

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, December 3, 2018

MOMENT OF SILENCE

A moment of silence was observed in remembrance of the victims of the recent wildfires and in remembrance of the Honorable George Herbert Walker Bush, 41st President of the United States.

MUSICAL PRELUDE

A musical prelude was performed by the Sacramento Children’s Chorus.

PROCEEDINGS OF THE SENATE

The hour of 12 o’clock noon, having arrived, the Honorable Ricardo Lara of the 33rd District, in accordance with Article IV, Section 3(a) of the Constitution of the State of California, called the Senate to order and announced that the 2019–20 Regular Session of the Legislature was about to convene, and informed the Senators that, pursuant to Section 9150 of the Government Code, Jodie O. Barnett III, Sergeant at Arms, and Neva Marie Parker, Minute Clerk, were in their respective places.

Assistant Secretary Zachary L. Twilla reading.



MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO ALLOW GUESTS ON THE FLOOR**

Without objection, the Senate Rules were suspended to allow lobbyists and guests on the Floor of the Senate for today's session.

PRAYER

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

Welcome to this moment of prayer. We gather in the presence of the Holy One, who has called us to be co-creators of our future in this Golden State of California.

Gracious God of Many Names, You have said in Isaiah 43:18:

See, I am doing a new deed,
Even now it comes to light: can you not perceive it?
I am making a way in the wilderness
And streams in the wasteland.

Holy and Mysterious One, as we begin this session of the Legislature, we pause to acknowledge that this moment has been in process for eons, through our ancestors, their movements and migrations, their dreams and life-changing decisions. Today, we thank You for our new Senators, re-elected Senators, and experienced Senators—all endeavoring to bring new hope and new energy to the work of leading our State.

We ask You now:

Open their eyes to see clearly and courageously the opportunities that lie before them;

Inspire their imaginations to create new solutions to recurring and emerging situations;

Enliven their hearts to love the work of each day—the pleasant and the difficult.

We pray that each constituent of this State will embrace our civic duty to work for the common good, that together, we all make a commitment:

to act a little more justly;

love a little more tenderly;

and walk a little more humbly, with You, our God, and with each other.—AMEN.

PRESENTATION OF COLORS

Upon completion of the prayer, Senators and guests were asked to remain standing for the presentation of the colors by the C.K. McClatchy High School Junior ROTC Unit CA-841.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator-elect Grove led the Senate in the Pledge of Allegiance to the Flag.



CERTIFICATE OF ELECTION

State of California
Secretary of State

I, Alex Padilla, Secretary of State of the State of California, hereby certify:

That according to the semi-official results provided to my office by county elections officials as of December 3, 2018, the persons whose names are hereinafter set forth appear to have received the plurality of votes in their respective State Senate districts at the November 6, 2018, General Election.

That opposite their respective names are the State Senate districts from which they have as of this date appear to have received a plurality of the votes and the names of the county or counties comprising or forming a portion of said districts, with the name of any county entirely within or comprising the district shown in capital letters.

<u>Name</u>	<u>District</u>	<u>County or Counties</u>
Mike McGuire	Two	DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO, Sonoma, TRINITY
James Nielsen	Four	BUTTE, COLUSA, GLENN, Placer, Sacramento, SUTTER, TEHAMA, YUBA
Richard Pan	Six	Sacramento, Yolo
Andreas Borgeas	Eight	AMADOR, CALAVERAS, Fresno, INYO, Madera, MARIPOSA, MONO, Sacramento, Stanislaus, Tulare, TUOLUMNE
Bob Wieckowski	Ten	Alameda, Santa Clara
Anna Caballero	Twelfth	Fresno, Madera, MERCED, Monterey, SAN BENITO, Stanislaus
Melissa Hurtado	Fourteenth	Fresno, Kern, KINGS, Tulare
Shannon Grove	Sixteenth	Kern, San Bernardino, Tulare
Bob Hertzberg	Eighteenth	Los Angeles
Connie Leyva	Twentieth	Los Angeles, San Bernardino
Susan Rubio	Twenty-Second	Los Angeles
Maria Elena Durazo	Twenty-Fourth	Los Angeles
Ben Allen	Twenty-Sixth	Los Angeles
Jeff Stone	Twenty-Eighth	Riverside
Holly J. Mitchell	Thirtieth	Los Angeles
Bob J. Archuleta	Thirty-Second	Los Angeles, Orange
Tom Umberg	Thirty-Fourth	Los Angeles, Orange
Patricia C. "Pat" Bates	Thirty-Sixth	Orange, San Diego
Brian W. Jones	Thirty-Eighth	San Diego
Ben Hueso	Fortieth	IMPERIAL, San Diego

IN WITNESS WHEREOF I hereunto set my hand and affix the Great Seal of the State of California this 3rd day of December, 2018.

