

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, August 27, 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, Roth, Rubio, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk—40.

Quorum present.



COMMUNICATIONS AND PETITIONS

The following letters were ordered printed in the Journal:

August 27, 2019

Ms. Erika Contreras
Secretary of the Senate

Dear Ms. Contreras: The Legislative Analyst's Office has posted on our website our office's fiscal analysis of the proposed memorandum of understanding between the Governor and Bargaining Unit 5. This analysis was only released in an online version (<https://lao.ca.gov/Publications/Report/4089>). This analysis is required to be submitted to the Legislature pursuant to Section 19829.5 of the Government Code. On August 16, 2019, the Department of Human Resources transmitted to the Legislature the agreement and the administration's estimate of the agreement's fiscal effects.

Sincerely,
GABRIEL PETEK
Legislative Analyst

August 27, 2019

Ms. Erika Contreras
Secretary of the Senate

Dear Ms. Contreras: The Legislative Analyst's Office has posted on our website our office's fiscal analysis of the proposed memorandum of understanding between the Governor and Bargaining Unit 13. This analysis was only released in an online version (<https://lao.ca.gov/Publications/Report/4090>). This analysis is required to be submitted to the Legislature pursuant to Section 19829.5 of the Government Code. On August 21, 2019, the Department of Human Resources transmitted to the Legislature the agreement and the administration's estimate of the agreement's fiscal effects.

Sincerely,
GABRIEL PETEK
Legislative Analyst

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 26, 2019

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

ACR 28 ACR 87 ACR 98 ACR 115

E. DOTSON WILSON, Chief Clerk of the Assembly



FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 28—Relative to sickle cell disease.

Assembly Concurrent Resolution 87—Relative to civic education in public schools.

Assembly Concurrent Resolution 98—Relative to mental health and substance use treatment.

Assembly Concurrent Resolution 115—Relative to gun-related businesses.

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

Assembly Bill 170—An act to amend Section 12940 of the Government Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 377—An act to amend Sections 113825, 114367.1, 114367.2, 114367.5, and 114367.6 of, and to repeal and add Sections 114367 and 114367.3 of, the Health and Safety Code, relating to retail food facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 430—An act to add and repeal Section 65913.15 of the Government Code, relating to housing.

Bill read second time and ordered to third reading.

Assembly Bill 819—An act to amend Sections 1506.1, 1507.25, 1517, 1517.5, 1522, 1522.1, 1527, 1527.1, 1527.2, 1527.4, 1527.5, 1558, 1562.02, 1568.092, 1569.58, and 1596.8897 of the Health and Safety Code, to amend Section 11172 of the Penal Code, and to amend Sections 366.3, 11405, 11461, 11462, 11463, 16519.5, 16519.58, 18360.05, and 18360.15 of, and to add Sections 727.05, 16501.95, and 18360.20 to, the Welfare and Institutions Code, relating to foster care.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 1030—An act to add Article 10.8 (commencing with Section 750) to Chapter 1 of Division 2 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.



Assembly Bill 1484—An act to amend Section 65940 of, and to add Section 66004.1 to, the Government Code, relating to land use.

Bill read second time and ordered to third reading.

Assembly Bill 58—An act to amend Section 8257 of the Welfare and Institutions Code, relating to homelessness.

Bill read second time and ordered to third reading.

Assembly Bill 1252—An act to amend Section 71116 of the Public Resources Code, relating to environmental protection.

Bill read second time and ordered to third reading.

Assembly Bill 1823—An act to repeal Section 815.11 of the Civil Code, and to amend Sections 4290.1, 4630.1, and 4630.2 of, to add Section 4005 to, to add Article 10 (commencing with Section 4751) to Chapter 10 of Part 2 of Division 4 of, and to repeal Section 4124.7 of, the Public Resources Code, relating to forestry and fire protection, and declaring the urgency thereof, to take effect immediately.

