

CALIFORNIA LEGISLATURE
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SENATE DAILY JOURNAL

ONE HUNDRED NINETIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 15, 2020

The Senate met at 1 p.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, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Grove,
Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire,
Melendez, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan,
Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener,
and Wilk—40.

Quorum present.



PRAYER

Upon invitation of the President, the following prayer was offered by Senator Rubio, as written by the Chaplain, Sister Michelle Gorman, RSM:

Loving God, make me an instrument of Your peace.
Where there is hatred, let me sow love—
Where there is injury, pardon
Where there is discord, harmony
Where there is doubt, faith
Where there is despair, hope
Where there is darkness, light
And where there is sadness, joy
O Divine Creator, grant that I may not so much seek
To be consoled as to console,
To be understood as to understand,
To be loved as to love.
For it is in giving that we receive.
It is in pardoning that we are pardoned.
And it is in dying that we are born to eternal life.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
MOMENT OF SILENCE**

At Senator Wilk's request, the Senate observed a moment of silence in remembrance of Robert Fuller and Malcolm Harsch.

DEMOCRATIC CAUCUS

At 1:13 p.m., Senator Hertzberg announced a Democratic Caucus.

REPUBLICAN CAUCUS

At 1:13 p.m., Senator Grove announced a Republican Caucus.

REASSEMBLED

At 2:11 p.m., the Senate reassembled.
Hon. Connie M. Leyva, of the 20th District, presiding.



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
June 15, 2020

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to offices which by law are to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

GAVIN NEWSOM, Governor

ROGER V. SALAZAR, has been appointed to the Off-Highway Motor Vehicle Recreation Commission. Salazar has been president of ALZA Strategies since 2014. He was managing director of Mercury Public Affairs from 2012 to 2014, partner at Acosta/Salazar LLC from 2004 to 2012, and senior vice president at Porter Novelli LLC from 2003 to 2004. Salazar served as press secretary and deputy press secretary in the Office of Governor Gray Davis from 2000 to 2002, deputy press secretary for Gore 2000 from 1999 to 2000, and assistant press secretary in the Office of President Bill Clinton from 1995 to 1999. He is a lifetime member of the California Four Wheel Drive Association and California Off-Road Vehicle Association, a member of Sierra Treasure Hunters 4x4 Club, and the University of Redlands Board of Trustees. Salazar earned a Master of Arts degree in political management from George Washington University. Appointed 05/08/2020. Effective 06/05/2020.

Member, Off-Highway Motor Vehicle Recreation Commission, vice, Paul J. Slavik, term expired. Term ending 01/15/2024.

Above appointment referred to the Committee on Rules.

Governor's Office, State Capitol
June 15, 2020

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business June 15, 2020, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Bradley P. Gilbert Director, California Department of Health Care Services

Sincerely,

GAVIN NEWSOM, Governor

Above withdrawal transmitted to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 15, 2020

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

AB 2450

SUE PARKER, 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 2450—An act to amend Section 76000.10 of the Government Code, relating to air ambulance services, and declaring the urgency thereof, to take effect immediately.

COMMUNICATIONS AND PETITIONS

The following Certificate of Election from the Secretary of State was ordered printed in the Journal:

CERTIFICATE OF ELECTIONState of California
Office of the Secretary of State

I, ALEX PADILLA, Secretary of State of the State of California, hereby certify:

That according to information concerning the statement of the results of the Special General Election held on the 12th day of May, 2020, on file in my office, Melissa Melendez was elected to the office of State Senator District 28.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, at Sacramento, this 15th day of June, 2020.

ALEX PADILLA
Secretary of State**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, June 15, 2020

Madam President: The Committee on Rules has examined:

SCR 59

And reports the same correctly engrossed.

ATKINS, Chair

State Capitol, June 15, 2020

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

Elections and Constitutional Amendments—ACA 6.

Labor, Public Employment and Retirement—ACA 5.



**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Concurrent Resolution 59—Relative to veterans.

Resolution read second time and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 75—An act to amend the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019) by augmenting Item 9840-001-0001 of Section 2.00 of 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 76—An act to amend Section 14041.5 of, to add Section 41207.48 to, and to add and repeal Section 84321.61 of, the Education Code, and to amend Item 6870-101-0001 of Section 2.00 of the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019), relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

Assembly Bill 85—An act to amend Sections 6363.9, 6363.10, 6902.5, 17053.95, 17935, 17941, 17948, 19533, 23695, 61015, 61020, and 61030 of, and to add Sections 6295, 12209, 17039.3, 17276.23, 23036, 23036.3, and 24416.23 to, the Revenue and Taxation Code, to amend Sections 426 and 4456 of, and to add Section 4750.6 to, the Vehicle Code, and to amend Section 12 of Chapter 34 of the Statutes of 2019, relating to state taxes and charges, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time and ordered to third reading.

