

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED ELEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, August 20, 2019

The Senate met at 9 a.m.
Hon. Jerry Hill, of the 13th District, presiding.
Secretary Erika Contreras at the Desk.
Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senators Roth and Stone will be excused this day to attend a funeral.)



**COMMUNICATIONS AND PETITIONS
MEMORANDUM OF UNDERSTANDING**

A Memorandum of Understanding (MOU) reached with Bargaining Unit (BU) 13, represented by the International Union of Operating Engineers (IUOE), dated August 20, 2019, was received from the California Department of Human Resources and filed pursuant to Senate Rule 29.4.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 19, 2019

Ms. Erika Contreras
Secretary of the Senate

Dear Erika: The Assembly on this day withdrew **Assembly Bill 1251** from enrollment, and pursuant to the instructions of the Assembly, I am herewith returning the bill to the Senate for further action.

Sincerely,

E. DOTSON WILSON, Chief Clerk of the Assembly

Above bill ordered held at Desk.

Assembly Chamber, August 19, 2019

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

SB 134	SB 309	SB 402
SB 699	SB 743	

Above bills ordered enrolled.

Assembly Chamber, August 19, 2019

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 234	SB 316	SB 419	SB 657
--------	--------	--------	--------

And respectfully requests your honorable body to concur in said amendments.

Above bills ordered to unfinished business.

Assembly Chamber, August 19, 2019

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

SCR 32

And respectfully requests your honorable body to concur in said amendments.

Above resolution ordered to unfinished business.



Assembly Bill 912—An act to amend Sections 71200, 71201, 71203, 71204.6, 71205.3, 71210, and 71213 of, and to repeal Sections 71204.7 and 71204.9 of, the Public Resources Code, relating to marine invasive species.

Bill read second time and ordered to third reading.

Assembly Bill 923—An act to amend Section 701.8 of the Public Utilities Code, relating to electricity.

Bill read second time and ordered to third reading.

Assembly Bill 948—An act to add Chapter 6 (commencing with Section 35180) to Division 26 of the Public Resources Code, relating to the Coyote Valley Conservation Program.

Bill read second time and ordered to third reading.

Assembly Bill 971—An act to add Section 12102.3 to the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 1014—An act to amend Sections 1255.1 and 1255.25 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 1181—An act to amend Section 17510.5 of the Business and Professions Code, and to amend Section 12599.6 of the Government Code, relating to charitable organizations.

Bill read second time and ordered to third reading.

Assembly Bill 1212—An act to amend Section 7514.2 of the Government Code, relating to public employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 1308—An act to amend Section 25668 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

Assembly Bill 1352—An act to amend Sections 5604, 5604.2, 5604.3, 5604.5, and 5848 of the Welfare and Institutions Code, relating to mental health.

Bill read second time and ordered to third reading.

Assembly Bill 1440—An act to amend Sections 3106 and 6830.1 of the Public Resources Code, relating to oil and gas.

Bill read second time and ordered to third reading.



Assembly Bill 1485—An act to amend Section 65913.4 of the Government Code, relating to housing.

Bill read second time and ordered to third reading.

Assembly Bill 1487—An act to add Title 6.8 (commencing with Section 64500) to the Government Code, relating to housing.

Bill read second time and ordered to third reading.

Assembly Bill 1560—An act to amend Section 21064.3 of, and to add Section 21060.2 to, the Public Resources Code, relating to environmental quality.

Bill read second time and ordered to third reading.

Assembly Bill 1584—An act to add Article 13 (commencing with Section 397) to, and to repeal the heading of Article 13 (commencing with Section 397) of, Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to electricity.

Bill read second time and ordered to third reading.

Assembly Bill 1622—An act to amend Sections 1682 and 2746.2 of the Business and Professions Code, Section 6254.18 of the Government Code, to amend Sections 1339.7, 1367.695, 101560, 123515, 127900, and 151001 of the Health and Safety Code, to amend Section 10123.84 of the Insurance Code, to amend Section 1308.8 of the Labor Code, to amend Section 13776 of the Penal Code, and to amend Sections 14088 and 14134.5 of the Welfare and Institutions Code, relating to family physicians.

Bill read second time and ordered to third reading.

Assembly Bill 1763—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read second time and ordered to third reading.

Assembly Bill 65—An act to amend Section 65302 of the Government Code, and to amend Sections 31113 and 71154 of the Public Resources Code, relating to coastal protection.

Bill read second time and ordered to consent calendar.

Assembly Bill 466—An act to amend Sections 6404, 35784, and 49003 of, and to add Section 35784.2 to, the Food and Agricultural Code, relating to food and agriculture.

