

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, January 29, 2020

The Senate met at 11 a.m.
Hon. Anna M. Caballero, of the 12th 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, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez,
Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire,
Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth,
Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senator Grove will be excused this day on legislative business.)



PRAYER

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

Just when you seem to yourself
 nothing but a flimsy web
 of questions, you are given the questions of others to hold
 in the emptiness of your hands,
 songbird eggs that can still hatch
 if you keep them warm,
 butterflies opening and closing themselves
 in your cupped palms, trusting you not to injure
 their scintillant fur, their dust.
 You are given the questions of others
 as if they were answers
 to all you ask. Yes, perhaps
 this gift is your answer.

(A Gift by Denise Levertov)

God of love and mercy, thank You for gifting us with the freedom to wrestle with the questions of our day. As we discern how best to meet the deepest needs of all Your people, may we do so from a stance of humility, and a willingness to engage the creativity of all for the common good. We ask this in Your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

DEMOCRATIC CAUCUS

At 11:08 a.m., Senator Hertzberg announced a Democratic Caucus.

REPUBLICAN CAUCUS

At 11:08 a.m., Senator Borgeas announced a Republican Caucus.

REASSEMBLED

At 1:42 p.m., the Senate reassembled.

Hon. Anna M. Caballero, of the 12th District, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 29, 2020

The Committee on Rules has referred the following measures to committee:

Banking and Financial Institutions—SB 877.

Business, Professions and Economic Development—SB 878.

Education—SB 860.

Energy, Utilities and Communications—SB 862.

Governmental Organization—SB 865, SB 866, SB 869.

Health—SB 859, SB 863.



Insurance—SB 872.

Labor, Public Employment and Retirement—SB 867, SB 868, SB 875.

Rules—SB 861, SB 864, SB 874, SB 876, SB 879, SB 880.

The Committee on Rules has referred the following measures to two or more committees:

Banking and Financial Institutions and Judiciary—SB 870.

Governance and Finance and Elections and Constitutional Amendments—SB 871.

Judiciary and Governance and Finance and Appropriations—SB 873.

State Capitol, January 29, 2020

Madam President: The Committee on Rules has ordered the following measures to third reading:

SCR 79 SR 69 SR 70 ACR 146

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 897: By Senator Jackson—An act to amend Section 18140 of the Penal Code, relating to restraining orders.

CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

Senate Bill 372—1/23/2020 9 p.m.—An act to amend, repeal, and add Sections 12024.13, 21608.5, and 23671 of the Business and Professions Code, to amend, repeal, and add Sections 47605.1, 47612.1, and 52052 of the Education Code, to amend, repeal, and add Section 8585.8 of the Government Code, to amend, repeal, and add Sections 186.2 and 186.8 of the Penal Code, to amend Section 12165 of the Public Contract Code, to amend Sections 14526.5, 14571.5, 14571.8, and 42889 of, to amend and repeal Section 17002 of, to amend, repeal, and add Sections 615, 5845.8, 14315, 14411, 17000, 17001, 17003, 19535, 31178, 40003, 42476, 48653, 80016, and 80136 of, to add Section 14100.5 to, to add Chapter 9 (commencing with Section 14600) to Division 12.1 of, to add Chapter 20.5 (commencing with Section 42984) to Part 3 of Division 30 of, to repeal Section 40511 of, and to repeal and add Division 12.1 (commencing with Section 14500) of, the Public Resources Code, to amend Sections 17153.5 and 24315 of the Revenue and Taxation Code, to amend, repeal, and add Sections 2370 and 2382 of the Streets and Highways Code, and to amend, repeal, and add Section 79714 of the Water Code, relating to recycling.

Bill read third time and presented by Senator Wieckowski.



Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wieckowski moved a call of the Senate.

Motion carried.

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

Senate Bill 50—1/6/2020 9 p.m.—An act to amend Section 65589.5 of, to add Sections 65913.5 and 65913.6 to, and to add Chapter 4.35 (commencing with Section 65918.50) to Division 1 of Title 7 of, the Government Code, relating to housing.

