

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 26, 2020

The Senate met at 9 a.m.
Hon. Jerry Hill, of the 13th District, presiding.
Secretary Erika Contreras at the Desk.
Assistant Secretary Heshani Wijemanne reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Lena Gonzalez, Grove, Hertzberg, Hill, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk—34.

Quorum present.

(NOTE: Senators Bates, Borgeas, and Glazer will be excused this day to adhere to California Department of Public Health guidelines regarding coronavirus (COVID-19). Senators Hurtado and Melendez will be excused this day on personal business. Senator Hueso will be excused this day due to illness.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

May 26, 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

VICTORIA A. HASSID, has been appointed chair of the California Agricultural Labor Relations Board. Hassid has served as chief deputy director at the California Department of Industrial Relations since 2018, where she has served in several positions since 2012, including deputy director of legislation and policy and special counsel. Hassid served as a deputy appointments secretary in the Office of the Governor from 2011 to 2012 and as a post-graduate research assistant at the University of California, Davis School of Law in 2010, where she was a research assistant from 2008 to 2010. She was a summer law clerk at the U.S. Environmental Protection Agency and a legal intern at the Yolo County Counsel's Office in 2009 and a legal policy intern at the Planning Conservation League in 2008. Hassid was a regional sales manager at Education First from 2006 to 2007. Hassid earned a Juris Doctor degree from the University of California, Davis School of Law. Appointed 02/12/2020. Effective 05/18/2020.

Member, California Agricultural Labor Relations Board, vice Isadore Hall, reassigned. Term ending 01/01/2025.

ERIN M. CHOI, has been appointed to the California Exposition and State Fair Board of Directors. Choi has been corporate counsel at Sutter Health since 2020. She was corporate counsel at the California Dental Association from 2019 to 2020 and senior corporate counsel at PowerSchool Group LLC from 2017 to 2019. She was an attorney at Carr and Ferrell LLP from 2016 to 2017. Choi earned a Juris Doctor degree from the University of California, Davis School of Law. Appointed 05/08/2020. Effective 05/16/2020.

Member, California Exposition and State Fair Board of Directors, vice, Patrick J. O'Brien, term expired. Term ending 01/01/2021.



MICHAEL RICHWINE, has been appointed state fire marshal at the California Department of Forestry and Fire Protection (CAL FIRE), where he has been the acting state fire marshal since 2018 and assistant state fire marshal since 2012. Richwine has served in several positions in the Office of the State Fire Marshal, including as division chief for State Fire Training from 2005 to 2012, division chief for fire engineering/arson and bomb from 2002 to 2005, deputy state fire marshal III specialist, operations coordinator from 2000 to 2002, deputy state fire marshal III specialist, certified unified program agency coordinator from 1997 to 1999, fire service training specialist III from 1992 to 1997, and deputy state fire marshal from 1986 to 1992. He was a firefighter for the City of Hanford Fire Department from 1980 to 1986. Richwine also served for six years on CAL FIRE Incident Management Teams and is a member of the National Association of State Fire Marshals, California Fire Chiefs Association, International Code Council, Society of Fire Protection Engineers, and National Fire Protection Association. Appointed 05/15/2020. Effective 05/20/2020.

State Fire Marshal, California Department of Forestry and Fire Protection, vice, Dennis M. Mathisen, resigned 12/28/2018. Term ending at the pleasure of the Governor.

ROBERT M. SHIREMAN, has been appointed to the Western Interstate Commission for Higher Education. Shireman has been senior fellow and director of higher education excellence at the Century Foundation since 2015. He was executive director at California Competes: Higher Education for a Strong Economy from 2010 to 2015. Shireman was deputy undersecretary at the U.S. Department of Education from 2009 to 2010. He was president of the Institute for College Access and Success (TICAS) from 2004 to 2009. Shireman was senior fellow at the Program on Education and Society, Aspen Institute from 2003 to 2004. He was program director for higher education at the James Irvine Foundation from 1998 to 2002 and was senior policy advisor at the National Economic Council from 1996 to 1998. He was education advisor and legislative director for United States Senator Paul Simon from 1989 to 1996. Shireman was a policy analyst at the West Coast Regional Office for the Consumers Union of the United States, Inc. from 1986 to 1988. He earned a Master of Education degree from Harvard University and a Master of Public Administration degree from the University of San Francisco. Shireman is a member of the boards of the Opportunity Institute and uAspire. Appointed 05/08/2020. Effective 05/21/2020.

Member, Western Interstate Commission for Higher Education, vice, Dianne Harrison, not confirmed. Term ending 10/12/2022.

