

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 14, 2017
FORTY-FIRST SESSION DAY
ONE HUNDREDTH 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
Tuesday, March 14, 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—76:

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

Quorum present.

At 1:13 p.m., Hon. Joaquin Arambula, 31st 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 personal business, and waiving per diem: Assembly Member Gomez.

Because of illness: Assembly Members Frazier, Mullin, and 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.)

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 14, 2017

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: The Legislative Analyst's Office has posted on our website our office's fiscal analysis of the proposed memorandum of understanding between the Governor and Bargaining Unit 16. This analysis was only released in an online version (<http://lao.ca.gov/Publications/Report/3617>). This analysis is required to be submitted to the Legislature pursuant to Section 19829.5 of the Government Code. On March 3, 2017, the Department of Human Resources transmitted to the Legislature the agreement and the administration's estimate of the agreement's fiscal effects.

Sincerely,

MAC TAYLOR
Legislative Analyst

REPORTS

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

California State Auditor

2016-126
March 14, 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 requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report concerning the timeliness and quality of the California Department of Social Services' (Social Services) background check process for individuals who have contact with clients of facilities it licenses (licensed facility). We also assessed whether the California Department of Justice (Justice) was sending all of the necessary and appropriate criminal history information to Social Services for the background checks.

This report concludes that Social Services does not receive all of the information it needs to protect vulnerable clients. For example, in 2016 Justice stopped sharing sentencing information with Social Services because Justice determined that state law does not explicitly require it to share the information. In addition, Social Services and four other state departments within the California Health and Human Services Agency do not effectively or promptly share information with one another about the administrative actions they each take against individuals although state law intends for them to do so. Therefore, these five departments do not have access to information that could help them protect vulnerable populations.

We also found that Social Services does not review all required information before it issues an exemption that allows an individual to be present in a licensed facility. This includes convictions for relatively minor crimes known as infractions and individuals' self-disclosed convictions, which both would help Social Services better assess the risk individuals may pose to clients in its facilities. In addition, in 17 of the 18 background check cases we reviewed, Social Services did not consider all required information when it made exemption decisions and therefore its decisions could be questioned. Further, state law allows Social Services to grant exemptions for convictions of eight crimes that are similar in nature to other crimes that are nonexemptible. As a result, from fiscal year 2013–14 through 2015–16, Social Services allowed more than 40 individuals with arrests or convictions for these crimes to be present in licensed facilities.

Finally, we found that delays at Justice and Social Services extend the amount of time it takes Social Services to issue exemption decisions. Our review shows that Justice does not always provide Social Services with criminal history information within the 14-day time frame required by law. Social Services also had significant delays when processing exemptions, as well as when conducting investigations of individuals who have been arrested for certain crimes, and pursuing legal actions against individuals. Once it finalizes a decision that excludes an individual from a licensed facility, Social Services does not always conduct a site visit to verify that excluded individuals have left the facility.

We make a number of recommendations to the Legislature that we believe would improve the background check process, including amending state law to require Justice to send Social Services all necessary information for making exemption decisions and designating eight additional crimes as nonexemptible. We also recommend Social Services develop and monitor against time frame processing goals for conducting its background check reviews and taking legal actions against individuals.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Human Services.

SPECIAL COMMITTEE MEETINGS

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

Jobs, Economic Development, and the Economy, on Tuesday, April 25, 2017, at 9 a.m., in Room 127;

Jobs, Economic Development, and the Economy, on Tuesday, July 11, 2017, at 9 a.m., in Room 127.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 34—Baker. Relative to Child Abuse Prevention Month.

AUTHOR'S AMENDMENTS
Committee on Agriculture

March 14, 2017

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1131

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

CABALLERO, Chair

ASSEMBLY BILL NO. 1131—An act to amend Section 284 of the Food and Agricultural Code, relating to food and agriculture.

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 Education

March 14, 2017

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 226

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

O'DONNELL, Chair

ASSEMBLY BILL NO. 226—An act to add Section 44342.5 to the Education Code, relating to teacher credentialing.

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.

March 14, 2017

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 567

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

O'DONNELL, Chair

ASSEMBLY BILL NO. 567—An act to add Article 9.5 (commencing with Section 17076.20) to Chapter 12.5 of Part 10 of Division 1 of Title 1 of the Education Code, relating to school 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 Elections and Redistricting

March 14, 2017

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 187

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

LOW, Chair

ASSEMBLY BILL NO. 187—An act to amend Section 84204.5 of the Government Code, relating to the Political Reform Act of 1974.

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.

March 14, 2017

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 195

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

LOW, Chair

ASSEMBLY BILL NO. 195—An act to amend Section 13119 of the Elections Code, relating to elections.

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 14, 2017

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 888

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

MEDINA, Chair

ASSEMBLY BILL NO. 888—An act to add Section 69433.91 to the Education Code, relating to Cal Grants.