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 179—An act to amend Sections 3010, 3050.5, 3065, 3066, 11713.3, 11713.13, and 11726 of, to amend, repeal, and add Sections 3050, 3050.1, and 3050.7 of, to add Sections 3065.2, 3065.25, 3065.3, and 3065.4 to, to add and repeal Article 6 (commencing with Section 3085) of Chapter 6 of Division 2 of, and to repeal Article 3 (commencing with Section 3052) of Chapter 6 of Division 2 of, the Vehicle Code, relating to new motor vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1628—An act to amend Sections 56668 and 65040.12 of the Government Code, and to amend Section 30107.3 of the Public Resources Code, relating to environmental justice.

Bill read second time and ordered to third reading.

Assembly Bill 1319—An act to add Section 48204.7 to the Education Code, relating to migrant education.

Bill read second time and ordered to third reading.

Assembly Bill 1393—An act to amend Section 33540.6 of the Education Code, relating to pupil instruction.

Bill read second time and ordered to third reading.

Assembly Bill 520—An act to amend Section 1720 of the Labor Code, relating to public works.

Bill read second time and ordered to third reading.



Assembly Bill 761—An act to amend Section 15301 of the Government Code, relating to homelessness.

Bill read second time and ordered to third reading.

Assembly Joint Resolution 10—Relative to vehicular air pollution.

Resolution read second time and ordered to third reading.

Assembly Bill 1188—An act to add and repeal Section 1942.8 of the Civil Code, relating to residential rental property.

Bill read second time and ordered to third reading.

Assembly Bill 128—An act to amend Section 1834.8 of the Civil Code, and to amend Section 24106 of the Food and Agricultural Code, relating to equines.

Bill read second time and ordered to third reading.

Assembly Bill 864—An act to amend Sections 84305, 84501, 84502, 84503, 84504.2, 84504.3, 84504.4, 84504.5, 84504.6, 84511, and 85704 of, and to repeal Section 84503.5 of, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

Assembly Bill 1743—An act to amend Sections 53340, 65008, and 65589.5 of the Government Code, relating to local government.

Bill read second time and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Human Services

Date of Hearing, August 26, 2019

Mr. President: The Committee on Human Services, to which was referred:

AJR 14

Reports the same back with the recommendation: Be adopted as amended, and be ordered to the consent calendar.

HURTADO, Chair

Above resolution ordered to second reading.

Committee on Appropriations

Senate Chamber, August 26, 2019

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

AB 1407

Reports the same back with the recommendation: That the above bill be ordered to second reading pursuant to Senate Rule 28.8.

PORTANTINO, Chair

Above bill ordered to second reading.



Committee on Budget and Fiscal Review

Senate Chamber, August 27, 2019

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

AB 121

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

MITCHELL, Chair

Second Reading of Bills—Author's Amendments**Assembly Bill 121**—An act relating to the Budget Act of 2019.

Bill read second time.

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

Committee on Rules

Senate Chamber, August 27, 2019

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

SR 62

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

ATKINS, Chair

Second Reading of Bills—Author's Amendments**Senate Resolution 62**—Relative to the Royal Chicano Air Force 50th Anniversary.

Resolution read second time.

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

Committee on Judiciary

Date of Hearing, August 27, 2019

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

ACR 99

AJR 19

Reports the same back with the recommendation: Be adopted as amended.

JACKSON, Chair

Above resolutions ordered to second reading.



Date of Hearing, August 27, 2019

Mr. President: The Committee on Judiciary, to which was referred:
AJR 16

Reports the same back with the recommendation: Be adopted and be ordered to the consent calendar.

JACKSON, Chair

Above resolution ordered to second reading.

Committee on Rules

Senate Chamber, August 27, 2019

Mr. President: The Committee on Rules has examined:

SB 20	SB 129	SB 134	SB 141
SB 143	SB 234	SB 259	SB 271
SB 316	SB 355	SB 400	SB 402
SB 419	SB 496	SB 540	SB 543
SB 557	SB 570	SB 657	SB 671
SB 677	SB 699	SB 743	SB 779
SB 781	SB 788	SB 789	

And reports the same have been correctly enrolled and presented to the Governor on the 27th day of August, 2019, at 3 p.m.