Above appointments referred to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 16, 2020

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

ACR 182

SUE PARKER, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 182—Relative to Down syndrome awareness.

COMMUNICATIONS AND PETITIONS

The following letter was ordered printed in the Journal:

May 26, 2020

*Ms. Erika Contreras**Secretary of the Senate*

Dear Secretary Contreras: Pursuant to Senate Resolution 86 and effective immediately, I am writing to inform you that I am making the following committee assignments to the Senate Energy, Utilities and Communications Committee for today only—Tuesday, May 26, 2020:

Assigning Senator Jerry Hill (D-San Mateo) as Chair of this committee.

Assigning Senator Richard Pan (D-Sacramento) to replace Senator Ben Hueso (D-San Diego) on this committee.

Thank you and if you have questions, please contact Kimberly Rodriguez in my office at 916-651-4039.

Sincerely,

TONI G. ATKINS

President pro Tempore

Senator, 39th District

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, May 26, 2020

Mr. President: The Committee on Rules has examined:

SB 1238

SB 1300

SB 1347

SB 1409

And reports the same correctly engrossed.

ATKINS, Chair



Senate Chamber, May 26, 2020

Mr. President: The Committee on Rules has examined:

SB 998

And reports the same correctly engrossed.

ATKINS, Chair

Committee on Housing

Date of Hearing, May 26, 2020

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

SB 795 SB 902 SB 1138 SB 1299

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

WIENER, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, May 26, 2020

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

SB 899 SB 1085

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

WIENER, Chair

Above bills ordered to second reading.

Date of Hearing, May 26, 2020

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

SB 1030

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

WIENER, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Labor, Public Employment and Retirement

Senate Chamber, May 26, 2020

Mr. President: The Chair of the Committee on Labor, Public Employment and Retirement, to which was referred:

AB 1107

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

HILL, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1107—An act to add and repeal Section 1280.5 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

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

Senate Chamber, May 26, 2020

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

AB 353

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

Assembly Bill 353—An act to amend Section 42370.4 of the Public Resources Code, relating to solid waste.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 353 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MURATSUCHI

Permission of Rules Committee

Senate Chamber, May 26, 2020

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 353.

ERIKA CONTRERAS, Designee
(Secretary of the Senate)

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

Senate Chamber, May 26, 2020

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

SB 1156

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 1156—An act to add Chapter 7.9 (commencing with Section 42435) to Part 3 of Division 30 of the Public Resources Code, relating to hazardous waste.

Bill read second time.

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

Senate Chamber, May 26, 2020

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

SB 1185

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 1185—An act to add Article 9.3 (commencing with Section 42000) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, and to amend Section 8385 of, and to add Section 8388.5 to, the Public Utilities Code, relating to nonvehicular 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 Appropriations

Senate Chamber, May 26, 2020

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

SB 794

SB 1192

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 794—An act to amend Sections 8593.3 and 8593.4 of, and to add Section 8593.5 to, the Government Code, relating to state government.

Bill read second time.

Senate Bill 1192—An act to add Sections 11401.5, 11401.6, and 11401.7 to the Insurance Code, relating to insurance.

Bill read second time.

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



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

Senate Bill 908—An act to amend Sections 1788.11 and 1788.52 of the Civil Code, and to add Division 24 (commencing with Section 90000) to the Financial Code, relating to debt collectors.

Bill read second time.

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

Senate Bill 1148—An act to amend Sections 2924f and 2924l of the Civil Code, relating to civil law.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to consent calendar.

Senate Bill 1003—An act to amend Section 115800 of the Health and Safety Code, relating to recreational safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 1105—An act to amend Section 664.6 of the Code of Civil Procedure, relating to civil actions.

Bill read second time and ordered to consent calendar.

Senate Bill 1305—An act to amend Section 5600 of the Probate Code, relating to revocable transfer on death deeds.

Bill read second time and ordered to consent calendar.