ALEX PADILLA
Secretary of State



RESOLUTIONS

The following resolution was offered by Senator Monning:

Senate Resolution 1

Senate Resolution 1—Relative to holdover Senators.

Resolved by the Senate of the State of California, That the holdover Senators take their seats, and that each Senator-elect proceed to the Bar of the Senate and take his or her oath of office on the certificate furnished by the Secretary of State.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President pro Tempore appointed Senators Jackson and Chang, and Senators-elect Bates and Leyva to escort the Honorable Tani G. Cantil-Sakauye, Chief Justice of the California Supreme Court to the Bar of the Senate.

OATH OF OFFICE ADMINISTERED

The following Senators-elect, as their respective districts were called, appeared at the Bar of the Senate, presented their certificates of election, and each took and subscribed to the following oath of office, administered by the Honorable Tani G. Cantil-Sakauye, Chief Justice of the Supreme Court of California:

Ben Allen, Bob J. Archuleta, Patricia C. “Pat” Bates, Andreas Borgeas, Anna Caballero, Maria Elena Durazo, Shannon Grove, Bob Hertzberg, Ben Hueso, Melissa Hurtado, Brian W. Jones, Connie Leyva, Mike McGuire, Holly J. Mitchell, James Nielsen, Richard Pan, Susan Rubio, Jeff Stone, Tom Umberg, and Bob Wieckowski.

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
this third day of December
A.D. 2018

THE HONORABLE TANI G. CANTIL-SAKAUYE
Chief Justice of California



ROLL CALL OF SENATORS

The roll was called and the following Senators answered to their names:

Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Gaines, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

RESOLUTIONS

The following resolution was offered by Senator Hertzberg:

Senate Resolution 2

Senate Resolution 2—Relative to the election of officers.

Resolved by the Senate of the State of California, That Senator Toni G. Atkins be, and is hereby, elected President pro Tempore of the Senate; that Erika Contreras Valles be, and is hereby, elected Secretary of the Senate; and that Jodie O. Barnett III be, and is hereby, elected Sergeant at Arms of the Senate.

Resolution read and adopted.

OATH OF OFFICE ADMINISTERED

Senator Toni G. Atkins appeared at the Bar of the Senate and took and subscribed to the following oath of office, administered by the Honorable Tani G. Cantil-Sakauye, Chief Justice of the Supreme Court of California:

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
this third day of December
A.D. 2018

THE HONORABLE TANI G. CANTIL-SAKAUYE
Chief Justice of California



OATH OF OFFICE ADMINISTERED

The newly elected Secretary of the Senate, Erika Contreras Valles, and the newly elected Sergeant at Arms, Jodie O. Barnett III, appeared at the Bar of the Senate and each took and subscribed to the following oath of office, administered by the Honorable Tani G. Cantil-Sakauye, Chief Justice of the Supreme Court of California:

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
this third day of December
A.D. 2018

THE HONORABLE TANI G. CANTIL-SAKAUYE
Chief Justice of California

**ADDRESS BY SENATOR TONI G. ATKINS
PRESIDENT PRO TEMPORE OF THE SENATE**

Colleagues past, present and future, friends, loved ones, honored guests and fellow Californians: welcome to the 2019–20 Session of the California State Senate.

It is a profound honor to represent the biggest and greatest state in America in elective office. And today, we get to put aside election-year disputes and divisions and come together as one California, in this sacred seat of democracy, to serve the most diverse and dynamic constituency in the world.

The people of California have spoken. Nearly two-thirds of registered voters cast a ballot in this election, a recent record for a non-presidential year. They spoke loudly and clearly. They sent us here to make sure their voices are heard at the highest levels of government, and to write the next new, bold chapter of this state’s history.