Bill read second time and ordered to consent calendar.

Assembly Bill 892—An act to amend Sections 1088, 1101.4, 1102, 1102.2, 1102.3, 1102.6, 1103.1, 2079, 2079.13, and 2079.14 of the Civil Code, relating to real property.

Bill read second time and ordered to consent calendar.



Assembly Bill 902—An act to amend Section 84100 of, to add Sections 81005, 81010.5, 82015.5, 82038.3, 82048.8, 87206.5, and 89503.5 to, to repeal Section 85311 of, and to repeal and add Sections 82007, 84105, 84223, 86100, 86105, and 90002 of, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to consent calendar.

Assembly Bill 1573—An act to amend Section 67451 of, and to add Sections 67452.3, 67454, and 67455 to, the Education Code, relating to collegiate athletes.

Bill read second time and ordered to consent calendar.

Assembly Bill 317—An act to add Section 1680 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 378—An act to add Article 19.5 (commencing with Section 8430) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, and to amend Sections 6254 and 19815.4 of, and to add Section 6253.21 to, the Government Code, relating to childcare.

Bill read second time and ordered to third reading.

Assembly Bill 1309—An act to add Section 1399.848 to the Health and Safety Code, and to add Section 10965.4 to the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

Assembly Bill 485—An act to add Section 53083.1 to the Government Code, relating to local government.

Bill read second time and ordered to third reading.

Assembly Bill 1514—An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1651—An act to amend Sections 4980.03, 4980.43, 4980.44, 4980.48, 4989.14, 4989.54, 4996.20, 4996.23, 4999.12, and 4999.46 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 1396—An act to amend Section 15657.03 of the Welfare and Institutions Code, relating to protective orders.

Bill read second time and ordered to third reading.

Assembly Bill 697—An act to add Section 66018.5 to the Education Code, relating to postsecondary education.

Bill read second time and ordered to third reading.



REPORTS OF STANDING COMMITTEES**Committee on Elections and Constitutional Amendments**

Date of Hearing, August 20, 2019

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

ACA 14

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

UMBERG, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Appropriations

Senate Chamber, August 20, 2019

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

AB 539

AB 1026

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

PORTANTINO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 539—An act to amend Sections 22202, 22250, 22251, 22305, and 22334 of, and to add Sections 22304.5 and 22307.5 to, the Financial Code, relating to consumer loans.

Bill read second time.

Assembly Bill 1026—An act to amend Section 783 of the Public Utilities Code, relating to electricity.

Bill read second time.

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

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

Assembly Bill 840—An act to amend Section 23661 of, and to add Section 23399.52 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to **AB 840** proposed by Senator Dahle were read and adopted and the measure ordered printed, and to second reading.



Assembly Bill 34—An act to add Article 5.6 (commencing with Section 234.6) to Chapter 2 of Part 1 of Division 1 of Title 1 of the Education Code, relating to pupils.

Bill read third time.

Amendments Adopted

Amendments to **AB 34** proposed by Senator Rubio were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1588—An act to amend Sections 106897 and 106898 of the Health and Safety Code, and to amend Section 13627 of the Water Code, relating to water.

Bill read third time.

Amendments Adopted

Amendments to **AB 1588** proposed by Senator Wilk were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 47—An act to amend Section 12810.3 of the Vehicle Code, relating to driver's licenses.

Bill read third time.

Amendments Adopted

Amendments to **AB 47** proposed by Senator Skinner were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1235—An act to amend Sections 1502, 1502.35, 1507.6, 1522.44, 1530.8, 1536, 1538.7, 1538.8, 1538.9, 1548, and 1562 of the Health and Safety Code, and to amend Sections 319, 361.2, 450, 727, and 11400 of the Welfare and Institutions Code, relating to care facilities.

Bill read third time.

Amendments Adopted

Amendments to **AB 1235** proposed by Senator Caballero were read and adopted and the measure ordered printed, and to second reading.

**MOTIONS, RESOLUTIONS AND NOTICES
UNANIMOUS CONSENT TO TAKE MEASURES
FROM INACTIVE FILE**

Without objection, **AB 1829** was taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1829

Assembly Bill 1829—An act to amend Sections 1000, 8020, 8061, 8106, 8406, 9030, 10512, 10703, and 15620 of the Elections Code, relating to elections.

Bill read second time.

Amendments Adopted

Amendments to **AB 1829** proposed by Senator Umberg were read and adopted and the measure ordered printed, and to second reading.



CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1013—An act to add Section 11000.5 to the Government Code, relating to state government.

Bill read third time.

