

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED ELEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, August 5, 2020

The Senate met at 9 a.m.
Hon. William W. Monning, of the 17th 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, Bates, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Lena Gonzalez, Grove, Hertzberg, Hill, Hueso, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Pan, Portantino, Roth, Rubio, Skinner, Umberg, Wieckowski, Wiener, and Wilk—33.

Quorum present.

(NOTE: Senator Hurtado will be excused this day on legislative business, waiving per diem. Senators Beall, Glazer, Morrell, Nielsen, and Stern will be excused this day to adhere to California Department of Public Health guidelines regarding coronavirus (COVID-19). Senator Melendez will be excused this day on personal business.)



REPORTS OF STANDING COMMITTEES**Committee on Judiciary**

Senate Chamber, August 5, 2020

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

AB 2463

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 2463—An act to amend Sections 703.150 and 704.760 of, and to add Section 699.730 to, the Code of Civil Procedure, relating to civil actions.

Bill read second time.

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

Senate Chamber, August 5, 2020

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

AB 3262

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 3262—An act to add Section 1714.46 to the Civil Code, relating to civil liability.

Bill read second time.

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

Committee on Labor, Public Employment and Retirement

Senate Chamber, August 5, 2020

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

AB 3216

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 3216—An act to amend Section 12945.2 of the Government Code, to amend Sections 245.5, 246, and 246.5 of, and to add Section 2810.8 to, the Labor Code, and to amend Section 2708 of the Unemployment Insurance Code, relating to employment, 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 Natural Resources and Water

Date of Hearing, August 5, 2020

Mr. President: The Committee on Natural Resources and Water, to which were referred:

AB 2809 AB 3226

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.

STERN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, August 5, 2020

Mr. President: The Committee on Natural Resources and Water, to which was referred:

AB 1426

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

STERN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, August 5, 2020

Mr. President: The Committee on Natural Resources and Water, to which was referred:

AB 2800

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

STERN, Chair

Above bill ordered to second reading.



Date of Hearing, August 5, 2020

Mr. President: The Committee on Natural Resources and Water, to which was referred:

AB 1071

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

STERN, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing, August 4, 2020

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

AB 326

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

BEALL, Chair

Above bill ordered to second reading.

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

Assembly Bill 2788—An act to amend Section 1798.98 of the Civil Code, and to amend Sections 8380 and 8381 of the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 3242—An act to amend Section 1799.111 of the Health and Safety Code, to amend Section 5151 of, and to add Section 5150.5 to, the Welfare and Institutions Code, relating to mental health.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 1976—An act to amend Sections 5346, 5347, 5348, 5349, and 5349.1 of, and to repeal Section 5349.5 of, the Welfare and Institutions Code, relating to mental health.

Bill read second time.

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



Assembly Bill 2276—An act to amend Section 105285 of, and to add Section 105301 to, the Health and Safety Code, and to amend Section 14132 of, and to add Section 14132.5 to, the Welfare and Institutions Code, relating to public health.

Bill read second time.

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

Assembly Bill 2360—An act to add Section 1367.626 to the Health and Safety Code, and to add Section 10123.868 to the Insurance Code, relating to mental health.

Bill read second time.

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

Assembly Bill 2644—An act to add Sections 1255.9 and 102777 to the Health and Safety Code, and to amend Section 9722 of the Welfare and Institutions Code, relating to skilled nursing facilities.

Bill read second time.

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

Assembly Bill 2167—An act to add Chapter 12 (commencing with Section 10109) to Part 1 of Division 2 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Assembly Bill 2756—An act to amend Sections 678, 10102, and 10103 of, and to add Section 10103.6 to, the Insurance Code, relating to insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and to third reading.

Assembly Bill 3012—An act to amend Sections 678, 1063.1, 1063.5, 1063.14, 2051.5, 2060, 10095, and 10103.7 of the Insurance Code, relating to insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and to third reading.



Assembly Bill 1276—An act to amend Sections 21500, 21500.1, 21501, 21506, 21507, 21508, 21534, 21552, 21600, 21601, 21602, 21605, 21606, 21607, 21608, 21609, 21620, 21621, 21622, 21623, 21625, 21626, 21627, 21627.1, 21628, 21629, and 23000 of, and to add Section 21630 to, the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 3370—An act to amend Sections 7201.1, 8001, 9144, 15101, and 18104 of the Elections Code, relating to elections.