Speaking of “new” and “bold,” I want to congratulate someone I’ve been proud to call a friend and working partner since he was a County Supervisor and I was a City Councilwoman. We’ll miss him as President of the Senate, but I suspect we’ll be hearing a lot more from him over the next four years: my friend, and our Governor-elect, Gavin Newsom.

To the other Constitutional officers and officers-elect who are here today: millions of Californians have put their faith in you. I know you will uphold their trust.



I'd like to welcome our incoming Lieutenant Governor and Senate President, Eleni Koulanakis, the first woman to hold the position in our state's history. And our incoming Insurance Commissioner, our dear friend and colleague, Ricardo Lara, the first openly gay person elected to statewide office in California.

Governor Brown, it's an honor to have you join us today. Thank you for your leadership and partnership these last eight years. We got important things done and California is better today for it. Thank you for your vision and wisdom.

I would also like to acknowledge two more of our Constitutional officers who are, for now, leaving public office: Treasurer John Chiang and Insurance Commissioner Dave Jones. Thank you all for your outstanding service to the people of California.

If I may, I would like to make another acknowledgment. Right over there, where Senator Wiener now sits, was the desk of Senate Majority Leader George Moscone. From that desk, he passed landmark bills establishing the school lunch program, promoting bilingual education, and protecting the rights of women and LGBT Californians. Forty years ago last week, George Moscone was slain in the prime of his public career. Supervisor Harvey Milk was stolen from us by the same tragedy. Without their legacies and their leadership, I wouldn't be here today, a proud member of the LGBT community, leading the most effective legislative body in America. As we work together to make history, we must always remember our own.

We are fortunate to find ourselves in this particular moment in the California story. Ten years after the financial crisis threw our state into disarray, we're back on our feet. We've gone from "ungovernable" mess to undeniable success. We've fought hard to get where we are today, climbing out of the worst recession since the Great Depression, slowly restoring the vital funds we were forced to cut from our classrooms, clinics, and community centers. Today, we're reaching new heights in job growth and employment levels, and new lows in the rates of the uninsured. We're investing more in K-12 education than ever before. We have increased our investment in UC and CSU, two of our state's most important public resources. And, thanks to the Legislature, the UC has increased its commitment to serving California students. We're rebuilding the vital infrastructure that keeps our economy moving and growing—our roads, transit, and housing. We're taking aggressive steps to lift families out of poverty and help working class households meet their needs. And, we've torn down the "wall of debt" while building record reserves of nearly \$16 billion.



We all know Governor Brown deserves enormous credit for leading us through turbulent times; but let me be clear: this Body, along with the Assembly down the hall, has been at least equal partners along the way. We've learned from our past mistakes. Just as many of us that served with Governor Brown are still here to serve with Governor-elect Newsom, there are Senators being sworn-in today who will serve with the next Governor. Governors may receive the lion's share of the credit or the blame, but lawmakers share the ultimate responsibility. As Senators, we each have a vote, and with it, a very personal stake in protecting our state's finances and our future. We may be prepared to endure the figurative rainy day, but we have much work to do to protect our state and our communities from the very real ravages of nature. Already this decade, we've endured five years of historic drought. Since October of last year, we've endured six of the ten most destructive wildfires in our history, including the Camp Fire, the most lethal. And we know the risks of those fires don't end when the last embers have been put out, as we saw with the devastating mudslides in Ventura County.

By now, every one of our 40 Senate districts has felt the consequences of a warming climate, in one way or another. And I want to take a moment to acknowledge members from our hardest hit communities, for their tireless advocacy and wholehearted commitment to recovery. Senators McGuire, Stern, Dodd, Nielsen, Gaines, and Jackson, to name just a few, have felt the impacts close to home—very close to home. So close in fact, that Senator Stern lost his own house in the Woolsey Fire. And yet, without regard for their own losses, or near-losses, they've been relentless representatives for their neighbors first.