Senate Bill 1371—An act to amend Sections 107, 152, 740, 805.8, 4052.02, 5552.1, 5616, 6400, 6787, 7071.17, 7169, 8030.6, 9882.6, 11267, 19912, 19914, 24045.78, 25503.32, 25622, 25668, and 26001 of the Business and Professions Code, to amend Sections 52.6, 53.5, 1102.2, 1102.6, 1102.6f, 1103.1, 1459.5, 1798.82, 1798.140, 1798.145, and 1946.2 of the Civil Code, to amend Sections 336a, 430.10, 699.520, and 1002.5 of, and to amend and renumber Section 3493/4 of, the Code of Civil Procedure, to amend Sections 7211, 9211, 12351, and 15911.21 of the Corporations Code, to amend Sections 212.1, 215.5, 231.6, 8280, 8280.1, 8430.5, 8434.6, 8439.5, 8801, 14002, 17070.15, 17070.51, 17219, 38134, 41207.47, 41580, 42238.02, 44212, 44253.10, 44328, 44468, 45113, 45500, 46600, 47604.33, 47605, 47605.1, 47605.3, 47605.7, 47606, 47606.5, 47607, 47607.3, 47607.8, 47611.5, 47612.7, 48600, 48850, 49414.1, 51220, 51226.7, 51747.3, 52064, 52064.5, 52065, 56836.40, 56477, 60630, 60641, 66014.2, 66022.5, 66025.9, 66281.7, 68120, 69617, 76004, 78042, 78300, 78401, 79020, 84750.4, 87489, and 94801.5 of the Education Code, to amend Sections 2170, 3019, 3019.5, 6000.2, 6360, 6581, 6781, and 15620 of the Elections Code, to amend Sections 1010.5



and 1038.2 of the Evidence Code, to amend Sections 3011 and 17306.1 of the Family Code, to amend Section 18027 of the Financial Code, to amend Section 2210 of the Fish and Game Code, to amend Sections 4101.3, 6046, 9221, and 29302 of the Food and Agricultural Code, to amend Sections 6253.21, 6254.35, 6259, 7603, 8586.7, 8592.20, 8654.2, 8654.3, 8654.5, 8654.7, 8654.9, 8654.10, 8669.3, 12832, 12835, 12926, 12950.1, 13070.5, 13293.5, 13957, 14463, 15600, 15820.926, 15820.946, 17581.6, 17581.7, 20683.9, 20683.91, 20825.15, 22874.9, 22944.5, 27361.4, 31631.5, 54221, 54230.5, 54237, 64502, 64623, 64625, 64626, 64636, 64650, 64652, 65039, 65302, 65583.1, 65583.2, 65584.08, 65585, 65651, 65852.2, 65913.4, 66000.5, 66013, 66300, 66452.26, 66452.27, 68085, 68651, 69614.3, 100002, 100046, 100509, and to amend the heading of Article 7 (commencing with Section 12580) of Chapter 6 of Part 2 of Division 3 of Title 2 of, and to amend and renumber the heading of Article 12 (commencing with Section 53170) of Chapter 1 of Part 1 of Division 2 of Title 5, and to amend and renumber the heading of Title 7.9 (commencing with Section 68055) of, the Government Code, to amend Sections 1206, 1348.95, 1358.92, 1368.015, 1385.045, 1502.35, 1596.86, 1797.223, 25160, 25205.15, 39037.5, 39960, 40100.6.5, 50406, 50515.02, 50675.14, 50952, 53594, 116378, 116765, 116770, 120372, 120372.05, and 124241 of the Health and Safety Code, to amend Sections 1067.11, 1192, 10127.19, 10176.11, 10181.3, 10192.92, and 10235.45 of the Insurance Code, to amend Sections 220, 1197.1, 2750.3, 6709, and 9040 of the Labor Code, to amend Sections 55 and 412.5 of the Military and Veterans Code, to amend Sections 647, 4011.3, and 6102 of the Penal Code, to amend Section 15004 of the Probate Code, to amend Section 3502 of the Public Contract Code, to amend Sections 3201, 3202, 3205.7, 4592.5, 4630.1, 21080.27, 25402, 26011.8, 42971, 71205.3, and 75241 of the Public Resources Code, to amend Sections 216, 365.3, 387, 399.13, 399.19, 454.5, 714, 783, 854, 2892.1, 2898, 8386, 8386.3, and 105020 of the Public Utilities Code, to amend Sections 214, 4675, and 41137 of, and to amend and renumber the heading of Article 25 (commencing with Section 18910) of Chapter 3 of Part 10.2 of Division 2 of, the Revenue and Taxation Code, to amend Section 1095 of the Unemployment Insurance Code, to amend Sections 2810.1, 3065.2, 11202, and 34500 of the Vehicle Code, to amend Section 13177.5 of the Water Code, to amend Sections 148.2, 5555, 5886, 11004, 11374, 11450, 11462.015, 11462.04, 11463, 12304.4, 12306.1, 12306.16, 12309.1, 13279, 13280, 14005.18, 14182.17, 14197.7, 14413, 15204.35, 16521.8, 17600.50, 18285, and 18951 of the Welfare and Institutions Code, to amend Section 5.7 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), to amend Section 8 of the Santa Clarita Valley Water Agency Act (Chapter 833 of the Statutes of 2017), to amend Section 69 of Chapter 51 of the Statutes of 2019, to amend Section 2 of Chapter 193 of the Statutes of 2019, to amend Section 2 of Chapter 194 of the Statutes of 2019, to amend Sections 5, 7, 8, 9, and 11 of Chapter 752 of the Statutes



of 2019, and to amend Section 1 of Chapter 819 of the Statutes of 2019, relating to the maintenance of the codes.