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 Human Services

March 14, 2017

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 1039

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

RUBIO, Chair

ASSEMBLY BILL NO. 1039—An act to amend Section 18901.4 of the Welfare and Institutions Code, relating to CalFresh.

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 14, 2017

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 55

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

THURMOND, Chair

ASSEMBLY BILL NO. 55—An act to amend Section 7872 of the Labor Code, relating to refineries.

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 Local Government

March 14, 2017

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 464

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

AGUIAR-CURRY, Chair

ASSEMBLY BILL NO. 464—An act to amend Section 56653 of the Government Code, relating to local government.

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.

March 14, 2017

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 556
Assembly Bill No. 722

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

AGUIAR-CURRY, Chair

ASSEMBLY BILL NO. 556—An act to amend Sections 25132 and 53069.4 of the Government Code, relating to local government.

Bill read second time.

ASSEMBLY BILL NO. 722—An act to amend Section 61250 of the Government Code, relating to local government.

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 Natural Resources

March 14, 2017

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 211

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

CRISTINA GARCIA, Chair

ASSEMBLY BILL NO. 211—An act to amend Section 4214 of the Public Resources Code, relating to fire prevention.

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.

March 14, 2017

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1472

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

CRISTINA GARCIA, Chair

ASSEMBLY BILL NO. 1472—An act to amend Section 6819 of the Public Resources Code, relating to public lands.

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 Revenue and Taxation

March 14, 2017

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 528
Assembly Bill No. 586

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

RIDLEY-THOMAS, Chair

ASSEMBLY BILL NO. 528—An act to add Section 17132.9 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

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; bills ordered reprinted, and to be re-referred to the committee.

Committee on Utilities and Energy

March 14, 2017

Mr. Speaker: The Chair of your Committee on Utilities and Energy reports:
Assembly Bill No. 803

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

HOLDEN, Chair

ASSEMBLY BILL NO. 803—An act to amend Section 382 of the Public Utilities Code, relating to energy.

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 Water, Parks, and Wildlife

March 14, 2017

Mr. Speaker: The Chair of your Committee on Water, Parks, and Wildlife reports:
Assembly Bill No. 366
Assembly Bill No. 466
Assembly Bill No. 907

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

EDUARDO GARCIA, Chair

ASSEMBLY BILL NO. 366—An act to amend Section 106.4 of the Water Code, relating to water.

Bill read second time.

ASSEMBLY BILL NO. 466—An act to add Chapter 4 (commencing with Section 33220) to Division 23 of the Public Resources Code, relating to the Los Angeles River tributaries and watershed.

Bill read second time.

ASSEMBLY BILL NO. 907—An act to add Section 5010.8 to the Public Resources Code, relating to state parks.

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.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: March 14, 2017

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Concurrent Resolution No. 12

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MARK STONE, Chair

Above resolution ordered to Consent Calendar.

Date of Hearing: March 14, 2017

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 403

With the recommendation: Do pass, and be re-referred to the Committee on Rules with the recommendation: To Consent Calendar.

MARK STONE, Chair

Above bill re-referred to the Committee on Rules.

Date of Hearing: March 14, 2017

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 309

With the recommendation: Amend, and do pass as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MARK STONE, Chair

Above bill ordered to second reading.

Date of Hearing: March 14, 2017

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 307

Assembly Bill No. 308

Assembly Bill No. 369

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MARK STONE, Chair

Above bills ordered to second reading.

Date of Hearing: March 14, 2017

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 299

With the recommendation: Do pass.

MARK STONE, Chair

Above bill ordered to second reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 14, 2017

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

Assembly Concurrent Resolution No. 19

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, March 14, 2017

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

Assembly Bill No. 78

Assembly Bill No. 250

Assembly Bill No. 296

Assembly Bill No. 419

Assembly Bill No. 551

Assembly Bill No. 563

Assembly Bill No. 615

Assembly Bill No. 654

Assembly Bill No. 757

Assembly Bill No. 905

Assembly Bill No. 937

Assembly Bill No. 938

Assembly Bill No. 1243

Assembly Bill No. 1353

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 14, 2017

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

Assembly Bill No. 277

Assembly Bill No. 629

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

MESSAGES FROM THE SENATE

Senate Chamber, March 13, 2017

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

Assembly Concurrent Resolution No. 17

DANIEL ALVAREZ, Secretary of the Senate

By Bernadette McNulty, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, March 13, 2017

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

Senate Concurrent Resolution No. 24

DANIEL ALVAREZ, Secretary of the Senate

By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 24—Relative to Arts Education Month.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 15, 2017.

ANTHONY RENDON, Speaker

MARIA LIRANZO, Assistant Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 14, 2017

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

AB	RN
55	1710146
187	1710991
195	1710915
211	1710950
226	1711071
366	1711276
464	1710955
466	1710983
528	1711037
556	1710686
567	1710224
586	1711219
722	1711013
803	1710981
888	1710103
907	1711123
1039	1710826
1131	1710211
1472	1710019

Daily Total:	19
Cumulative Total:	134

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