ATKINS, Chair

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 Friday, August 30, 2019:

SB 240	SB 413	SB 436	SB 740
SB 790	ACR 22	ACR 113	AB 391

MEASURES WITHDRAWN AND PLACED ON FILE

Without objection, **AB 753** was withdrawn from the Committee on Rules and ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1215—An act to add Section 832.19 to the Penal Code, relating to law enforcement.

Bill read third time.

Amendments Adopted

Amendments to **AB 1215** proposed by Senator Bradford were read and adopted and the measure ordered printed, and to second reading.



Assembly Bill 827—An act to amend Sections 42649.1 and 42649.8 of, and to add Sections 42649.2.5 and 42649.88 to, the Public Resources Code, relating to solid waste.

Bill read third time.

Amendments Adopted

Amendments to **AB 827** proposed by Senator Allen were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 982—An act to amend Section 47605 of, and to add Section 48913.5 to, the Education Code, relating to pupils.

Bill read third time.

Amendments Adopted

Amendments to **AB 982** proposed by Senator Leyva were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 430—An act to add and repeal Section 65913.15 of the Government Code, relating to housing.

Bill read third time.

Amendments Adopted

Amendments to **AB 430** proposed by Senator Nielsen were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1290—An act to add Section 51051.5 to the Health and Safety Code, relating to housing.

Bill read third time.

Amendments Adopted

Amendments to **AB 1290** proposed by Senator Wiener were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1466—An act to add Section 515.7 to the Labor Code, relating to employment.

Bill read third time.

Amendments Adopted

Amendments to **AB 1466** proposed by Senator Durazo were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 1801—An act to amend Sections 19020, 21283, 21283.5, 21285, 21288, 21288.5, 21563, and 21563.5 of, and to repeal Article 9 (commencing with Section 10511) of Chapter 3 of Part 2 of Division 5 of, the Food and Agricultural Code, relating to cattle, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to **AB 1801** proposed by Senator Dahle were read and adopted and the measure ordered printed, and to second reading.



Assembly Bill 1816—An act to amend Sections 1063.1 and 10094.2 of, and to amend, repeal, and add Section 678 of, the Insurance Code, relating to insurance.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1816 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DALY

Permission of Rules Committee

Senate Chamber, August 27, 2019

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1816.

ERIKA CONTRERAS, Designee
(Secretary of the Senate)

Amendments Adopted

Amendments to **AB 1816** proposed by Senator Rubio were read and adopted and the measure ordered printed, and to second reading.

Assembly Bill 220—An act to amend Section 89513 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time.

Amendments Adopted

Amendments to **AB 220** proposed by Senator Skinner were read and adopted and the measure ordered printed, and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 76: By Senator Rubio (Coauthors: Senators Atkins, Bates, Caballero, Chang, Durazo, Galgiani, Lena Gonzalez, Grove, Hurtado, Mitchell, and Skinner) (Coauthors: Assembly Members Bauer-Kahan, Burke, Eggman, Cristina Garcia, Reyes, and Wicks)—Relative to domestic violence.

SENATE COMMITTEE ROLL CALLS

Committee on Human Services

AJR 14—Be adopted as amended and be ordered to the consent calendar

AYES (6)—Senators Beall, Hurtado, Jackson, Pan, Stone, and Wiener.

NOES (0)—None.

Date of Hearing: 8/26/2019

Hurtado, Chair

Committee on Judiciary

ACR 99—Be adopted as amended

AYES (7)—Senators Durazo, Lena Gonzalez, Jackson, Monning, Stern, Umberg, and Wieckowski.

NOES (2)—Senators Borgeas and Jones.



AJR 16—Be adopted and be ordered to the consent calendar

AYES (9)—Senators Borgeas, Durazo, Lena Gonzalez, Jackson, Jones, Monning, Stern, Umberg, and Wieckowski.

NOES (0)—None.

AJR 19—Be adopted as amended

AYES (8)—Senators Borgeas, Durazo, Lena Gonzalez, Jackson, Monning, Stern, Umberg, and Wieckowski.

NOES (0)—None.

Date of Hearing: 8/27/2019

Jackson, Chair

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, August 28, 2019.

NEVA MARIE PARKER, Minute Clerk

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