

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, February 7, 2019

The Senate met at 9:01 a.m.
Hon. Connie M. Leyva, of the 20th District, presiding.
Secretary Erika Contreras at the Desk.
Assistant Secretary Heshani Wijemanne reading.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE
ROLL CALL

The roll was called and the following Senators answered to their names:
Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero,
Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso,
Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach,
Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Stone, Umberg,
Wieckowski, Wiener, and Wilk—37.

Quorum present.

(NOTE: Senator Morrell will be excused this day due to illness in the family.)



PRAYER

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

Prayer is not asking.

Prayer is putting oneself in the hands of God,
at God's disposition,

and listening for that voice in the depths of our hearts.

(By Mother Teresa.)

Gracious God, today we commit ourselves to a stance of receptivity and attentiveness to Your presence within our hearts.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRIVILEGES OF THE FLOOR**SPECIAL INTRODUCTIONS**

Senator Monning introduced Brooke Ence, in honor of California Fitness Week.

SPECIAL RECOGNITIONS

Senator Wilk presented a member's resolution to Richard Budman, in honor of the Santa Clarita Valley Signal's 100th anniversary.

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

February 4, 2019

February 5, 2019

February 6, 2019

February 7, 2019

UNANIMOUS CONSENT TO READ BILLS SECOND TIME

Without objection, **AB 72** and **AB 73** will be read a second time upon being reported by the Committee on Budget and Fiscal Review.

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 219: By Senator Wilk (Principal coauthor: Assembly Member Kiley) (Coauthor: Senator Leyva) (Coauthors: Assembly Members Cooley, Gipson, and Lackey)—An act to add and repeal Section 16007 of the Welfare and Institutions Code, relating to foster youth.

Senate Bill 220: By Senator Hill (Principal coauthor: Assembly Member Bauer-Kahan)—An act to amend, repeal, and add Section 26890 of the Penal Code, relating to firearms.



Senate Bill 221: By Senator Hill—An act to add Division 3.5 (commencing with Section 24900) to Title 4 of Part 6 of the Penal Code, relating to firearms.

Senate Bill 222: By Senator Hill (Coauthor: Senator Nielsen)—An act to amend Sections 12920, 12921, 12927, 12930, 12931, 12955, 12955.8, 12956.1, and 12956.2 of the Government Code, relating to discrimination.

Senate Bill 223: By Senator Hill (Coauthors: Senators Moorlach, Stone, and Wiener) (Coauthors: Assembly Members Bonta and Quirk)—An act to add Section 49414.1 to the Education Code, relating to pupil health.

MOTIONS, RESOLUTIONS AND NOTICES

MOTION TO REFER MEASURES TO INACTIVE FILE

Senator Hertzberg moved that **SCR 8** be ordered to the inactive file.
Motion carried.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution 9—Relative to the Lunar New Year celebration.

Resolution read third time and presented by Senator Pan.

Roll Call

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

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, 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.

Senate Resolution 15—Relative to Black HIV/AIDS Awareness Day.

Resolution read third time and presented by Senator Mitchell.

Roll Call

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

AYES (37)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Wiener introduced Raniyah Copeland, President and Chief Executive Officer of the Black AIDS Institute, and Alexis Dailey, Health Educator and STI Testing Coordinator for the Sacramento LGBTQ Center, in honor of Black HIV/AIDS Awareness Day.

LEAVES OF ABSENCE

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

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 9:30 a.m., on motion of Senator Atkins, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Atkins 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, February 11, 2019.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 7, 2019

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

ACR 3

Assembly Chamber, February 7, 2019

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 149

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and transmitted to the Committee on Rules for assignment:

Assembly Bill 149—An act to amend Sections 11162.1 and 11164 of, and to add Section 11162.2 to, the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.



**REPORTS OF STANDING COMMITTEES
Committee on Budget and Fiscal Review**

Date of Hearing, February 7, 2019

Madam President: The Committee on Budget and Fiscal Review, to which were referred:

AB 72

AB 73

Reports the same back with the recommendation: Do pass.