I also want to acknowledge Dr. Jim Wood, our Assembly colleague, whose own community was devastated by fires a year ago. As a lawmaker, Dr. Wood has taken a leading role in our policy response to wildfires. But as a forensic dentist, he has also quietly taken on the heart-wrenching burden of identifying victims. On behalf of this Chamber, I want to offer my deepest gratitude to Dr. Wood, to our wonderful Senators, to the thousands of first responders on the front lines, and to all of the Good Samaritans across our state who are rising to the occasion to heal, house, and support survivors. Their humble acts of humanity should make us proud.

We can honor the victims and the sacrifices of so many of our neighbors by taking proactive steps to prepare for, and where possible, prevent, the next tragedy before it reaches our communities. We can't afford to ignore the extraordinary financial costs of these disasters, which are mounting here and across the nation. According to federal statistics, climate and weather disasters cost Americans more than \$300 billion last year alone. And we may never be able to fully measure the economic and health burdens of the thick clouds of smoke hanging over our communities; clouds that forced more than one million children from their classrooms, leaving tens of thousands of our neighbors homeless, and causing countless lost work days.



We're in uncharted territory, and all signs indicate we've only just begun to feel the harsh new realities of a warming planet. We have to acknowledge that the impacts reach across every facet of our lives, from public health, to housing, education, and infrastructure. The people of California are resilient; now we need to ensure that our built environments are as well. We took important steps this year to adapt, including revamping our emergency response protocols. And we became the first major economy on earth to commit to 100 percent clean energy by the year 2045. But we have a long way to go in a short amount of time if we want to avoid even worse days ahead.

We also have quite a bit of work still to do to get our own house in order. I said when I took this office that my mandate would be to raise the standards of conduct and personal responsibility in the Senate and in this Capitol, and I meant it. We've taken steps through the Joint Rules Committee to implement a confidential reporting system and an independent investigative process to both protect victims of sexual misconduct and ensure justice is served.

But we can't be satisfied with our progress because those steps alone won't change the culture of this building. And the hard truth is that this work will never be "finished" because there is no final destination.

California . . .

In so many ways, we are a study in progress. But we are also a work in progress. We can't afford complacency. We still have so much work to do. Because the gulf between the haves and the have nots in this state is as wide as our legendary Central Valley is vast, and it's only growing. Housing prices have soared out of reach for working families, and despite our recent efforts, we're not building nearly enough to meet demand. In a state known for environmental protection, over a million residents still don't have reliable clean drinking water, and millions more breathe the most polluted air in the nation. These contrasts define our challenge. As lawmakers we must help to harness California's extraordinary bounties in order to meet our many urgent needs; we must align our actions with our values. If we don't acknowledge these challenges, we will never overcome them.

So I challenge each of you to search within yourselves this session, to find the urgency we will need to match the tasks before us. We can do more to bridge our divides, to lift up those who are falling behind. We can reward ambition and ingenuity and learn from our failures. Whatever the case, we must continue to take risks to make progress. Because even though we're doing well, we aren't doing enough. After all, we're the state of invention, not convention. That's what defines California. That pioneering spirit, that penchant for imagination, is what made California the envy of the world and the fifth largest economy on earth: whether it was the vision of so many immigrants from around the world to come to our valleys and grow the greatest harvests the world has ever seen; or the initiative of industry outcasts to build the entertainment capital of the world in a dusty little town called Hollywood, and to capture so many hearts, minds, and imaginations



on every continent; or the ingenuity of the son of a Syrian immigrant, to start Apple computer in a garage in Los Altos, and change the way the world works; that confluence of open minds, creativity, and daring—whatever you want to call it—that is California's greatest competitive advantage.

There is no place on earth more capable of making dreams reality.

And no group of colleagues more capable of making history. Thank you.

**ADDRESS BY SENATOR PATRICIA C. BATES
MINORITY FLOOR LEADER**

I want to thank Governor Brown for an incredible history that you left this state. A legacy of public service that will inspire our young people, like my grandkids, to follow. That is what has made it a great state, a great collective family.

To our incoming Governor-elect, and the current President of the Senate, we wish you the very best, and we are here to work alongside of you to advance this wonderful family we have here in California. Thank you so much for walking that walk that is tough for all of us. We look forward to returning in January to work side-by-side.

