

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED EIGHTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, May 28, 2020

The Senate met at 9 a.m.
Hon. Holly J. Mitchell, of the 30th 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, Hurtado, Leyva, McGuire, Melendez, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Wieckowski, Wiener, and Wilk—33.

Quorum present.

(NOTE: Senators Bates, Borgeas, Glazer, Jackson, and Umberg will be excused this day to adhere to California Department of Public Health guidelines regarding coronavirus (COVID-19). Senators Hueso and Jones will be excused this day due to illness.)



COMMUNICATIONS AND PETITIONS

The following letters were ordered printed in the Journal:

May 28, 2020

Ms. Erika Contreras

Secretary of the Senate

Dear Ms. Contreras: Due to this year's COVID-19 pandemic and the shortened legislative calendar, the Rules Committee has decided to have all measures heard by only one policy committee. Because many Senate bills were referred prior to this decision, it is necessary to amend those previous double and triple referrals. To accomplish this, I would like to respectfully request the Senate rescind all second and third referrals on the following Senate measures (only second and third referrals are shown—see below).

The decision to refer a bill to only one policy committee in no way sets a new precedent as it relates to these referrals or committee jurisdictions as outlined in Senate Rule 12.

SB 794 (E.,U.&C./JUD)	SB 973 (JUD)
SB 795 (Housing/ED)	SB 980 (Pub.S.)
SB 800 (B.,P.&E.D.)	SB 983 (JUD)
SB 802 (E.,U.&C.)	SB 994 (E.&C.A.)
SB 804 (E.,U.&C.)	SB 1001 (JUD)
SB 807 (E.,U.&C.)	SB 1007 (V.A.)
SB 850 (JUD)	SB 1008 (JUD)
SB 855 (JUD)	SB 1013 (L.,P.E.&R.)
SB 870 (JUD)	SB 1025 (Gov.&F.)
SB 871 (E.&C.A.)	SB 1028 (N.R.&W.)
SB 873 (Gov.&F.)	SB 1042 (B.,P.&E.D.)
SB 885 (Health/JUD)	SB 1044 (G.O./JUD)
SB 891 (ED)	SB 1052 (Gov.&F.)
SB 899 (E.Q./Gov.&F.)	SB 1053 (JUD)
SB 907 (V.A.)	SB 1054 (JUD)
SB 908 (JUD)	SB 1057 (Gov.&F.)
SB 913 (JUD)	SB 1063 (Human S.)
SB 917 (Gov.&F./JUD)	SB 1069 (G.O.)
SB 933 (Human S.)	SB 1071 (V.A.)
SB 937 (JUD)	SB 1072 (JUD)
SB 938 (JUD)	SB 1079 (Gov.&F./Housing)
SB 940 (Housing)	SB 1084 (JUD)
SB 955 (Gov.&F./JUD)	SB 1085 (Gov.&F.)
SB 956 (G.O./ED)	SB 1086 (JUD)
SB 958 (Human S.)	SB 1091 (Pub.S.)
SB 969 (JUD)	SB 1096 (E.Q.)
SB 971 (Gov.&F.)	SB 1100 (E.Q./G.O.)



SB 1102 (JUD)	SB 1295 (E.&C.A.)
SB 1106 (B.,P.&E.D.)	SB 1302 (JUD)
SB 1115 (JUD/B.,P.&E.D.)	SB 1306 (Agri.)
SB 1125 (Gov.&F.)	SB 1314 (E.,U.&C.)
SB 1126 (JUD)	SB 1320 (E.Q.)
SB 1128 (Health/JUD)	SB 1323 (N.R.&W.)
SB 1129 (JUD)	SB 1324 (V.A.)
SB 1142 (JUD)	SB 1329 (N.R.&W./Gov.&F.)
SB 1156 (Pub.S.)	SB 1340 (B.,P.&E.D.)
SB 1161 (JUD)	SB 1342 (Health)
SB 1168 (B.,P.&E.D.)	SB 1348 (E.Q.)
SB 1173 (JUD)	SB 1349 (N.R.&W.)
SB 1175 (JUD)	SB 1352 (E.Q.)
SB 1180 (E.&C.A.)	SB 1353 (JUD)
SB 1182 (Pub.S.)	SB 1361 (E.Q.)
SB 1183 (Trans.)	SB 1362 (N.R.&W.)
SB 1185 (E.,U.&C.)	SB 1363 (Trans./Housing)
SB 1198 (E.,U.&C./JUD)	SB 1369 (Health)
SB 1199 (Ins.)	SB 1372 (N.R.&W.)
SB 1200 (Human S.)	SB 1378 (JUD)
SB 1201 (Housing)	SB 1389 (ED)
SB 1230 (Gov.&F.)	SB 1402 (G.O.)
SB 1233 (E.,U.&C.)	SB 1407 (B.,P.&E.D.)
SB 1251 (Pub.S.)	SB 1408 (Gov.&F.)
SB 1253 (Health)	SB 1445 (JUD)
SB 1258 (E.Q.)	SB 1446 (Human S.)
SB 1271 (JUD)	SB 1450 (Gov.&F.)
SB 1273 (E.Q.)	SB 1457 (B.,P.&E.D.)
SB 1274 (JUD)	SB 1467 (ED)
SB 1280 (Gov.&F.)	SCA 6 (E.&C.A.)

Thank you for your favorable consideration of this request.

Sincerely,
TONI G. ATKINS
President pro Tempore
Senator, 39th District



May 28, 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 Environmental Quality Committee and the Senate Transportation Committee for their hearings on Friday, May 29, 2020 only:

Replacing Senator Patricia Bates (R-Laguna Niguel) with Senator Shannon Grove (R-Bakersfield) on the Senate Transportation Committee.

