

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, March 9, 2020

The Senate met at 2 p.m.
Hon. Anna M. Caballero, of the 12th District, presiding.
Secretary Erika Contreras at the Desk.
Assistant Secretary Dylan Goldstein 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,
Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth,
Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senator Skinner will be excused this day due to illness.)



PRAYER

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

Jill Cornell Tarter is an American astronomer and the former director of the SETI Institute, working on the search for extraterrestrial intelligence. She says:

Ultimately, we actually all belong to only one tribe, to Earthlings.

Creative Presence, our God, we wish to be, with Your help, wiser than we are. We thank You for those creative people like Jill Tarter, who search the universe for other life, only to remind us of our need to appreciate the astonishing magnificence of the moving, breathing world of creatures on our own planet.

Mothering Spirit, be with us Earthlings as we come together in our struggles, pooling our wisdom and our energies of hope, convinced that in the end, all will somehow be well.—AMEN.

(Adapted from *Prayers to an Evolutionary God* by William Cleary)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
March 9, 2020

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

CINTHIA N. FLORES, has been appointed to the California Agricultural Labor Relations Board. Flores has been a staff attorney at the Coalition for Humane Immigrant Rights since 2017. Flores served in several positions at the University of California, Los Angeles Labor Center from 2015 to 2017, including Dream Resource Center director and Central America Project manager. Flores was an associate attorney at Holguin, Garfield, Martinez and Quinonez from 2015 to 2016. She is a member of the Health Professions Education Foundation Board of Trustees, treasurer for Latinas Lead California, vice president for the Latina Lawyers Bar Association and a member of the American Immigration Lawyers Association. Appointed 02/12/2020. Effective 03/02/2020.

Member, Agricultural Labor Relations Board, vice, Genevieve A. Shiroma, resigned 01/30/2019. Term ending 01/01/2021.



LOURDES M. CASTRO RAMÍREZ, has been appointed secretary of the Business, Consumer Services and Housing Agency. Castro Ramírez has been president of the University Health Systems Foundation since 2017. She was principal deputy assistant at the U.S. Department of Housing and Urban Development from 2015 to 2017. Castro Ramírez was president and chief executive officer at the San Antonio Housing Authority from 2009 to 2015. She held several positions at the Housing Authority of the City of Los Angeles from 1999 to 2009, including director of housing assistance programs, interim director of the resident relations department, and project director for the jobs plus national demonstration program. Castro Ramírez was a community planner at the Cabrillo Economic Development Corporation from 1996 to 1999. She earned a Master of Arts degree in urban planning from the University of California, Los Angeles. Appointed 01/22/2020. Effective 03/02/2020.

Secretary, Business, Consumer Services and Housing Agency, vice, Alexis A. Podesta, reassigned. Term ending at the pleasure of the Governor.

YOLANDA RICHARDSON, has been appointed secretary of the Government Operations Agency. Richardson has been president at Teloiv Consulting since 2016. She was chief deputy executive director at Covered California from 2011 to 2016. Richardson was chief operating officer at Cal eConnect from 2009 to 2011 and at San Francisco Health Plan from 2007 to 2009. Richardson held several positions at Pac Advantage from 2003 to 2007, including vice president of operations, director of operations and training officer. She is a member of the Sacramento Metro Chamber of Commerce. Appointed 01/22/2020. Effective 03/02/2020.

Secretary, California Government Operations Agency, vice, Marybel Batjer, reassigned. Term ending at the pleasure of the Governor.

ANGELINA M. GALITEVA, has been reappointed to the California Independent System Operator Board of Governors, where she has served since 2011. Galiteva has been president of New Energy Options Inc. since 2003. She was executive director of strategic planning for the Los Angeles Department of Water and Power from 1997 to 2003 and a power analyst at the New York Power Authority from 1994 to 1997. Galiteva was a member of the Office of the Trustee for the California Independent System Operator and California Power Exchange from 1996 to 1997. Galiteva is a member of the American Bar Association and Sustain OC. She is founder and board president of Renewables 100 Policy Institute. She earned a Juris Doctor degree in environmental and international law and a Master of Laws degree in energy law from the Pace University School of Law. Reappointed 02/28/2020. Effective 03/05/2020.

Member, Independent System Operator Governing Board, vice, self, reappointed. Term ending 12/31/2022.



ASHUTOSH A. BHAGWAT, has been reappointed to the California Independent System Operator Board of Governors, where he has served since 2011. Bhagwat has been a professor of law at the University of California, Davis School of Law since 2011. He was an associate at Sidley & Austin from 1992 to 1994. Bhagwat was a law clerk for Justice Anthony Kennedy at the Supreme Court of the United States from 1991 to 1992 and for Judge Richard Posner at the U.S. Court of Appeals, 7th Circuit from 1990 to 1991. He is a member of the American Law Institute. Bhagwat earned a Juris Doctor degree from the University of Chicago Law School. Reappointed 02/28/2020. Effective 03/05/2020.

Member, Independent System Operator Governing Board, vice, self, reappointed. Term ending 12/31/2022.

JAMES M. O'ROURKE, has been reappointed to the Commission on Peace Officer Standards and Training, where he has served since 2017. O'Rourke has served as a sergeant at the California Highway Patrol since 2007, where he held several roles as an officer from 1998 to 2007. He is a member of the California Association of Highway Patrolmen. Reappointed 02/21/2020. Effective 03/02/2020.

Member, Commission on Peace Officer Standards and Training, vice, self, reappointed. Term ending 01/15/2023.

