

CALIFORNIA LEGISLATURE  
2019–20 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY

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**IN SENATE**

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Senate Chamber, Sacramento  
Thursday, March 7, 2019

The Senate met at 9:08 a.m.  
Hon. Mike McGuire, of the 2nd 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,  
Dodd, Durazo, Galgiani, Glazer, 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—37.

Quorum present.

*(NOTE: Senator Chang will be excused this day on personal business.)*



**PRAYER**

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

Nothing in life is to be feared, it is only to be understood. Now is the time to understand more, so that we may fear less.

(By Marie Curie)

*Gracious and merciful God:* Lead us out of the familiar setting of our doubts and fears, beyond our pride and our need to be secure to that space where we can link our passions with courage, our hopes with discipline, and our love with persistence. Help us to listen so that we may understand the cries of the brokenhearted and the struggles of those in danger of losing hope. May those who look to us for leadership experience that courage and competence that is our call.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**PRIVILEGES OF THE FLOOR****SPECIAL INTRODUCTIONS**

Senator Wiener introduced His Excellency Wang Donghua, Consul General of China in San Francisco, in honor of his visit to the California State Senate.

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

**Senate Concurrent Resolution 19**—Relative to Women in Construction Week.

Resolution read third time and presented by Senator Galgiani.

**Roll Call**

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

AYES (37)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, 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.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**PRIVILEGES OF THE FLOOR****SPECIAL RECOGNITIONS**

Senator Galgiani presented a member's resolution to members of the construction industry in recognition of Women in Construction Week.

**SPECIAL INTRODUCTIONS**

Senator Portantino introduced 4th and 5th grade students from Our Lady of the Assumption School in Claremont, in honor of their visit to the California State Senate.



**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 4, 2019                      March 5, 2019                      March 6, 2019  
March 7, 2019

**REPORTS OF STANDING COMMITTEES  
Committee on Rules**

Senate Chamber, March 7, 2019

Mr. President: The Committee on Rules has examined:  
SR 19

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, March 7, 2019

Mr. President: The Committee on Rules has examined:  
SB 48                      SB 58                      SB 69

And reports the same correctly engrossed.

ATKINS, Chair

State Capitol, March 6, 2019

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Keely Bosler, Director, Department of Finance (5-0)

ATKINS, Chair

Above appointment ordered to unfinished business.

State Capitol, March 6, 2019

Mr. President: The Committee on Rules has approved the following:

**JOINT COMMITTEES**

Appointed Senator Galgiani as a member of the Joint Legislative Committee on Emergency Management to fill the existing vacancy

**SELECT COMMITTEES**

Reduced the membership of the Select Committee on Asian Pacific Islander Affairs from 10 to 9 members and removed Senator Wieckowski as a member

Changed the name of the Select Committee on California-Armenia Trade, Art and Cultural Exchange to California, Armenia and Artsakh Mutual Trade, Art and Cultural Exchange

ATKINS, Chair



State Capitol, March 6, 2019

Mr. President: The Committee on Rules has appointed David Valladolid as a member of the California Student Aid Commission for a term ending January 1, 2020.

ATKINS, Chair

**CONSIDERATION OF DAILY FILE (RESUMED)**

**SECOND READING OF SENATE BILLS**

**Senate Resolution 19**—Relative to Greek Independence Day.

Resolution read second time, ordered engrossed, and to third reading.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Concurrent Resolution 13**—Relative to International Women's Day.

Resolution read third time and presented by Senator Jackson.

**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, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution 16**—Relative to a Day of Remembrance.

Resolution read third time and presented by Senator Pan.

**Roll Call**

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

AYES (37)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, 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.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.



**SPECIAL CONSENT CALENDAR**

**Assembly Concurrent Resolution 19**—Relative to Black History Month.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 12**—Relative to a Day of Remembrance.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Assembly Concurrent Resolution 23**—Relative to Abraham Lincoln's birthday.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

*(NOTE: See Special Consent Calendar Roll Call)*

**Special Consent Calendar Roll Call**

The roll was called and the above measures on the special consent calendar passed by the following vote:

AYES (37)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, 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.

NOES (0)—None.

**MOTIONS, RESOLUTIONS AND NOTICES****MOTION TO RECONSIDER (SCR 13)**

Senator Jackson moved that the vote be reconsidered whereby **SCR 13** was adopted and ordered transmitted to the Assembly.

**ROLL CALL**

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

AYES (37)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, 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.

NOES (0)—None.



**Consideration of Senate Concurrent Resolution 13**

**Senate Concurrent Resolution 13**—Relative to International Women's Day.

Resolution read third time and presented by Senator Jackson.

