

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 8, 2017
THIRTY-EIGHTH SESSION DAY
NINETY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



NOTE: Official record of rollcall votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

(Corrected 4-13-17)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March, 8, 2017

The Assembly met at 7 a.m.
Hon. Cecilia M. Aguiar-Curry, Assembly Member, 4th District,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Reading Clerk Kathleen M. Lewis reading.

ROLLCALL

The following were placed upon the morning rollcall—74:

Acosta	Choi	Gray	Obernolte
Aguiar-Curry	Chu	Grayson	O'Donnell
Allen	Cooley	Harper	Patterson
Arambula	Cooper	Holden	Quirk
Baker	Cunningham	Irwin	Quirk-Silva
Berman	Dababneh	Jones-Sawyer	Reyes
Bigelow	Dahle	Kalra	Rodriguez
Bloom	Daly	Kiley	Rubio
Bocanegra	Eggman	Lackey	Salas
Bonta	Flora	Levine	Santiago
Brough	Fong	Limón	Steinorth
Burke	Frazier	Low	Stone
Caballero	Friedman	Maienschein	Thurmond
Calderon	Gallagher	Mathis	Ting
Cervantes	Garcia, C.	McCarty	Voepel
Chau	Garcia, E.	Medina	Weber
Chávez	Gipson	Mullin	Mr. Speaker
Chen	Gloria	Muratsuchi	
Chiu	Gonzalez Fletcher	Nazarian	

Quorum present.

At 12:15 p.m., Hon. Kevin Kiley, 6th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Mayes, Melendez, and Wood.

On personal business, and waiving per diem: Assembly Members Gomez and Waldron.

Because of illness: Assembly Member Ridley-Thomas.*

* (NOTE: This day's Journal corrected to show Assembly Member Ridley-Thomas excused on this day due to illness, pursuant to further explanation of absence received March 27, 2017. See Assembly Journal, page 750.)

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

February 21, 2017

*The Honorable Anthony Rendon
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-in Session on Wednesday, March 8, 2017, on legislative business. I will be speaking at Camp Pendleton for its Women’s Appreciation Day Luncheon. If you need further information or have any questions, please contact Donda Scholl in my office at (916) 319-2067. Thank you for your attention to this matter.

Sincerely,

MELISSA A. MELENDEZ, Assembly Member
Sixty-seventh District

(NOTE: For letters explaining the absences of Assembly Members Mayes and Wood on this day on legislative business, pursuant to the Assembly Rules, see Assembly Journal for March 7, 2017.)

REPORTS

The following letter of transmittal was presented by the Speaker and ordered printed in the Journal:

California State Auditor

2016-036
March 7, 2017

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by California Government Code Section 12717, the California State Auditor presents this audit report concerning allocation and use of money from the Indian Gaming Special Distribution Fund (distribution fund).

This report, our fourth review of the allocation and expenditure of grants from the distribution fund, concludes that expenditures and transfers from the distribution fund are expected to outpace revenue by nearly \$61 million in fiscal years 2012–13 through 2017–18, continuing the trend noted in our previous audits. The State slowed the decline of the distribution fund by reducing appropriations to fund mitigation grants from \$30 million for fiscal year 2010–11 to \$9.1 million for fiscal years 2011–12 through 2013–14, and eliminating those appropriations entirely for fiscal years 2014–15 through 2017–18. However, most of the new and amended compacts established since fiscal year 2003–04 require tribes to offer to negotiate directly with counties and local jurisdictions to mitigate the effects of activities on tribal land that serve

tribal gaming activities or operations. Some counties, including the three counties we reviewed, have entered into agreements directly with tribes for mitigation of the tribes' activities.