Bill read third time and presented by Senator Wiener.

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Wiener moved a call of the Senate.

Motion carried.

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

Senate Bill 444—1/15/2020 9 p.m.—An act to add Article 7.9 (commencing with Section 92685) to Chapter 6 of Part 57 of Division 9 of Title 3 of the Education Code, relating to the University of California.

Bill read third time and presented by Senator Umberg.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



Senate Bill 45—1/23/2020 9 p.m.—An act to add Division 47 (commencing with Section 80200) to the Public Resources Code, relating to a wildfire prevention, safe drinking water, drought preparation, and flood protection program, 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.

Bill read third time and presented by Senator Allen.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (29)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (6)—Senators Bates, Chang, Dahle, Jones, Moorlach, and Morrell.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (6)—Senators Bates, Chang, Dahle, Jones, Moorlach, and Morrell.

Bill ordered transmitted to the Assembly.

Senate Bill 596—1/23/2020 9 p.m.—An act to add Section 12301.18 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read third time and presented by Senator Stern.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 653—1/23/2020 9 p.m.—An act to amend Sections 1911, 1925, 1926, and 1926.05 of, and to add Sections 1911.5 and 1926.01 to, the Business and Professions Code, relating to healing arts.

Bill read third time and presented by Senator Chang.



Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 757—1/23/2020 9 p.m.—An act to amend Section 73 of, and to add Section 622.4 to, the Streets and Highways Code, relating to state highways.

Bill read third time and presented by Senator Allen.

Roll Call

The roll was called and the bill was passed by the following vote:

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS**Consideration of Governor's Appointments**

Senator Wilk placed the following Governor's appointment before the Senate:

LATEEFAH SIMON, Member, Trustees of the California State University.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

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

NOES (0)—None.



THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 140—Relative to Positive Parenting Awareness Month.

Resolution read third time.

Amendments Adopted

Amendments to **ACR 140** proposed by Senator Dodd were read and adopted and the measure ordered printed, and to second reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 372)**

On motion of Senator Wieckowski, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 372 was refused passage by the following vote:

AYES (17)—Senators Allen, Atkins, Beall, Durazo, Lena Gonzalez, Hertzberg, Hill, Hueso, Jackson, Leyva, Mitchell, Monning, Roth, Skinner, Stern, Wieckowski, and Wiener.

NOES (10)—Senators Borgeas, Dahle, Dodd, Galgiani, Hurtado, Jones, Moorlach, Morrell, Nielsen, and Wilk.

**MOTIONS, RESOLUTIONS AND NOTICES
MOTION TO RECONSIDER (SB 372)**

Senator Wieckowski moved that the vote be reconsidered whereby **SB 372** was refused passage.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (38)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Above measure ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 50)**

On motion of Senator Wiener, further proceedings under the call of the Senate were dispensed with.



Roll Call

The names of the absentees were called and SB 50 was refused passage by the following vote:

AYES (18)—Senators Atkins, Beall, Caballero, Dahle, Galgiani, Lena Gonzalez, Hueso, Hurtado, Leyva, McGuire, Monning, Moorlach, Nielsen, Pan, Roth, Skinner, Wieckowski, and Wiener.

NOES (15)—Senators Allen, Bates, Borgeas, Dodd, Durazo, Glazer, Hertzberg, Hill, Jackson, Jones, Mitchell, Portantino, Rubio, Stern, and Wilk.

MOTIONS, RESOLUTIONS AND NOTICES**MOTION TO RECONSIDER (SB 50)**

Senator Wiener moved that the vote be reconsidered whereby **SB 50** was refused passage.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (38)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Above measure ordered returned to third reading.

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on legislative business: Senator Grove.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dodd requested that when the Senate adjourns this day it do so in memory of James Arnold Maggetti of Napa.

Senator Wilk requested that when the Senate adjourns this day it do so in memory of Lee Shulman of Valencia.

ADJOURNMENT

At 5:11 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, January 30, 2020.

MATHEW BURNS, Minute Clerk

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