Amendments Adopted

Amendments to **AB 1013** proposed by Senator Leyva were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1311—An act to amend Section 23826.13 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to **AB 1311** proposed by Senator Wiener were read and adopted and the measure ordered printed and to second reading.

MOTIONS, RESOLUTIONS AND NOTICES
UNANIMOUS CONSENT TO RESCIND (AB 590)

Without objection, action rescinded whereby on July 11, 2019, **AB 590** was read third time, passed, and ordered transmitted to the Assembly (Senate Journal, page 2053).

Consideration of Assembly Bill 590

Assembly Bill 590—An act to amend Sections 32912.5, 34301, 34302, 62521, 62540, 62541, 62542, 62543, 62560, 62561, 62563, 62565, 62566, 62567, 62568, 62569, 62570, 62571, 62572, 62573, 62574, 62580, 62580.5, 62582, 62585, 62586, 62587, 62600, 62601, 62603, 62604, 62620, 62621, 62622, 62623, 62660, 62661, 62662, 62663, 62665, 62666, 62667, 64005, 64010, 64010.1, 64010.2, 64014, 64015, 64016, 64041, 64042, 64043, 64071, 64072, 64073, 64101, 64103, 64104, 64105, 64111, 64112, 64114, 64115, 64116, 64117, 64151, 64153, 64154, 64155, 64157, 64158, 64181, 64182, 64183, 64221, 64222, 64223, 64301, 64302, 64303, 64304, 64305, 64306, 64307, 64308, 64308.5, 64309, 64310, 64311, 64312, 64320, 64321, 64321.5, and 64322 of, to amend the heading of Chapter 9 (commencing with Section 34201) of Part 1 of Division 15 of, to amend the heading of Article 4 (commencing with Section 34301) of Chapter 9 of Part 1 of Division 15 of, to add Sections 34301.5, 64005.5, 64301.5, and 64323 to, to repeal Sections 32912, 32921, 62502, 62504, 62520, 62562, 62564, 62564.5, 62602, 64004, 64008, 64009, 64011, 64282, and 64313 of, to repeal Article 9 (commencing with Section 62640) of Chapter 2.5 of Part 3 of Division 21 of, and to repeal and add Section 64017 of, the Food and Agricultural Code, relating to milk, and making an appropriation therefor.

Bill read third time.



Amendments Adopted

Amendments to **AB 590** proposed by Senator Dodd were read and adopted and the measure ordered printed, and to second reading.

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

Assembly Bill 833—An act to amend Sections 40220 and 40220.5 of the Vehicle Code, relating to vehicles.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 833 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LACKEY

Permission of Rules Committee

Senate Chamber, August 20, 2019

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 833.

ERIKA CONTRERAS, Designee
(Secretary of the Senate)

Amendments Adopted

Amendments to **AB 833** proposed by Senator Galgiani were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 825—An act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 10.1, 10.2, 12, 13, 17, 18, 19, 21, 22, 23, 24, 26, 27, 28, 30, 32, and 35 of, to add Sections 4.5 and 31 to, and to repeal Section 13.5 of, the San Mateo County Flood Control District Act (Chapter 2108 of the Statutes of 1959), relating to the San Mateo County Flood and Sea Level Rise Resiliency District.

Bill read third time.

Amendments Adopted

Amendments to **AB 825** proposed by Senator Hill were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 170—An act to add Section 12940.2 to the Government Code, relating to employment.

Bill read third time.

Amendments Adopted

Amendments to **AB 170** proposed by Senator Durazo were read and adopted and the measure ordered printed, 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 72: By Senator Morrell (Coauthors: Senators Bates, Chang, Dahle, Dodd, Grove, Monning, Nielsen, and Wilk) (Coauthors: Assembly Members Brough, Chen, Choi, Friedman, Eduardo Garcia, Lackey, and Mathis)—Relative to First Responder Day.

Senate Resolution 59: By Senator Skinner—Relative to Children's Environmental Health Month 2019.

Senate Resolution 60: By Senator Hill—Relative to Sepsis Awareness Month.

Senate Resolution 61: By Senators McGuire, Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Leyva, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, and Wiener—Relative to gun violence.

SENATE COMMITTEE ROLL CALLS**Committee on Elections and Constitutional Amendments**

ACA 14—Be adopted and re-refer to the Committee on Appropriations
AYES (4)—Senators Hertzberg, Leyva, Stern, and Umberg.

NOES (1)—Senator Nielsen.

Date of Hearing: 8/20/2019

Umberg, Chair

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day to attend a funeral: Senators Roth and Stone.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, August 21, 2019.

NEVA MARIE PARKER, Minute Clerk

O