**MOTIONS, RESOLUTIONS AND NOTICES
MOTION TO TAKE UP WITHOUT REFERENCE TO FILE**

Senator Mitchell moved that **AB 85** be taken-up at this time, without reference to file.

Roll Call

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

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

NOES (11)—Senators Bates, Borgeas, Chang, Dahle, Grove, Jones, Melendez, Moorlach, Morrell, Nielsen, and Wilk.



Consideration of Assembly Bill 85

Assembly Bill 85—6/10/2020 5:41 p.m.—An act to amend Sections 6363.9, 6363.10, 6902.5, 17053.95, 17935, 17941, 17948, 19533, 23695, 61015, 61020, and 61030 of, and to add Sections 6295, 12209, 17039.3, 17276.23, 23036, 23036.3, and 24416.23 to, the Revenue and Taxation Code, to amend Sections 426 and 4456 of, and to add Section 4750.6 to, the Vehicle Code, and to amend Section 12 of Chapter 34 of the Statutes of 2019, relating to state taxes and charges, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Mitchell.

Roll Call

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

AYES (27)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Jackson, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Skinner, Stern, Wieckowski, and Wiener.

NOES (11)—Senators Bates, Borgeas, Chang, Dahle, Grove, Jones, Melendez, Moorlach, Morrell, Nielsen, and Wilk.

Bill ordered transmitted to the Assembly.

MOTION TO TAKE UP WITHOUT REFERENCE TO FILE

Senator Mitchell moved that **AB 76** be taken-up at this time, without reference to file.

Roll Call

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

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

NOES (11)—Senators Bates, Borgeas, Chang, Dahle, Grove, Jones, Melendez, Moorlach, Morrell, Nielsen, and Wilk.

Consideration of Assembly Bill 76

Assembly Bill 76—6/10/2020 5:25 p.m.—An act to amend Section 14041.5 of, to add Section 41207.48 to, and to add and repeal Section 84321.61 of, the Education Code, and to amend Item 6870-101-0001 of Section 2.00 of the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019), relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read third time and presented by Senator Mitchell.



Roll Call

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

AYES (40)—Senators 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, Melendez, 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.

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

Senate Bill 1146—5/29/2020 9 p.m.—An act to amend Sections 1010.6 and 2025.310 of the Code of Civil Procedure, relating to civil procedure.

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 (40)—Senators 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, Melendez, 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 1271—5/19/2020 9 p.m.—An act to amend Sections 7512.3, 7512.14, 7512.15, 7520.3, 7525.1, 7529, 7533.5, 7538, 7538.5, and 7539 of the Business and Professions Code, relating to professions and vocations.

Bill read third time and presented by Senator Morrell.



Roll Call

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

AYES (40)—Senators 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, Melendez, 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.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 15, 2020

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

SB 74

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

SUE PARKER, Chief Clerk of the Assembly

Above bill ordered to unfinished business.

MOTIONS, RESOLUTIONS AND NOTICES**MOTION TO TAKE UP WITHOUT REFERENCE TO FILE**

Senator Mitchell moved that **SB 74** be taken-up at this time, without reference to file.

Roll Call

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

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

NOES (11)—Senators Bates, Borgeas, Chang, Dahle, Grove, Jones, Melendez, Moorlach, Morrell, Nielsen, and Wilk.

Consideration of Senate Bill 74

Senate Bill 74—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, relating to the state budget, to take effect immediately, budget bill.

Bill presented by Senator Mitchell.

The question being: “Shall the Senate concur in the Assembly amendments to SB 74?”



Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

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

NOES (11)—Senators Bates, Borgeas, Chang, Dahle, Grove, Jones, Melendez, Moorlach, Morrell, Nielsen, and Wilk.

Above bill ordered enrolled.

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

Senate Bill 972—An act to add Sections 19571.5 and 19573 to the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Amendments Adopted

Amendments to **SB 972** proposed by Senator Skinner were read and adopted and the measure ordered printed, engrossed, and to second reading.

ADJOURNMENT

At 4:53 p.m., on motion of Senator Atkins, the Senate adjourned until 9 a.m., Tuesday, June 16, 2020.

MATHEW BURNS, Minute Clerk

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