Additionally, two of the three Indian gaming local community benefit committees (benefit committees) we reviewed did not ensure compliance with state law when awarding funding for mitigation grants. Specifically, for fiscal year 2013–14, Fresno County's benefit committee awarded a grant of \$362,000 and San Diego County's benefit committee awarded \$250,000 without requiring the grant applicants to provide sufficient documentation demonstrating the proportion of their respective project costs that was attributable to casino impacts, as required by state law.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Governmental Organization.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Wednesday, March 29, 2017, at 10 a.m., in Room 126;

Water, Parks, and Wildlife, to convene an informational hearing on Tuesday, March 21, 2017, at 9 a.m., in Room 437;

Aging and Long-Term Care, on Tuesday, April 4, 2017, at 3 p.m., in Room 127.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 8, 2017

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 10

Assembly Bill No. 293

Assembly Bill No. 185

Assembly Bill No. 335

Assembly Bill No. 242

Assembly Bill No. 376

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 8, 2017

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 23

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1712—Committee on Natural Resources (Assembly Members Cristina Garcia (Chair), Acosta (Vice Chair), Chau, Eggman, Flora, Limón, McCarty, Muratsuchi, and Mark Stone). An act to amend Sections 4491, 4492, 4493, and 4494 of, and to amend the heading of Article 3 (commencing with Section 4491) of Chapter 7 of Part 2 of Division 4 of, the Public Resources Code, relating to forestry.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 31—Lackey (Principal coauthor: Acosta) (Principal coauthors: Senators Fuller and Wilk). Relative to Sheriff's Sergeant Steven C. Owen Memorial Highway.

HOUSE RESOLUTION NO. 26—Caballero and Mathis (Coauthors: Aguiar-Curry, Eggman, Flora, Gallagher, Gray, Irwin, Jones-Sawyer, Quirk, and Salas). Relative to California Agriculture Day.

**AUTHOR'S AMENDMENTS
Committee on Education**

March 8, 2017

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 233

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

O'DONNELL, Chair

ASSEMBLY BILL NO. 233—An act to amend Section 35183 of the Education Code, relating to pupils.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Health

March 8, 2017

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 275

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

WOOD, Chair

ASSEMBLY BILL NO. 275—An act to amend Sections 1336, 1336.1, and 1336.2 of the Health and Safety Code, relating to care facilities.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Higher Education

March 8, 2017

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 276

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

MEDINA, Chair

ASSEMBLY BILL NO. 276—An act relating to postsecondary education.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Labor and Employment

March 8, 2017

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 263

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

THURMOND, Chair

ASSEMBLY BILL NO. 263—An act to add Sections 226.9 and 6401.9 to the Labor Code, relating to employment.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

Committee on Public Safety

March 8, 2017

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 208

Assembly Bill No. 411

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

JONES-SAWYER, Chair

ASSEMBLY BILL NO. 208—An act to amend Sections 1000, 1000.1, 1000.2, 1000.3, 1000.4, 1000.5, and 1000.6 of, and to add Section 1000.65 to, the Penal Code, relating to deferred entry of judgment.

Bill read second time.

ASSEMBLY BILL NO. 411—An act to add Section 868.4 to the Penal Code, relating to witness testimony.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.

Committee on Revenue and Taxation

March 8, 2017

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 586

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

RIDLEY-THOMAS, Chair

ASSEMBLY BILL NO. 586—An act to amend Section 17072 of, and to add Sections 17053.51 and 17208 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Safety and Toxic Materials

Date of Hearing: March 7, 2017

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 246

Assembly Bill No. 247

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

QUIRK, Chair

Above bills ordered to second reading.

Date of Hearing: March 7, 2017

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 245

Assembly Bill No. 248

Assembly Bill No. 249

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

QUIRK, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: March 7, 2017

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 60

Assembly Bill No. 273

Assembly Bill No. 160

Assembly Bill No. 279

Assembly Bill No. 236

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

RUBIO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 7, 2017

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 85

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

RUBIO, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Date of Hearing: March 7, 2017

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 167

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

RUBIO, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: March 8, 2017

Mr. Speaker: Your Committee on Housing and Community Development reports:
Assembly Bill No. 71

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

CHIU, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: March 8, 2017

Mr. Speaker: Your Committee on Housing and Community Development reports:
Assembly Bill No. 74

With the recommendation: Do pass, and be re-referred to the Committee on Health.

CHIU, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: March 8, 2017

Mr. Speaker: Your Committee on Housing and Community Development reports:
Assembly Joint Resolution No. 4

With the recommendation: Be adopted.

CHIU, Chair

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, March 9, 2017.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 8, 2017**

The following measures were amended in the Assembly on this day:

AB	RN	
208	1710343	
233	1710310	
263	1710889	
275	1710430	
276	1710801	
411	1710860	
586	1710236	
Daily Total:		7
Cumulative Total:		86

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