
and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Jackson.

Urgency Clause

Urgency clause read and 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, Hueso, Jackson, Lara, Leyva, McGuire,
Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan,
Portantino, Roth, Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



Roll Call

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator Gaines presented a member's resolution to Jr. Zebras Cheer, in recognition of their success at JAMZ Nationals.

SPECIAL INTRODUCTIONS

Senator Galgiani introduced Hon. Charles Margines, Superior Court Judge for Orange County, in honor of his visit to the California State Senate.

Senator Wieckowski introduced students from Coimbra, Portugal, in honor of their visit to the California State Senate.

Senator Lara introduced Hon. Lena Gonzalez, Council Member for the City of Long Beach, in honor of her visit to the California State Senate.

Senator Allen introduced Salvador Rodriguez, Rick Cota, and Steve Phillips of the Transportation Communications Union, Richard Soto and Jay Kaplan of the Kaplan Law Corporation, and Harrison Kaplan, intern for the 26th Senate District, in honor of their visit to the California State Senate.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 15, 2018

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

ACR 165 ACR 178 ACR 193

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 165—Relative to Down syndrome awareness.

Assembly Concurrent Resolution 178—Relative to Irish American Heritage Month.

Assembly Concurrent Resolution 193—Relative to the Girl Scouts.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, March 16, 2018

Mr. President: The Committee on Rules has examined:

SB 919 SB 960 SB 1013 SB 1029

SB 1073 SB 1079 SB 1088 SB 1090

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Public Safety

Senate Chamber, March 19, 2018

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

SB 1106

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

SKINNER, Chair

Second Reading of Bills—Author's Amendments**Senate Bill 1106**—An act to amend Section 1000.7 of the Penal Code, relating to crimes.

Bill read second time.

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

Committee on Health

Senate Chamber, March 19, 2018

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

SB 1238

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

HERNANDEZ, Chair

Second Reading of Bills—Author's Amendments**Senate Bill 1238**—An act to add Section 123106 to the Health and Safety Code, relating to health care.

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, March 19, 2018

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

SB 1100

SB 1133

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 1100—An act to add Article 6.5 (commencing with Section 65) to Chapter 1 of Part 1 of Division 1 of Title 1 of the Education Code, relating to publicly funded statewide educational organizations.

Bill read second time.

Senate Bill 1133—An act to amend Section 23 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, March 19, 2018

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

SB 1179

SB 1180

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

Senate Bill 1179—An act to amend Sections 999.5 and 999.9 of the Military and Veterans Code, relating to public contracts.

Bill read second time.

Senate Bill 1180—An act to amend Section 999.5 of the Military and Veterans Code, relating to disabled veterans.

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

Senate Chamber, March 19, 2018

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

SB 1076

SB 1136

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 1076—An act to amend Section 32000 of the Vehicle Code, relating to vehicles.

Bill read second time.

Senate Bill 1136—An act to amend Section 380 of the Public Utilities Code, relating to electricity.

Bill read second time.

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

Senate Chamber, March 19, 2018

Mr. President: The Committee on Rules has examined:

SB 905

SB 1076

SB 1100

SB 1106

SB 1133

SB 1136

SB 1179

SB 1180

SB 1238

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Natural Resources and Water

Date of Hearing, March 13, 2018

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

SB 835

SB 836

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 bills ordered to second reading.



Committee on Public Safety

Senate Chamber, March 19, 2018

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

SB 1198

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

SKINNER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1198—An act to amend Sections 290.04, 9001, and 11105 of the Penal Code, relating to sex offenders.

Bill read second time.

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

Committee on Insurance

Senate Chamber, March 19, 2018

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

SB 1263

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

GLAZER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1263—An act to add Section 2063 to the Insurance Code, relating to residential property insurance.

Bill read second time.

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

Committee on Education

Senate Chamber, March 19, 2018

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

SB 1104

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

Senate Bill 1104—An act to add Section 49381 to the Education Code, relating to pupil safety.

Bill read second time.

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

Committee on Governance and Finance

Senate Chamber, March 19, 2018

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

SB 924

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

MCGUIRE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 924—An act to add Section 17131.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Committee on Human Services

Senate Chamber, March 19, 2018

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

SB 900

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

WIENER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 900—An act to add Section 10072.3 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

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



Committee on Governance and Finance

Senate Chamber, March 19, 2018

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

SB 1214

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

MCGUIRE, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 1214—An act to amend Section 17072 of, and to add and repeal Section 17208 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, March 19, 2018

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which were referred:

SB 1159

SB 1229

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

HILL, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 1159—An act to amend Section 5017.1 of the Business and Professions Code, relating to professions and vocations.

Bill read second time.