JUDITH MAXWELL GREIG, has been reappointed to the California Student Aid Commission, where she has served since 2016. Greig held several positions at Notre Dame de Namur University from 1988 to 2020, including president, provost, dean of the school of education and leadership, senior advisor to the president, and faculty. She was an adjunct faculty member at San Jose State University from 1987 to 1988 and a teacher at Old Orchard School from 1977 to 1984. She is a member of the Association of Catholic Colleges and Universities, California Campus Contact, the National Association of Independent Colleges and Universities, the Council of Independent Colleges, Wheaton College Scholastic Honor Society, and the Association of Independent California Colleges and Universities. Greig earned a Doctor of Philosophy degree in philosophy of education and a Master of Arts degree in philosophy from Stanford University, and a Master of Arts degree in reading education from Santa Clara University. Reappointed 02/12/2020. Effective 03/02/2020.

Member, California Student Aid Commission, vice, self, reappointed. Term ending 12/31/2023.



GIDEON KRACOV, has been appointed to the South Coast Air Quality Management District Board. Kracov has been owner of the Law Office of Gideon Kracov since 2004. He was a member of the State Mining and Geology Board at the Department on Conservation from 2014 to 2018. Kracov served as a deputy city attorney at the Los Angeles City Attorney’s Office from 2002 to 2004 and was an associate at Rose, Klein, & Marias LLP from 1997 to 2002 and at Weston Benshoof LLP from 1995 to 1997. He earned a Juris Doctor degree from the University of California, Berkeley School of Law. Appointed 02/20/2020. Effective 02/26/2020.

Member, South Coast Air Quality Management District Board, vice, Negar Noushkam, withdrawn 08/28/2019. Term ending 01/15/2023.

Above appointments and reappointments referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 5, 2020

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

SCR 83

Above resolution ordered enrolled.

Assembly Chamber, March 5, 2020

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

ACR 157

ACR 177

SUE PARKER, 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 157—Relative to California Arbor Day.

Assembly Concurrent Resolution 177—Relative to Family Justice Centers.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, March 6, 2020

Madam President: The Committee on Rules has examined:

SB 851

SB 862

SB 868

SB 899

SB 914

SB 915

And reports the same correctly engrossed.

ATKINS, Chair



Senate Chamber, March 9, 2020

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

SB 874

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 874—An act to amend Section 78041 of the Education Code, relating to public postsecondary education.

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 9, 2020

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

SB 800

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 800—An act relating to horse racing.

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 9, 2020

Madam President: The Committee on Rules has examined:

SB 800

SB 874

And reports the same correctly engrossed.

ATKINS, Chair

Committee on Banking and Financial Institutions

Senate Chamber, March 9, 2020

Madam President: The Chair of the Committee on Banking and Financial Institutions, to which was referred:

SB 870

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

BRADFORD, Chair



Second Reading of Bills—Author’s Amendments

Senate Bill 870—An act to add Section 119 to the Corporations Code, relating to corporations.

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 9, 2020

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

SB 897

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 897—An act to amend Section 18140 of the Penal Code, relating to restraining orders.

Bill read second time.

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

**PRIVILEGES OF THE FLOOR
SPECIAL RECOGNITIONS**

Senator Leyva presented a member’s resolution to members of the 2019 women’s volleyball team from California State University, San Bernardino, in recognition of their National Championship winning season.

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

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

Resolution read third time.

Amendments Adopted

Amendments to **ACR 115** proposed by Senator Bradford were read and adopted and the measure ordered printed and to second reading.



MOTIONS, RESOLUTIONS AND NOTICES
MOTION TO WITHDRAW AND PLACE ON FILE

Senator Mitchell moved that **SB 809, SB 810, SB 811, SB 812, SB 813, SB 814, SB 815, SB 816, SB 817, SB 818, SB 819, SB 820, SB 821, SB 822, SB 823, SB 824, SB 825, SB 826, SB 827, SB 828, SB 829, SB 830, SB 831, SB 832, SB 833, SB 834, SB 835, SB 836, SB 837, SB 838, SB 839, SB 840, SB 841, SB 842, SB 843, SB 844, SB 845, SB 846, SB 847, and SB 848** be withdrawn from the Committee on Budget and Fiscal Review, and that the measures be ordered to second reading.

Roll Call

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

AYES (28)—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, Stern, Umberg, Wieckowski, and Wiener.

NOES (10)—Senators Bates, Borgeas, Chang, Dahle, Grove, Jones, Moorlach, Morrell, Nielsen, and Wilk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS

Consideration of Governor's Appointments

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

CONNIE J. GIPSON, Director, Division of Adult Institutions, Department of Corrections and Rehabilitation.

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 (38)—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, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Consideration of Governor's Appointments

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

HON. MIKE MCGUIRE, Commissioner, Pacific States Marine Fisheries Commission.

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, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

REQUESTS TO BE ADDED TO ROLL CALL

March 9, 2020

Madam Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

Motion to Withdraw—Aye GOV# 1—Aye

GOV# 2—Aye

TONI G. ATKINS, President pro Tempore

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day due to illness: Senator Skinner.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 2:31 p.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 Tuesday, March 10, 2020.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Housing

Senate Chamber, March 9, 2020

Madam President: The Chair of the Committee on Housing, to which was referred:

SB 902

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

WIENER, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 902—An act to amend Section 65400 of the Government Code, relating to land use.

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 9, 2020

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

SB 916

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 916—An act to amend Section 14131 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Jackson requested that when the Senate adjourns this day it do so in memory of Rosalind Palmer Walter of Manhattan, NY.

Senator Beall requested that when the Senate adjourns this day it do so in memory of Susan Hammer of San Jose.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Eric Paul Lehman of Napa.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Bonnie Wheatley of Alameda.

Senator Wilk requested that when the Senate adjourns this day it do so in memory of Ruben Zepeda of Pearblossom.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, March 10, 2020.

MATHEW BURNS, Minute Clerk

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