Bill read second time, ordered engrossed, and to consent calendar.

**MOTIONS, RESOLUTIONS AND NOTICES
UNANIMOUS CONSENT TO TAKE MEASURES
FROM INACTIVE FILE**

Without objection, **AB 240** was taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 240

Assembly Bill 240—An act to amend Sections 1010, 1012, 1023, 1025, and 1043 of, and to add Sections 1023.1, 1023.2, and 1023.3 to, the Military and Veterans Code, relating to veterans' homes.

Bill read second time.

Amendments Adopted

Amendments to **AB 240** proposed by Senator Archuleta were read and adopted and the measure ordered printed, and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Energy, Utilities and Communications

SB 1058—Do pass as amended and re-refer to the Committee on Appropriations

AYES (10)—Senators Bradford, Dodd, Hertzberg, Hill, McGuire, Pan, Rubio, Skinner, Stern, and Wiener.

NOES (3)—Senators Chang, Dahle, and Moorlach.

SB 1069—Do pass as amended and re-refer to the Committee on Appropriations

AYES (10)—Senators Bradford, Dodd, Hertzberg, Hill, McGuire, Pan, Rubio, Skinner, Stern, and Wiener.

NOES (2)—Senators Dahle and Moorlach.

SB 1130—Do pass as amended and re-refer to the Committee on Appropriations

AYES (11)—Senators Bradford, Chang, Dodd, Hertzberg, Hill, McGuire, Pan, Rubio, Skinner, Stern, and Wiener.

NOES (2)—Senators Dahle and Moorlach.

SB 1215—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Dodd, Hertzberg, Hill, McGuire, Pan, Rubio, Skinner, Stern, and Wiener.

NOES (0)—None.

SB 1312—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Dodd, Hertzberg, Hill, McGuire, Pan, Rubio, Skinner, Stern, and Wiener.

NOES (0)—None.



SB 1448—Do pass as amended and re-refer to the Committee on Appropriations

AYES (12)—Senators Bradford, Chang, Dahle, Dodd, Hertzberg, Hill, McGuire, Pan, Rubio, Skinner, Stern, and Wiener.

NOES (0)—None.

Date of Hearing: 5/26/2020

Hill, Chair

Committee on Housing

SB 795—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Caballero, Durazo, McGuire, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (2)—Senators Moorlach and Morrell.

SB 899—Do pass as amended and re-refer to the Committee on Appropriations

AYES (10)—Senators Caballero, Durazo, McGuire, Moorlach, Morrell, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (0)—None.

SB 902—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Caballero, Durazo, McGuire, Moorlach, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (0)—None.

SB 1030—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (10)—Senators Caballero, Durazo, McGuire, Moorlach, Morrell, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (0)—None.

SB 1085—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Caballero, Durazo, McGuire, Moorlach, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (0)—None.

SB 1138—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Caballero, Durazo, McGuire, Moorlach, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (1)—Senator Morrell.

SB 1299—Do pass and re-refer to the Committee on Appropriations

AYES (10)—Senators Caballero, Durazo, McGuire, Moorlach, Morrell, Roth, Skinner, Umberg, Wieckowski, and Wiener.

NOES (0)—None.

Date of Hearing: 5/26/2020

Wiener, Chair



Committee on Natural Resources and Water

SB 989—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Allen, Caballero, Hertzberg, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

SB 1175—Do pass as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Allen, Hertzberg, Jackson, Monning, and Stern.

NOES (1)—Senator Jones.

SB 1301—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Allen, Caballero, Hertzberg, Jackson, Monning, and Stern.

NOES (0)—None.

SB 1320—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Allen, Caballero, Hertzberg, Jackson, Monning, and Stern.

NOES (1)—Senator Jones.

SB 1380—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Allen, Caballero, Hertzberg, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

Date of Hearing: 5/26/2020

Stern, Chair

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day to adhere to California Department of Public Health guidelines regarding coronavirus (COVID-19): Senators Bates, Borgeas, and Glazer.

The following Senators were granted leaves of absence for the day on personal business: Senators Hurtado and Melendez.

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

ADJOURNMENT

At 4 p.m., the Senate adjourned until 9 a.m., Wednesday, May 27, 2020.

MATHEW BURNS, Minute Clerk

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