And to my favorite pro Tem. If I look around this room, what is it filled with? It is filled with family. It is filled with friends. It is filled with people from all over California, and we are here bonding together to commit to making California even better than it is, greater than it is. And it only gets that way because we work together as a family. And you set that tone, Senator Atkins. On behalf of my caucus members who share those very thoughts, they are here to do the job. They have great respect for each and every one of you, and win or lose, they are here to work together. And I know they share my remarks in terms of our retiring Governor and our new Governor-elect. We may come from different parts of California and different political parties, but we agree on one thing, the need to ensure that this house represents all Californians because they are our collective family. Each Senator represents the hopes, dreams, and interests of almost a million diverse people in our family. Being a Senator is truly an honor and a tremendous responsibility.

On behalf of my caucus, I congratulate all the members from both parties who took their oaths of office today. We know it was a difficult path for each and every one of us, and we arrived here. I like to say that I surfed the Blue Wave and I landed on the shore and I'm here to continue my work. We take our oaths not as Democrats or Republicans, but as representatives of all the people of our great state.

I especially congratulate the new members who took their oaths of office for the very first time. We know you worked very hard to be here today. This is your moment, and this is the moment for your families who walked that walk with you. You are joining the most influential state senate in the nation. One that has a long history of customs and practices that emphasize collegiality. Together we believe in having an institution where we have strong processes in place to ensure that each Senator and each staff member



can do the people’s work in a safe and respectful environment. The pro Tem set that tone last year when we had our difficult moments. We have worked together to improve the culture that characterizes the Senate and I look forward to building on that progress as we move forward. Legislation and oversight are both critically important roles that the Senate performs. Both the pro Tem and I are committed to ensuring that the Senate continues to perform these roles well in the new session. Because ultimately the House belongs to the people we serve, our family.

To all my colleagues, congratulations and best wishes. I look forward to working with you when we return January seventh to begin our work together in earnest.

Thank you so very much for the honor today.

At 1 p.m., Hon. Ted Gaines, of the 1st District, Presiding

RESOLUTIONS

The following resolution was offered by Senator Atkins:

Senate Resolution 3

Senate Resolution 3—Relative to the election of members of the Senate Committee on Rules.

Resolved by the Senate of the State of California, That the following members are hereby elected members of the Senate Committee on Rules: Senator Grove, Senator Monning, Senator Roth, and Senator Wilk.

Resolution read and adopted.

RESOLUTIONS

The following resolution was offered by Senator Atkins:

Senate Resolution 4

Senate Resolution 4—Relative to the Standing Rules of the Senate for the 2019–20 Regular Session.

Resolution read and adopted.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were offered and ordered held at Desk:

Senate Concurrent Resolution 1: By Senator Wilk—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2019–20 Regular Session.

Senate Concurrent Resolution 2: By Senator Roth—Relative to the selection of the Legislative Counsel of California.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, December 3, 2018

Mr. President: The Committee on Rules has examined:

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And reports the same correctly engrossed.

ATKINS, Chair

Consideration of Senate Concurrent Resolution 1**Senate Concurrent Resolution 1**—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2019–20 Regular Session.

Resolution read and presented by Senator Wilk.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (39)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Gaines, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Consideration of Senate Concurrent Resolution 2**Senate Concurrent Resolution 2**—Relative to the selection of the Legislative Counsel of California.*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That, pursuant to Section 10201 of the Government Code, Diane F. Boyer-Vine is selected as the Legislative Counsel of California.

Resolution read and presented by Senator Roth.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (40)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Gaines, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



RESOLUTIONS

The following resolution was offered by Senator Skinner:

Senate Resolution 5

Senate Resolution 5—Relative to notifying the Governor of the organization of the Senate.

Resolved by the Senate of the State of California, That the President pro Tempore of the Senate appoint a Special Committee to wait upon his Excellency, the Governor, and inform him that the Senate is duly organized for the 2019–20 Regular Session and is now ready to receive any communication he may have to make to this House.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President pro Tempore, in accordance with Senate Resolution 5, appointed Senators Skinner, Bradford, Stern, Durazo, and Jones to notify the Governor of the organization of the Senate.

RESOLUTIONS

The following resolution was offered by Senator Hueso:

Senate Resolution 6

Senate Resolution 6—Relative to notifying the Assembly of the organization of the Senate.