MITCHELL, Chair

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 72—An act to amend the Budget Act of 2018 (Chapters 29 and 30 of the Statutes of 2018) by amending items 3940-101-0001, 3940-491, 8860-001-0001, and 9210-102-0001 of, and adding items 0650-101-0001, 0690-011-0001, and 0690-103-0001 to, Section 2.00 of, amending Sections 39.00 and 99.50 of, and adding Section 23.20 to, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

Bill read second time and ordered to third reading.

Assembly Bill 73—An act to amend Section 53.5 of the Civil Code, and to add Section 8690.6 to the Government Code, relating to public safety, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

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 224: By Senator Grove—An act to amend Section 489 of, and to add Section 487k to, the Penal Code, relating to grand theft.

Senate Bill 225: By Senator Durazo—An act to amend Sections 241 and 1020 of the Government Code, relating to citizens of the state.

Senate Bill 226: By Senator Nielsen—An act to add Part 4.8 (commencing with Section 71380) to Division 34 of the Public Resources Code, relating to watershed restoration.

Senate Bill 227: By Senator Leyva (Coauthors: Assembly Members Bonta, Quirk-Silva, Rodriguez, Santiago, and Smith)—An act to amend Sections 1279 and 1280.3 of the Health and Safety Code, relating to health and care facilities.

Senate Bill 228: By Senator Jackson—An act to add Chapter 13 (commencing with Section 9800) to Division 8.5 of the Welfare and Institutions Code, relating to aging.



Senate Bill 229: By Senator Hertzberg—An act to amend Section 98.74 of the Labor Code, relating to employment.

Senate Bill 230: By Senator Caballero (Coauthors: Senators Archuleta, Dodd, Galgiani, Glazer, and Hill) (Coauthors: Assembly Members Cooper, Frazier, Gray, Grayson, Low, O'Donnell, Quirk-Silva, Ramos, Robert Rivas, Rodriguez, Blanca Rubio, and Salas)—An act to add Chapter 17.4 (commencing with Section 7286) to Division 7 of Title 1 of the Government Code, and to amend Section 196 of, and to add Section 13519.10 to, the Penal Code, relating to law enforcement.

Senate Bill 231: By Senator Galgiani—An act to amend Sections 8557, 8558, 8610, 8611, 8616, 8625, 8630, 8634, 8657.5, and 8685.9 of the Government Code, relating to local emergencies.

Senate Bill 232: By Senator Dodd (Coauthors: Senators Bates and Galgiani)—An act to amend Section 25214.13 of the Health and Safety Code, relating to hazardous substances.

Senate Bill 233: By Senator Wiener (Principal coauthor: Assembly Member Quirk) (Coauthor: Assembly Member Friedman)—An act to add Section 647.3 to the Penal Code, relating to crime.

Senate Bill 234: By Senator Skinner—An act to amend Sections 1596.72, 1596.73, 1596.78, 1597.30, 1597.45, and 1597.54 of, to add Sections 1597.41, 1597.42, and 1597.455 to, to repeal Section 1597.47 of, and to repeal and add Sections 1597.40, 1597.46, and 1597.543 of, the Health and Safety Code, relating to family daycare homes.

SENATE COMMITTEE ROLL CALLS **Committee on Budget and Fiscal Review**

AB 72—Do pass

AYES (15)—Senators Beall, Durazo, Hurtado, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Roth, Skinner, Stern, Umberg, and Wieckowski.

NOES (0)—None.

AB 73—Do pass

AYES (15)—Senators Beall, Durazo, Hurtado, Leyva, McGuire, Mitchell, Monning, Moorlach, Nielsen, Pan, Roth, Skinner, Stern, Umberg, and Wieckowski.

NOES (0)—None.

Date of Hearing: 2/7/2019

Mitchell, Chair



ADJOURNMENT

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned until 2 p.m., Monday, February 11, 2019.

NEVA MARIE PARKER, Minute Clerk

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