**Roll Call**

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

AYES (37)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dodd, Durazo, Galgiani, Glazer, 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.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**LEAVES OF ABSENCE**

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

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH**

At 9:38 a.m., on motion of Senator Wilk, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Wilk 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 11, 2019.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol  
March 7, 2019

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

GAVIN NEWSOM, Governor



ADHITYA “ADHI” NAGRAJ, has been reappointed to the California Housing Partnership Corporation, where he has served since 2016. Nagraj has been director at San Francisco Bay Area Planning and Urban Research Association since 2018. He was director of development at BRIDGE, Housing Corporation from 2013 to 2018, project manager at MidPen Housing Corporation from 2010 to 2013, project manager at Tenderloin Neighborhood Development Corporation from 2006 to 2010, and associate attorney at Farella, Braun and Martel from 2005 to 2006. Nagraj is a member of Lambda Alpha International. He earned a Juris Doctor degree from Columbia Law School. Reappointed 02/27/2019. Effective 03/04/2019.

Member, California Housing Partnership Corporation, vice, Timothy Onderko, term expired. Term ending 01/01/2022.

LAUREL A. FIRESTONE, has been appointed to the State Water Resources Control Board. Firestone has been co-founder and co-director of the Community Water Center since 2006. She previously served as the director of the Rural Poverty Water Project at the Center on Race, Poverty and the Environment from 2004 to 2006. She served on the Tulare County Water Commission from 2007 to 2012, and co-chaired the Governor’s Drinking Water Stakeholder Group from 2012 to 2014. She earned a Juris Doctor degree from Harvard Law School. Appointed 02/12/2019. Effective 02/28/2019.

Member, State Water Resources Control Board, vice, Felicia Marcus, term expired. Term ending 01/15/2023.

Above appointments and reappointments referred to the Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 7, 2019

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

SCR 17

Above resolution ordered enrolled.

Assembly Chamber, March 7, 2019

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

AB 127

Assembly Chamber, March 7, 2019

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

ACR 40

E. DOTSON WILSON, 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 127**—An act to amend Section 23152 of the Vehicle Code, relating to driving under the influence, and declaring the urgency thereof, to take effect immediately.

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

**Assembly Concurrent Resolution 40**—Relative to School Breakfast Week.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, March 6, 2019

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

**Agriculture**—SB 449.

**Appropriations**—SB 417, SB 418.

**Banking and Financial Institutions**—SB 455.

**Business, Professions and Economic Development**—SB 480, SB 491, SB 556.

**Education**—SB 419, SB 426, SB 443, SB 461, SB 467, SB 478, SB 484, SB 499, SB 541, SB 554, SB 563, SB 568, SB 575, SB 586, SB 594.

**Elections and Constitutional Amendments**—SB 423, SB 431, SB 505, SB 523.

**Energy, Utilities and Communications**—SB 457, SB 497, SB 515, SB 520, SB 524, SB 548, SB 549, SB 550.

**Environmental Quality**—SB 450, SB 519, SB 535, SB 552.

**Governance and Finance**—SB 422, SB 451, SB 477, SB 521, SB 527.

**Governmental Organization**—SB 420, SB 427, SB 469, SB 490, SB 513, SB 553, SB 558.

**Health**—SB 445, SB 446, SB 452, SB 464, SB 503, SB 539, SB 583, SB 589.

**Housing**—SB 573.

**Human Services**—SB 453, SB 470.

**Insurance**—SB 508, SB 570.

**Judiciary**—SB 435, SB 495, SB 561, SB 578.



**Labor, Public Employment and Retirement**—SB 430, SB 530, SB 542, SB 567.

**Natural Resources and Water**—SB 454, SB 474, SB 487, SB 507, SB 551, SB 559, SB 576.

**Public Safety**—SB 429, SB 439, SB 471, SB 485, SB 510, SB 517, SB 536, SB 545, SB 555, SB 557, SB 580.

**Rules**—SB 424, SB 432, SB 436, SB 437, SB 438, SB 442, SB 444, SB 447, SB 456, SB 459, SB 465, SB 466, SB 468, SB 472, SB 473, SB 476, SB 479, SB 483, SB 486, SB 489, SB 494, SB 498, SB 502, SB 504, SB 509, SB 514, SB 516, SB 522, SB 525, SB 531, SB 533, SB 537, SB 538, SB 543, SB 544, SB 546, SB 547, SB 560, SB 564, SB 565, SB 566, SB 569, SB 571, SB 572, SB 577, SB 579, SB 585, SB 587, SB 588, SB 591, SB 592, SB 595, SB 596, SB 597, SB 599.