Resolved by the Senate of the State of California, That the President pro Tempore of the Senate appoint a Special Committee to notify the Assembly that the Senate is duly organized for the 2019–20 Regular Session and is ready to proceed with the business of the state.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President pro Tempore, in accordance with Senate Resolution 6, appointed Senators Galgiani, Dodd, and Caballero to notify the Assembly of the organization of the Senate.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 1:12 p.m., on motion of Senator Gaines, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Gaines moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, January 7, 2019.

Motion carried.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, December 3, 2018

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

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E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolution ordered enrolled.

OATH OF OFFICE ADMINISTERED

Diane F. Boyer-Vine appeared before the Chief Deputy Legislative Counsel, Aaron Silva and took and subscribed to the following oath of office for the Office of Legislative Counsel of California:

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
this third day of December
A.D. 2018

AARON SILVA

Chief Deputy Legislative Counsel

COMMUNICATIONS AND PETITIONS

The following letter was ordered printed in the Journal:

December 3, 2018

Ms. Erika Contreras
Secretary of the Senate

Dear Ms. Contreras: Effective at the beginning of the 2019–20 Session, December 3, 2018, I would like to begin receiving my legislative per diem.

Thank you for your consideration.

Sincerely,
DR. RICHARD PAN
Senator, 6th District



REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, December 3, 2018

Mr. President: The Committee on Rules has approved the following:

JOINT COMMITTEE APPOINTMENTS

Appointed Senator Mitchell as Chair and Senators Bates, Lara, Monning, Nielsen, Pan, Skinner, and Stone as members of the Joint Legislative Budget Committee, filling all vacancies.

SUBCOMMITTEE RATIFICATIONS

Ratified the Joint Legislative Budget Subcommittee on the Selection of the Legislative Analyst, composed of two Senate Members, and the appointments of Senator Mitchell as Chair and Senator Nielsen as a member, filling all vacancies.

ATKINS, Chair

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

Senate Bill 1: By Senators Atkins, Portantino, and Stern—An act to add and repeal Title 24 (commencing with Section 120000) of the Government Code, relating to state prerogative.

Senate Bill 2: By Senators Glazer and Allen (Coauthor: Senator Wilk)—An act to add Chapter 10.5 (commencing with Section 66810) to Part 40 of Division 5 of Title 3 of the Education Code, relating to student data.

Senate Bill 3: By Senators Allen and Glazer—An act to add Chapter 11.1 (commencing with Section 66910) to Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

Senate Bill 4: By Senators McGuire and Beall—An act relating to land use.

Senate Bill 5: By Senators Beall and McGuire (Principal coauthor: Senator Roth)—An act to add Part 4 (commencing with Section 55900) to Division 2 of Title 5 of the Government Code, and to add Section 97.68.1 to the Revenue and Taxation Code, relating to local government.

Senate Bill 6: By Senators Beall and McGuire—An act relating to housing.

Senate Bill 7: By Senator Portantino (Coauthor: Senator Beall) (Coauthors: Assembly Members Carrillo and Blanca Rubio)—An act to amend Section 54237 of the Government Code, and to add Section 622.2 to the Streets and Highways Code, relating to highways.



Senate Bill 8: By Senator Glazer (Principal coauthor: Assembly Member Levine) (Coauthors: Assembly Members Choi and Mark Stone)—An act to add Section 5008.10 to the Public Resources Code, relating to parks.

Senate Bill 9: By Senator Beall (Coauthor: Assembly Member Chiu)—An act to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 10: By Senator Beall—An act to add Article 1.4 (commencing with Section 14045.10) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to mental health.

Senate Bill 11: By Senator Beall—An act to add Sections 1374.77 and 1374.78 to the Health and Safety Code, and to add Sections 10144.41 and 10144.42 to the Insurance Code, relating to health care coverage.

Senate Bill 12: By Senator Beall—An act relating to mental health.

Senate Bill 13: By Senator Wieckowski (Principal coauthor: Senator Beall) (Principal coauthor: Assembly Member Gloria) (Coauthor: Senator Skinner) (Coauthor: Assembly Member Levine)—An act relating to land use.

