

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, March 21, 2019

The Senate met at 9:02 a.m.
Hon. Steven C. Bradford, of the 35th District, presiding.
Secretary Erika Contreras at the Desk.
Assistant Secretary Zachary L. Twilla 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, Hertzberg, Hill, Hueso, Hurtado,
Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell,
Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Umberg,
Wieckowski, Wiener, and Wilk—36.

Quorum present.

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



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:
 In this century and in any century,
 Our deepest hope, our most tender prayer, is that we may learn to listen.
 May we listen to one another in openness and mercy.
 May we listen to plants and animals in wonder and respect.
 May we listen to our hearts in love and forgiveness.
 May we listen to God in quietness and awe.
 And in this listening,
 Which is boundless in its beauty,
 May we find the wisdom to cooperate
 With a healing spirit, a divine spirit,
 Who beckons us into peace and community and creativity.
 We do not ask for a perfect world.
 But we do ask for a better world.
 We ask for deep listening.—AMEN.

(“Prayers for a Thousand Years” by Jay McDaniel.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Jones introduced World War II veteran, First Lieutenant Ryan M. O’Brien, recipient of the Distinguished Flying Cross, four Air Medals, the Military Order of the Purple Heart, the European-African-Middle Eastern Medal, and the National Order of the Legion of Honour.

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

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

March 18, 2019	March 19, 2019	March 20, 2019
March 21, 2019		

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

Senate Bill 66—An act to amend Section 14132.100 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.



Senate Bill 301—An act to amend Section 24001 of the Welfare and Institutions Code, relating to family planning.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 5—An act to add Section 41202.6 to the Education Code, 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.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Housing.

Senate Bill 34—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.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Business, Professions and Economic Development.

Senate Bill 128—An act to amend Sections 53398.58, 53398.63, 53398.69, 53398.77, and 53398.88 of, to amend and renumber Section 53398.80.5 of, and to repeal Sections 53398.78, 53398.79, 53398.80, 53398.81, and 53398.82 of, the Government Code, relating to local government.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 205—An act to add Sections 16000.3 and 16100.3 to the Business and Professions Code, and to add Section 13383.10 to the Water Code, relating to business.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Environmental Quality.



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

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

KEELY BOSLER, Director, Department of Finance.

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

NOES (0)—None.

THIRD READING OF SENATE BILLS

Senate Resolution 25—Relative to Women's Military History Week. Resolution read third time and presented by Senator Caballero.

Roll Call

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

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Senate Concurrent Resolution 7—Relative to Black April Memorial Month.

Resolution read third time and presented by Senator Umberg.

Roll Call

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

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



Senate Concurrent Resolution 22—Relative to Arab American Heritage Month.

Resolution read third time and presented by Senator Chang.

Roll Call

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

AYES (36)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

LEAVES OF ABSENCE

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

The following Senator was granted leave of absence for the day on personal business: Senator Rubio.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:37 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, March 25, 2019.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 21, 2019

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

SCR 13 SCR 16 SCR 19

Above resolutions ordered enrolled.



Assembly Chamber, March 21, 2019

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

AB 327

AB 334

Assembly Chamber, March 21, 2019

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

ACR 8

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 327—An act to amend Section 721 of the Family Code, and to add Section 21385 to the Probate Code, relating to estates and trusts.

Assembly Bill 334—An act to amend Section 7441 of the Elections Code, relating to the California Republican Party.

The following measure was read and referred to the Committee on Rules:

Assembly Concurrent Resolution 8—Relative to Restorative Practices in School Awareness Month.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, March 21, 2019

Mr. President: The Committee on Rules has examined:

SB 15

SB 17

SB 64

SB 86

SB 143

SB 152

SB 174

SB 207

SB 216

SB 255

SB 281

SB 286

SB 300

And reports the same correctly engrossed.

ATKINS, Chair

Committee on Environmental Quality

Date of Hearing, March 20, 2019

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 210

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Transportation.

ALLEN, Chair

Above bill ordered to second reading.



Committee on Natural Resources and Water

Senate Chamber, March 21, 2019

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 313

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

STERN, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 313—An act to add Chapter 4.5 (commencing with Section 2430) to Division 3 of the Fish and Game Code, relating to wild and exotic animals.

Bill read second time.

