

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 9, 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, Berryhill, Bradford, Cannella,
De León, Dodd, Fuller, Gaines, Glazer, Hernandez, Hertzberg, Hill,
Hueso, Jackson, Leyva, McGuire, Mendoza, Mitchell, Monning,
Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth,
Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

*(NOTE: Senator Galgiani will be excused this day on personal business.
Senator Lara will be excused this day due to illness in the family.)*



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 8, 2017

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

SCR 45

Above resolution ordered enrolled.

Assembly Chamber, May 8, 2017

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

ACR 69

ACR 78

Assembly Chamber, May 8, 2017

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

ACR 75

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 69—Relative to Compost Awareness Week.

Assembly Concurrent Resolution 78—Relative to Small Business Month.

Assembly Concurrent Resolution 75—Relative to California Fairgrounds Appreciation Month.

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

Senate Bill 189—An act to amend Section 3352 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Senate Bill 228—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

Senate Bill 241—An act to amend Section 123110 of the Health and Safety Code, and to amend Section 5328 of the Welfare and Institutions Code, relating to medical records.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 285—An act to add Chapter 11 (commencing with Section 3550) to Division 4 of Title 1 of the Government Code, relating to public employment.

Bill read second time and ordered to third reading.



Senate Bill 330—An act to amend Section 18931.6 of the Health and Safety Code, relating to housing.

Bill read second time and ordered to third reading.

Senate Bill 348—An act to add Section 13307.6 to the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Senate Bill 432—An act to amend Section 1797.188 of the Health and Safety Code, relating to emergency medical services.

Bill read second time and ordered to third reading.

Senate Bill 462—An act to amend Section 827 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time and ordered to third reading.

Senate Bill 486—An act to amend Sections 7099.2 and 7124.6 of the Business and Professions Code, relating to professions and vocations.

Bill read second time and ordered to third reading.

Senate Bill 575—An act to amend Section 123110 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.

Senate Bill 620—An act to amend Sections 12022.5 and 12022.53 of the Penal Code, relating to firearms.

Bill read second time and ordered to third reading.

Senate Bill 631—An act to add Section 381f to the Penal Code, relating to nitrous oxide.

Bill read second time and ordered to third reading.

Senate Bill 654—An act to add Section 19961.05 to the Business and Professions Code, relating to gambling.

Bill read second time and ordered to third reading.

Senate Bill 666—An act to amend Section 19981 of the Business and Professions Code, relating to gambling.

Bill read second time and ordered to third reading.

Senate Bill 716—An act to amend Section 4001 of the Business and Professions Code, relating to professions and vocations.

Bill read second time and ordered to third reading.

Senate Bill 764—An act to amend Section 10145 of the Business and Professions Code, relating to real estate brokers.

Bill read second time and ordered to third reading.



Senate Bill 772—An act to amend Section 142.4 of the Labor Code, relating to occupational safety and health.

Bill read second time and ordered to third reading.

Senate Bill 794—An act to amend Section 26130 of the Business and Professions Code, relating to marijuana.

Bill read second time and ordered to third reading.

Senate Bill 25—An act to amend Section 68075.7 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to consent calendar.

Senate Bill 140—An act to amend Section 33432 of the Education Code, relating to education finance.

Bill read second time and ordered to consent calendar.

Senate Bill 261—An act to add Section 45.5 to the Insurance Code, relating to insurance.

Bill read second time and ordered to consent calendar.

Senate Bill 438—An act to amend Sections 360, 361.5, 366.21, 366.22, and 366.25 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time and ordered to consent calendar.

Senate Bill 525—An act to amend Sections 20026, 20042, 20138, 20636, 20636.1, 21261, 21337, 21409, 21424, 21454, 21459, 21462, 21473, 21475.5, 21476.5, 21477, 21481, 75071, 75071.5, 75571, and 75571.5 of, to add Section 20309.7 to, and to repeal Section 21228 of, the Government Code, relating to public employees' retirement.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 557—An act to add Article 13 (commencing with Section 49580) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety.

Bill read second time and ordered to consent calendar.

Senate Bill 599—An act to amend Section 22850 of the Government Code, relating to public employees' benefits.

Bill read second time and ordered to consent calendar.

Senate Bill 629—An act to amend Section 23320 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 685—An act to amend Section 19431 of the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to consent calendar.