**Transportation**—SB 460, SB 593.

**Veterans Affairs**—SB 481, SB 500.

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

**Banking and Financial Institutions and Judiciary**—SB 482, SB 496.

**Business, Professions and Economic Development and Governance and Finance**—SB 475.

**Business, Professions and Economic Development and Judiciary**—SB 425, SB 581.

**Education and Governance and Finance**—SB 488.

**Education and Judiciary**—SB 428, SB 493.

**Education and Natural Resources and Water**—SB 462.

**Elections and Constitutional Amendments and Transportation**—SB 511.

**Energy, Utilities and Communications and Judiciary**—SB 506.

**Energy, Utilities and Communications and Natural Resources and Water**—SB 584.

**Governance and Finance and Banking and Financial Institutions**—SB 528.

**Governance and Finance and Governmental Organization**—SB 598.

**Governance and Finance and Housing**—SB 532.

**Governance and Finance and Veterans Affairs**—SB 562.

**Health and Education**—SB 582.



**Health and Environmental Quality**—SB 458, SB 574.

**Health and Governmental Organization**—SB 441.

**Health and Human Services**—SB 440.

**Health and Public Safety**—SB 433.

**Housing and Judiciary**—SB 434.

**Human Services and Governmental Organization**—SB 421, SB 512.

**Insurance and Banking and Financial Institutions**—SB 540.

**Insurance and Judiciary**—SB 534.

**Judiciary and Appropriations**—SB 518, SB 529.

**Natural Resources and Water and Environmental Quality**—SB 463.

**Public Safety and Judiciary**—SB 492.

**Veterans Affairs and Governance and Finance**—SB 501.

The Committee on Rules has referred the following measures to three committees:

**Environmental Quality and Transportation and Housing**—SB 526.

**Health and Judiciary and Rules**—SB 590.

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

**Environmental Quality**—SB 54.

**Judiciary**—SJR 1, SJR 2.

**Transportation**—SCR 21.

The Committee on Rules has re-referred the following measures to two committees:

**Business, Professions and Economic Development and Health**—SB 159.

**Housing and Governmental Organization**—SB 6.

The Committee on Rules has re-referred the following measure to three committees:

**Housing and Governance and Finance and Rules**—SB 4.



**Committee on Elections and Constitutional Amendments**

Senate Chamber, March 7, 2019

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

SB 139

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 139**—An act to amend Section 23004 of the Elections 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 Environmental Quality**

Senate Chamber, March 7, 2019

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

SB 25

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 25**—An act to add Section 21168.6.9 to the Public Resources Code, relating to environmental 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 7, 2019

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

SB 54

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 54**—An act to add Chapter 3 (commencing with Section 42040) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time.

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



**Committee on Rules**

Senate Chamber, March 7, 2019

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

SB 44

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 Bill 44**—An act relating to vehicles.

Bill read second time.

The amendments were read and adopted and the measure 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 Monday, March 11, 2019:

ACR 20            ACR 21            ACR 24            ACR 27

**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 782:** By the Committee on Labor, Public Employment and Retirement (Senators Hill (Chair), Jackson, Mitchell, Morrell, and Pan)—An act to amend Sections 20057, 20161, 20430, 20444, 20963, 20965, 21464, 21482, 22850, 22852, 22866, 22910, 22911, 22913, 22946, 75071, 75109.1, and 75611.5 of, to repeal Section 20837 of, and to repeal and add Section 20963.5 of, the Government Code, relating to public retirement systems, and making an appropriation therefor.

**Senate Bill 783:** By the Committee on Labor, Public Employment and Retirement (Senators Hill (Chair), Jackson, Mitchell, Morrell, and Pan)—An act to amend Sections 31465, 31627.1, 31627.2, and 31631.5 of the Government Code, relating to retirement.

**Senate Bill 784:** By the Committee on Health (Senators Pan (Chair), Durazo, Grove, Hurtado, Leyva, Mitchell, Monning, Rubio, and Stone)—An act to amend Sections 1358.91 and 1358.11 of, and to add Section 1358.92 to, the Health and Safety Code, and to amend Sections 10192.91, 10192.11, 10192.17, and 10192.20 of, and to add Section 10192.92 to, the Insurance Code, relating to Medicare, and declaring the urgency thereof, to take effect immediately.



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

**Senate Joint Resolution 5:** By Senator Beall (Coauthors: Senators Archuleta, Bradford, Caballero, Dodd, Galgiani, Hertzberg, Hueso, McGuire, Mitchell, Roth, Umberg, Wieckowski, and Wiener) (Coauthors: Assembly Members Aguiar-Curry, Chu, Frazier, and O'Donnell)—Relative to California transportation infrastructure.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Dodd requested that when the Senate adjourns this day it do so in memory of McCarrell “Mac” Acklin Crumrine of Petaluma, Mark Duane Miller and John Shafer of Napa, and Jerry Marino of Sonoma.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Douglas Corbin of Richmond and Fred Pecker of San Francisco.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Wilk, the Senate adjourned pursuant to the Senators’ requests until 2 p.m., Monday, March 11, 2019.

NEVA MARIE PARKER, Minute Clerk

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