Senate Bill 14: By Senators Glazer and Allen (Coauthor: Senator Wilk)—An act to add Part 70.3 (commencing with Section 101200) to Division 14 of Title 3 of the Education Code, relating to education finance, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

Senate Bill 15: By Senator Portantino—An act relating to redevelopment.

Senate Bill 16: By Senator Roth (Principal coauthors: Assembly Members Cervantes and Obernolte)—An act relating to courts, and making an appropriation therefor.

Senate Bill 17: By Senator Umberg—An act relating to civil discovery.

Senate Bill 18: By Senator Skinner (Coauthors: Senators Beall and Wiener) (Coauthors: Assembly Members Bonta and Wicks)—An act to add Sections 50467 and 50490.6 to, and to add Chapter 4 (commencing with Section 50570) to Part 2 of Division 31 of, the Health and Safety Code, relating to housing, and making an appropriation therefor.

Senate Bill 19: By Senator Dodd—An act to add Section 144 to the Water Code, relating to water resources.



Senate Bill 20: By Senator Dodd (Principal coauthor: Assembly Member Aguiar-Curry)—An act to amend Section 11011.24 of the Government Code, relating to surplus state property, and making an appropriation therefor.

Senate Bill 21: By Senator Dodd—An act to amend Section 23396.3 of the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 22: By Senator Leyva (Principal coauthor: Senator Portantino) (Coauthors: Senators Beall, Jackson, Skinner, and Stone) (Coauthor: Assembly Member Chiu)—An act to amend Sections 680, 680.3, and 13823.14 of the Penal Code, relating to evidence, and making an appropriation therefor.

Senate Bill 23: By Senator Wiener (Principal coauthors: Assembly Members Arambula and Cervantes) (Coauthors: Assembly Members Chen, Chiu, Cunningham, Lackey, Rodriguez, and Ting)—An act to add Section 465 to the Penal Code, relating to crime.

Senate Bill 24: By Senator Leyva (Principal coauthor: Assembly Member Carrillo) (Coauthors: Senators Atkins, Beall, Dodd, Hill, Jackson, Skinner, Stern, Umberg, and Wiener)—An act to add Chapter 5.5 (commencing with Section 99250) to Part 65 of Division 14 of Title 3 of the Education Code, relating to public health, and making an appropriation therefor.

Senate Bill 25: By Senator Caballero—An act to add Section 21168.6.9 to the Public Resources Code, relating to environmental quality.

Senate Bill 26: By Senator Caballero—An act to amend Section 17052.6 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 27: By Senators McGuire and Wiener (Principal coauthor: Senator Stern) (Principal coauthor: Assembly Member Santiago) (Coauthors: Senators Leyva and Wieckowski) (Coauthor: Assembly Member Mullin)—An act to add Chapter 7 (commencing with Section 6880) to Part 1 of Division 6 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Senate Bill 28: By Senator Lara—An act to amend Sections 241 and 1020 of the Government Code, relating to citizens of the state.

Senate Bill 29: By Senators Lara and Durazo (Coauthor: Assembly Member Arambula)—An act to amend Section 14007.8 of the Welfare and Institutions Code, relating to Medi-Cal.

Senate Bill 30: By Senators Lara and Wiener—An act to amend Section 297 of the Family Code, relating to domestic partnership.

Senate Bill 31: By Senator Lara (Coauthor: Assembly Member Gonzalez)—An act to add Section 43.54 to the Civil Code, and to amend Section 177 of the Code of Civil Procedure, relating to courthouses.



Senate Bill 32: By Senator Nielsen—An act relating to vehicles.

Senate Bill 33: By Senator Skinner—An act relating to solid waste.

Senate Bill 34: By Senator Wiener (Principal coauthors: Assembly Members Bonta and Wood) (Coauthors: Senators Skinner and Stone) (Coauthors: Assembly Members Cooley and Mathis)—An act to amend Sections 26001 and 26153 of, and to add Section 26071 to, the Business and Professions Code, and to amend Sections 34010, 34011, and 34012 of, to add Section 34012.1 to, and to add and repeal Section 6414 of, the Revenue and Taxation Code, relating to cannabis, and declaring the urgency thereof, to take effect immediately.

Senate Bill 35: By Senator Chang—An act relating to human trafficking.