Senate Bill 747—An act to amend Section 232 of, and to add Section 232.5 to, the Military and Veterans Code, relating to state military.

Bill read second time and ordered to consent calendar.

Senate Bill 810—An act to amend Sections 5204, 12524, 12804.2, 12810.2, and 14900.1 of the Vehicle Code, relating to transportation.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 811—An act to amend Section 1107.5 of the Evidence Code, to amend Section 443.17 of, and to amend and repeal Sections 11350 and 11377 of, the Health and Safety Code, to amend Sections 290.004, 633.5, 1347.1, 1524, and 1546.2 of the Penal Code, to amend Section 34016 of the Revenue and Taxation Code, to amend Section 23575.3 of the Vehicle Code, and to amend Section 827 of the Welfare and Institutions Code, relating to public safety.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 812—An act to amend Section 3698.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Concurrent Resolution 8—Relative to the President Barack H. Obama Highway.

Resolution read second time, ordered engrossed, and to third reading.

Senate Concurrent Resolution 25—Relative to the Pasadena Armenian Genocide Memorial.

Resolution read second time and ordered to consent calendar.

Senate Bill 33—An act to amend Section 1281.2 of the Code of Civil Procedure, relating to arbitration.

Bill read second time.

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

Senate Bill 147—An act to amend Section 798.34 of the Civil Code, relating to mobilehome parks.

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 167—An act to amend Section 65589.5 of the Government Code, relating to housing.

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 298—An act to amend Section 703.520 of, and to add Section 704.220 to, the Code of Civil Procedure, relating to civil actions.

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 466—An act to amend Section 1939.23 of the Civil Code, relating to rental passenger vehicle transactions.

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 550—An act to amend Section 3543.8 of the Government Code, relating to public school employment.

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 658—An act to amend Section 222.5 of the Code of Civil Procedure, relating to civil actions.

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 755—An act to add Section 2032.340 to the Code of Civil Procedure, relating to civil discovery.

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 624—An act to add Section 2191.10 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Senate Bill 82—An act relating to the Budget Act of 2017.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 83—An act relating to the Budget Act of 2017.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 84—An act relating to the Budget Act of 2017.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 85—An act relating to the Budget Act of 2017.

Bill read second time, ordered engrossed, and to third reading.



Senate Bill 86—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 87—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 88—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 89—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 90—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 91—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 92—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 93—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 94—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 95—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 96—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 97—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 98—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 99—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 101—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 102—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 103—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.



Senate Bill 104—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 105—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 106—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 107—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 108—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 109—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 110—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 111—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 112—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 113—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 114—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 115—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 116—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 117—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 118—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 119—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 120—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.



Senate Bill 121—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

Senate Bill 122—An act relating to the Budget Act of 2017.
Bill read second time, ordered engrossed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, May 9, 2017

Mr. President: The Committee on Rules has examined:

SB 82	SB 83	SB 84	SB 85
SB 86	SB 87	SB 88	SB 89
SB 90	SB 91	SB 92	SB 93
SB 94	SB 95	SB 96	SB 97
SB 98	SB 99	SB 101	SB 102
SB 103	SB 104	SB 105	SB 106
SB 107	SB 108	SB 109	SB 110
SB 111	SB 112	SB 113	SB 114
SB 115	SB 116	SB 117	SB 118
SB 119	SB 120	SB 121	SB 122

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, May 9, 2017

Mr. President: The Committee on Rules has examined:

SB 241	SB 525	SB 629	SB 685
SB 810	SB 811	SB 812	SCR 8

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, May 9, 2017

Mr. President: The Committee on Rules has examined:

SB 769	SB 782
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And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Governmental Organization

Senate Chamber, May 9, 2017

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

SB 741

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 741—An act to add Section 320.7 to the Penal Code, relating to gaming, 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 Public Employment and Retirement

Date of Hearing, May 8, 2017

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

SB 646

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

PAN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, May 8, 2017

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

SB 671

Reports the same back with the recommendation: Do pass.

PAN, Chair

Above bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
May 9, 2017

To the Members of the California State Senate:

Senate Bill 130, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of **Senate Bill 130** as an emergency measure.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered transmitted to the Governor.



REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, May 9, 2017

Mr. President: The Committee on Rules has examined:

SB 130

And reports the same has been correctly enrolled and presented to the Governor on the 9th day of May, 2017, at 11 a.m.