Replacing Senator Nancy Skinner (D-Berkeley) with Senator Mike McGuire (D-Healdsburg) on the Senate Environmental Quality 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

May 28, 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 assignment to the Senate Appropriations Committee for the hearing on Monday, June 1, 2020 only:

Replacing Senator Brian Jones (R-Santee) with Senator Scott Wilk (R-Santa Clarita).

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 28, 2020

Madam President: The Committee on Rules has examined:

SB 899

SB 1085

And reports the same correctly engrossed.

ATKINS, Chair



State Capitol, May 28, 2020

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

Elections and Constitutional Amendments—AB 860.

State Capitol, May 27, 2020

Madam President: The Committee on Rules has made the following appointments:

Reappointed Ken Malbrough as a member of the Board of Registered Nursing for a term ending on June 1, 2024.

ATKINS, Chair

State Capitol, May 27, 2020

Madam President: The Committee on Rules has approved the following:

STANDING COMMITTEES

Appointed Senator Leyva as a member of the Appropriations Committee to fill the vacancy.

Appointed Senator Melendez as a member of the Budget and Fiscal Review Committee to replace Senator Borgeas who will no longer serve on the committee.

Appointed Senator Melendez as a member of the Health Committee to replace Senator Nielsen who will no longer serve on the committee. Senator Melendez will serve as the Vice-Chair of the committee.

Appointed Senator Melendez as a member of the Human Services Committee to fill the vacancy.

Appointed Senator Melendez as a member of the Transportation Committee to replace Senator Moorlach who will no longer serve on the committee.

SUBCOMMITTEE RATIFICATION

Ratified the appointment of Senator Melendez as a member of the Budget and Fiscal Review Subcommittee No. 3 on Health and Human Services to replace Senator Borgeas who will no longer serve on the committee.

ATKINS, Chair

State Capitol, May 27, 2020

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

Toks A. Omishakin, Director, Department of Transportation (4–0)

ATKINS, Chair

Above appointment ordered to unfinished business.



State Capitol, May 27, 2020

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

Marybel Batjer, President, Public Utilities Commission (4–0)

ATKINS, Chair

Above appointment ordered to unfinished business.

Committee on Elections and Constitutional Amendments

Senate Chamber, May 28, 2020

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

AB 860

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

Assembly Bill 860—An act to add Section 3000.5 to the Elections Code, relating to elections, 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 Governmental Organization

Senate Chamber, May 28, 2020

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

SCA 6

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

DODD, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to gambling.

Resolution 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

Date of Hearing, May 28, 2020

Madam President: The Committee on Governance and Finance, to which was referred:

SB 1049

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

MCGUIRE, Chair

Above bill ordered to second reading.

Date of Hearing, May 28, 2020

Madam President: The Committee on Governance and Finance, to which were referred:

SB 952

SB 972

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

MCGUIRE, Chair

Above bills ordered to second reading.

Date of Hearing, May 28, 2020

Madam President: The Committee on Governance and Finance, to which were referred:

SB 1120

SB 1300

SB 1385

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

MCGUIRE, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Senate Chamber, May 28, 2020

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

AB 1324

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

Assembly Bill 1324—An act to amend Sections 13300, 13301, and 16010.6 of the Welfare and Institutions Code, relating to foster children.

Bill read second time.

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



Date of Hearing, May 22, 2020

Madam President: The Committee on Judiciary, to which was referred:
SB 1146

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

JACKSON, Chair

Above bill ordered to second reading.

Date of Hearing, May 22, 2020

Madam President: The Committee on Judiciary, to which were referred:
SB 999 SB 1157

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

JACKSON, Chair

Above bills ordered to second reading.

Date of Hearing, May 22, 2020

Madam President: The Committee on Judiciary, to which were referred:

SB 915 SB 939 SB 980
SB 1079 SB 1141 SB 1190

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

JACKSON, Chair

Above bills ordered to second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill 1380—An act to add Section 33202.5 to the Public Resources Code, relating to the Santa Monica Mountains Conservancy.

Bill read second time.

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

Senate Bill 1196—An act to amend Section 396 of the Penal Code, relating to price gouging.

Bill read second time.

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

SENATE COMMITTEE ROLL CALLS Committee on Governance and Finance

SB 952—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Beall, Hurtado, McGuire, Moorlach, Nielsen, and Wiener.

NOES (0)—None.



SB 972—Do pass as amended and re-refer to the Committee on Appropriations

AYES (4)—Senators Beall, Hertzberg, McGuire, and Wiener.

NOES (2)—Senators Moorlach and Nielsen.

SB 1049—Do pass as amended

AYES (6)—Senators Beall, Hertzberg, Hurtado, McGuire, Nielsen, and Wiener.

NOES (1)—Senator Moorlach.

SB 1120—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hertzberg, Hurtado, McGuire, Moorlach, Nielsen, and Wiener.

NOES (0)—None.

SB 1300—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Beall, Hurtado, McGuire, Nielsen, and Wiener.

NOES (0)—None.

SB 1349—Reconsideration granted

AYES (7)—Senators Beall, Hertzberg, Hurtado, McGuire, Moorlach, Nielsen, and Wiener.

NOES (0)—None.

SB 1385—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Beall, Hurtado, McGuire, Moorlach, Nielsen, and Wiener.

NOES (0)—None.

Date of Hearing: 5/28/2020

McGuire, 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, Glazer, Jackson, and Umberg.

The following Senators were granted leaves of absence for the day due to illness: Senators Hueso and Jones.

ADJOURNMENT

At 4 p.m., the Senate adjourned until 9 a.m., Friday, May 29, 2020.

MATHEW BURNS, Minute Clerk

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