Senate Bill 36: By Senators Hertzberg and Mitchell (Principal coauthor: Assembly Member Bonta) (Coauthors: Senators Allen, Beall, Bradford, and Wieckowski)—An act to add Section 1320.35 to the Penal Code, relating to pretrial release.

Senate Bill 37: By Senator Skinner—An act to amend Section 18715 of the Penal Code, relating to crimes.

Senate Bill 38: By Senators Hill, Glazer, McGuire, and Portantino (Principal coauthors: Assembly Members McCarty and Wood) (Coauthors: Senators Allen, Beall, Leyva, Skinner, and Wiener) (Coauthors: Assembly Members Berman, Bloom, Cristina Garcia, Muratsuchi, O'Donnell, Mark Stone, and Ting)—An act to add Division 8.7 (commencing with Section 22995) to the Business and Professions Code, relating to tobacco products.

Senate Bill 39: By Senators Hill, Glazer, and Portantino (Principal coauthor: Assembly Member McCarty) (Coauthors: Senators Allen, Beall, Leyva, Skinner, Wieckowski, and Wiener) (Coauthors: Assembly Members Berman, Bloom, Cristina Garcia, Ting, and Wood)—An act to amend Section 22963 of the Business and Professions Code, relating to tobacco products.

Senate Bill 40: By Senator Wiener—An act to amend Section 5450 of the Welfare and Institutions Code, relating to mental health.

Senate Bill 41: By Senator Hertzberg (Coauthor: Senator Mitchell)—An act to add Section 3361 to the Civil Code, relating to damages.

Senate Bill 42: By Senator Skinner—An act to amend and repeal Section 4024 of, and to add Sections 4024.5 and 4024.6 to, the Penal Code, relating to jails.

Senate Bill 43: By Senator Allen—An act to add Section 38561.5 to the Health and Safety Code, relating to greenhouse gases.



Senate Bill 44: By Senator Skinner—An act relating to vehicles.

Senate Bill 45: By Senator Allen—An act to add Division 46 (commencing with Section 80200) to the Public Resources Code, relating to public resources, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Senate Bill 46: By Senator Jackson (Coauthor: Senator Nielsen) (Coauthors: Assembly Members Gallagher and Limón)—An act to amend Section 8593.4 of, and to add Section 8593.5 to, the Government Code, and to repeal and add Section 10850.9 of the Welfare and Institutions Code, relating to state government.

Senate Bill 47: By Senator Allen—An act to amend Sections 101, 104, 9008, 9105, 9203, and 18600 of, and to add Sections 107 and 108 to, the Elections Code, relating to elections.

Senate Bill 48: By Senator Wiener—An act relating to homelessness.

Senate Bill 49: By Senator Skinner—An act to amend Section 25402 of the Public Resources Code, relating to energy.

Senate Bill 50: By Senator Wiener (Coauthors: Senators Caballero, Hueso, Moorlach, and Skinner) (Coauthors: Assembly Members Burke, Kalra, Kiley, Low, Robert Rivas, Ting, and Wicks)—An act to add Chapter 4.35 (commencing with Section 65918.50) to Division 1 of Title 7 of the Government Code, relating to housing.

Senate Constitutional Amendment 1: By Senators Allen and Wiener (Coauthor: Senator Lara)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XXXIV thereof, relating to public housing projects.

Senate Constitutional Amendment 2: By Senator Allen—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15 of Article II thereof, relating to elections.

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

Senate Resolution 7: By Senators Leyva, Atkins, Caballero, Durazo, Galgiani, Hurtado, Jackson, Mitchell, Rubio, and Skinner—Relative to women's reproductive health.

Senate Resolution 8: By Senators Lara and Umberg—Relative to asylum seekers.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Bates requested that when the Senate adjourns this day it do so in memory of Thomas Murphy of Laguna Niguel.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Michael Hannum of Napa and Raymond Marcus of St. Helena.

Senator Pan requested that when the Senate adjourns this day it do so in memory of Andrew Flett of Sacramento.

Senator Wiener requested that when the Senate adjourns this day it do so in memory of Sydney Goldstein of San Francisco.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Gaines, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, January 7, 2019.

NEVA MARIE PARKER, Minute Clerk

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