DE LEÓN, Chair

Committee on Governmental Organization

Date of Hearing, May 9, 2017

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

SB 59

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

GLAZER, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, May 9, 2017

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

SB 11

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 11—An act to add Sections 6595, 7658.3, 8879.5, 30284.5, 32257.5, 40104.5, 41098.5, 43157.5, 45155.5, 46156.5, 50111.5, 55044.5, and 60213 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Committee on Veterans Affairs

Date of Hearing, May 9, 2017

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

SB 626

Reports the same back with the recommendation: Do pass.

NEWMAN, Chair

Above bill ordered to second reading.



Committee on Appropriations

Senate Chamber, May 9, 2017

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

SB 612 SB 618 SB 711

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 612—An act to amend Sections 1506 and 1559.110 of the Health and Safety Code, relating to foster care.

Bill read second time.

Senate Bill 618—An act to amend Section 454.52 of the Public Utilities Code, relating to electricity.

Bill read second time.

Senate Bill 711—An act to amend Section 739 of, and to add Section 739.11 to, the Public Utilities Code, relating to energy.

Bill read second time.

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

**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 373

MEASURES PLACED ON SPECIAL CONSENT CALENDAR

Without objection, the following measures were set as a special consent calendar to be taken up on Thursday, May 11, 2017:

ACR 34	ACR 48	AJR 3	ACR 35
ACR 37	ACR 51	ACR 53	ACR 56

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

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

Bill read third time.

Amendments Adopted

Amendments to **SB 277** proposed by Senator Bradford were read and adopted and the measure ordered printed, engrossed, and to second reading.



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

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 503 pursuant to Joint Rule 58.

SENATOR NEWMAN

Permission of Rules Committee

Senate Chamber, May 9, 2017

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 503.

DE LEÓN, Chair

Amendments Adopted

Amendments to **SB 503** proposed by Senator Newman were read and adopted and the measure ordered printed, engrossed, and to second 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 third time.

Amendments Adopted

Amendments to **SB 684** proposed by Senator Bates were read and adopted and the measure ordered printed, engrossed, and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were offered and referred to the Committee on Rules:

Senate Concurrent Resolution 53: By Senator Fuller (Coauthors: Senators Bates, Cannella, Gaines, Moorlach, Morrell, Nielsen, Vidak, and Wilk)—Relative to National Military Appreciation Month.

Senate Resolution 40: By Senator Morrell—Relative to First Responder Day.

SENATE COMMITTEE ROLL CALLS

Committee on Energy, Utilities and Communications

SB 100—Do pass as amended and re-refer to the Committee on Appropriations

AYES (8)—Senators Bradford, Hertzberg, Hill, Hueso, McGuire, Skinner, Stern, and Wiener.

NOES (2)—Senators Morrell and Vidak.

Date of Hearing: 5/9/2017

Hueso, Chair



Committee on Governmental Organization**SB 56**—Do pass as amended

AYES (11)—Senators Berryhill, Bradford, Cannella, Dodd, Gaines, Glazer, Hill, Hueso, Mendoza, Portantino, and Vidak.

NOES (0)—None.

SB 59—Do pass as amended and re-refer to the Committee on Appropriations

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

NOES (0)—None.

SB 531—Do pass as amended

AYES (11)—Senators Berryhill, Bradford, Cannella, Dodd, Gaines, Glazer, Hill, Hueso, Mendoza, Portantino, and Vidak.

NOES (0)—None.

Date of Hearing: 5/9/2017

Glazer, Chair

Committee on Public Employment and Retirement**SB 371**—Do pass

AYES (2)—Senators Moorlach and Morrell.

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

Failed Passage

SB 371—Reconsideration granted

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

NOES (0)—None.

SB 646—Do pass and re-refer to the Committee on Appropriations

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

NOES (1)—Senator Morrell.

SB 671—Do pass

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

NOES (0)—None.

Date of Hearing: 5/8/2017

Pan, Chair

Committee on Veterans Affairs**SB 626**—Do pass

AYES (6)—Senators Dodd, Hueso, Newman, Nguyen, Roth, and Wilk.

NOES (0)—None.

Date of Hearing: 5/9/2017

Newman, Chair



LEAVES OF ABSENCE

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

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 10, 2017.

NEVA MARIE PARKER, Minute Clerk

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