Senate Bill 1229—An act to add Section 4079 to the Business and Professions Code, relating to healing arts.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, March 19, 2018

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

SB 931

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

SKINNER, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 931—An act to amend Section 5352.5 of the Welfare and Institutions Code, relating to conservatorships.

Bill read second time.

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

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

Senate Concurrent Resolution 108—Relative to California Conservation Corps Week.

Resolution read third time.

Amendments Adopted

Amendments to **SCR 108** proposed by Senator Newman were read and adopted and the measure ordered printed, engrossed, and to second reading.

SECOND READING OF SENATE BILLS

Senate Joint Resolution 19—Relative to special education funding.

Resolution read second time and ordered to third reading.

Senate Bill 905—An act to amend, repeal, and add Section 25631 of, and to add and repeal Section 25634 of, the Business and Professions Code, relating to alcoholic beverages.

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.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Resolution 86—Relative to Progressive Multiple Sclerosis (MS) Awareness Day.

Resolution read third time and presented by Senator Hill.

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, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



Senate Resolution 89—Relative to California Agriculture Day.
Resolution read third time and presented by Senator Galgiani.

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, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk.
NOES (0)—None.

Senate Resolution 91—Relative to Problem Gambling Awareness Month.

Resolution read third time and presented by Senator Dodd.

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, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Wieckowski, Wiener, and Wilk.
NOES (0)—None.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Lara introduced Bobby Verdugo, Yoli Rios, John Ortiz, and Margarita “Mita” Cuaron, participants in the 1968 Chicano Student Walkouts.

Senator Beall introduced Hon. Patricia Lucas, Superior Court Judge for Santa Clara County, in honor of her visit to the California State Senate.

RECESS TO PAY TRIBUTE TO PRESIDENT PRO TEMPORE

At 2:36 p.m., the Senate recessed to pay tribute to President pro Tempore, Kevin de León.

RECONVENED

At 3:56 p.m., the Senate reconvened.

Hon. Mike McGuire, of the 2nd District, presiding.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, March 19, 2018

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

| | | | |
|---------|---------|---------|---------|
| SB 1143 | SB 1146 | SB 1162 | SB 1177 |
| SB 1202 | SB 1224 | SB 1230 | SB 1241 |
| SB 1245 | SB 1266 | | |

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 1143—An act to amend Section 19801 of the Business and Professions Code, relating to gambling.

Bill read second time.

Senate Bill 1146—An act to amend Section 245 of the Penal Code, relating to assault.

Bill read second time.

Senate Bill 1162—An act to amend Section 42705.5 of the Health and Safety Code, relating to nonvehicular air pollution.

Bill read second time.

Senate Bill 1177—An act to amend Section 45166 of the Education Code, relating to school employees.

Bill read second time.

Senate Bill 1202—An act to amend Section 66006 of the Government Code, relating to land use.

Bill read second time.

Senate Bill 1224—An act relating to education data.

Bill read second time.

Senate Bill 1230—An act to amend Section 7026.11 of the Business and Professions Code, relating to contractors.

Bill read second time.

Senate Bill 1241—An act to amend Section 17045 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Senate Bill 1245—An act to amend Section 100502 of the Government Code, relating to health coverage.

Bill read second time.



Senate Bill 1266—An act relating to public safety.

Bill read second time.

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

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 23: By Senator Newman (Coauthor: Senator Pan)—Relative to military and veterans.

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on personal business: Senator Vidak.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Allen requested that when the Senate adjourns this day it do so in memory of Vincent Barbee of Redondo Beach.

Senator Berryhill requested that when the Senate adjourns this day it do so in memory of Larry Johnston of Mammoth Lakes.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of William Richard Narlock Sr. of Napa.

Senator McGuire requested that when the Senate adjourns this day it do so in memory of Charles Blackburn of Crescent City and Herrmann Spetzler of Kneeland.

Senators McGuire and Dodd requested that when the Senate adjourns this day it do so in memory of Ryan Zirkle, Deputy, Marin County Sheriff of Novato.

Senator Nguyen requested that when the Senate adjourns this day it do so in memory of Greg Griffin of Sunset Beach.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Henry Collins of Sacramento.

ADJOURNMENT

At 3:56 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 20, 2018.



IN JOINT CONVENTION
2018 State of the Judiciary Address

Assembly Chamber, Sacramento
Monday, March 19, 2018

At 4:05 p.m., the Senate and Assembly met in Joint Convention.
Hon. Anthony Rendon, Speaker of the Assembly, presiding.

(Note: For the text of the State of the Judiciary Address, please see the Appendix to the Assembly Journal for March 19, 2018.)

ADJOURNMENT OF JOINT CONVENTION

At 4:25 p.m., there being no further business, Speaker Rendon declared the Joint Convention adjourned *sine die*.

NEVA MARIE PARKER, Minute Clerk

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