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

Committee on Environmental Quality

Date of Hearing, March 20, 2019

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 232

Reports the same back with the recommendation: Do pass as amended.

ALLEN, Chair

Above bill ordered to second reading.

Senate Chamber, March 21, 2019

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 166

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

ALLEN, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 166—An act to add Article 9 (commencing with Section 13559) to Chapter 7 of Division 7 of the Water Code, relating to water quality.

Bill read second time.

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



Senate Chamber, March 21, 2019

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 44

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

ALLEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 44—An act to add Section 43024.2 to the Health and Safety Code, relating to vehicular air pollution.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, March 21, 2019

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

SB 310

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

SKINNER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 310—An act to amend Section 197 of the Code of Civil Procedure, relating to juries.

Bill read second time.

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

Committee on Elections and Constitutional Amendments

Senate Chamber, March 21, 2019

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

SB 212

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

UMBERG, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 212—An act to amend Sections 5013, 5020, 5027, and 5028 of, and to add Sections 1018, 1019, 1020, 5010, 5032, and 5096 to, the Education Code, to amend Sections 25040, and 25061 of, to add Section 25001 to, and to add Article 4 (commencing with Section 34910) to Chapter 4 of Part 1 of Division 2 of Title 4 of, the Government Code, relating to elections.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, March 21, 2019

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 315

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

GLAZER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 315—An act to amend Section 12097.5 of the Government Code, relating to economic development.

Bill read second time.

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

Committee on Governance and Finance

Senate Chamber, March 21, 2019

Mr. President: The Chair of the Committee on Governance and Finance, to which was referred:

AB 147

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

MCGUIRE, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 147—An act to amend Section 7262 of, to amend, repeal, and add Section 6203 of, to add Section 6203.1 to, and to add Chapter 1.7 (commencing with Section 6040) to Part 1 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



Committee on Environmental Quality

Date of Hearing, March 20, 2019

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 168

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Natural Resources and Water.

ALLEN, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, March 21, 2019

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

SB 67

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

Senate Bill 67—An act to amend Section 26050.2 of, and to add Section 26050.3 to, the Business and Professions Code, relating to cannabis, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, March 21, 2019

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

SB 16

SB 234

SB 308

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

JACKSON, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 16—An act relating to courts, and making an appropriation therefor.

Bill read second time.

Senate Bill 234—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.

Bill read second time.

Senate Bill 308—An act to amend Section 45 of the Probate Code, relating to estates and trusts.

Bill read second time.

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

MOTIONS, RESOLUTIONS AND NOTICES**MEASURES PLACED ON SPECIAL CONSENT CALENDAR**

Without objection, the following measures were set as a special consent calendar to be taken up on Thursday, March 28, 2019:

ACR 33

ACR 34

ACR 39

ACR 40

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 789: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hertzberg, Hurtado, Moorlach, Nielsen, and Wiener)—An act to amend Section 53639 of the Government Code, and to amend Sections 2611.5 and 4675 of the Revenue and Taxation Code, relating to local government.

Senate Bill 790: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hertzberg, Hurtado, Moorlach, Nielsen, and Wiener)—An act to amend Sections 18622.5 and 19311 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 791: By the Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hertzberg, Hurtado, Moorlach, Nielsen, and Wiener)—An act to amend Section 441 of, to amend and add Section 1152 of, to add Sections 1153.5 and 1157 to, and to repeal Section 1153 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.



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

Senate Concurrent Resolution 32: By Senator Morrell—Relative to United States Forest Service Firefighter Brent Michael Witham Memorial Highway.

Senate Concurrent Resolution 33: By Senator Allen (Principal coauthor: Assembly Member Chu)—Relative to Arts, Culture, and Creativity Month.

Senate Concurrent Resolution 34: By Senator Allen—Relative to California Aerospace and Aviation Days.

REQUESTS TO ADJOURN IN MEMORIAM

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

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Gregory John Calvelo of American Canyon.

Senator Galgiani requested that when the Senate adjourns this day it do so in memory of Ethan Morse of Merced.

Senator Glazer requested that when the Senate adjourns this day it do so in memory of Randy Lindsay of San Ramon.

Senator Wilk requested that when the Senate adjourns this day it do so in memory of Johnathan P. Tanner of Lancaster.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 25, 2019.

NEVA MARIE PARKER, Minute Clerk

O