Bill read second time and ordered to consent calendar.

SENATE COMMITTEE ROLL CALLS

Committee on Labor, Public Employment and Retirement

AB 685—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.

NOES (1)—Senator Morrell.

AB 736—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 1066—Do pass as amended and re-refer to the Committee on Appropriations

AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.

NOES (1)—Senator Morrell.

AB 1140—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 1512—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 1731—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.

NOES (1)—Senator Morrell.

AB 1906—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 1945—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 1993—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.



AB 2017—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 2043—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.

NOES (0)—None.

AB 2092—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.

NOES (1)—Senator Morrell.

AB 2101—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 2231—Do pass and re-refer to the Committee on Appropriations

AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.

NOES (1)—Senator Morrell.

AB 2234—Do pass and be ordered to the consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 2257—Do pass as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 2311—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 2399—Do pass and be ordered to the consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 2479—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.

AB 3053—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Hill, Jackson, Mitchell, Morrell, and Pan.

NOES (0)—None.



AB 3056—Do pass and re-refer to the Committee on Appropriations
 AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.
 NOES (1)—Senator Morrell.

AB 3075—Do pass and re-refer to the Committee on Appropriations
 AYES (4)—Senators Hill, Jackson, Mitchell, and Pan.
 NOES (0)—None.

Date of Hearing: 8/5/2020

Hill, Chair

CERTIFICATIONS OF COMMITTEE VOTE

August 5, 2020

Madam Secretary: Due to COVID-19 risks, I have requested, and have been approved to participate and vote in Senate committee hearings from my district office through remote electronic means beginning on July 29, 2020.

Pursuant to Senate Rule 56, adopted by Senate Resolution 86 of the 2019–20 Regular Session, I certify that on August 5, 2020, I cast the following votes in the Senate Committee on Labor, Public Employment and Retirement using the video platform provided by the Senate:

AB 685—No	AB 736—Aye	AB 1066—No
AB 1140—Aye	AB 1512—Aye	AB 1731—No
AB 1906—Aye	AB 1945—Aye	AB 1993—Aye
AB 2017—Aye	AB 2092—No	AB 2101—Aye
AB 2231—No	AB 2234—Aye	AB 2257—Aye
AB 2311—Aye	AB 2399—Aye	AB 2479—Aye
AB 3053—Aye	AB 3056—No	

MIKE MORRELL, Senator, 23rd District

SENATE COMMITTEE ROLL CALLS

Committee on Natural Resources and Water

AB 345—Do pass as amended and re-refer to the Committee on Appropriations

AYES (4)—Senators Allen, Jackson, Monning, and Stern.
 NOES (5)—Senators Borgeas, Caballero, Hertzberg, Hueso, and Jones.
 Failed Passage

AB 345—Reconsideration granted
 AYES (5)—Senators Allen, Hertzberg, Jackson, Monning, and Stern.
 NOES (3)—Senators Borgeas, Hueso, and Jones.

AB 838—Do pass as amended and be ordered to the consent calendar
 AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.
 NOES (0)—None.



AB 1071—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

AB 1426—Do pass and re-refer to the Committee on Appropriations

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

NOES (1)—Senator Jones.

AB 1949—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

AB 1968—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

AB 2106—Do pass as amended and re-refer to the Committee on Appropriations

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

AB 2800—Do pass as amended and re-refer to the Committee on Appropriations

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

NOES (2)—Senators Borgeas and Jones.

AB 2809—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

AB 3164—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.



AB 3226—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Allen, Borgeas, Caballero, Hertzberg, Hueso, Jackson, Jones, Monning, and Stern.

NOES (0)—None.

Date of Hearing: 8/5/2020

Monning, Chair

CERTIFICATIONS OF COMMITTEE VOTE

August 5, 2020

Madam Secretary: Due to COVID-19 risks, I have requested, and have been approved to participate and vote in Senate committee hearings from my district office through remote electronic means beginning on July 29, 2020.

Pursuant to Senate Rule 56, adopted by Senate Resolution 86 of the 2019–20 Regular Session, I certify that on August 5, 2020, I cast the following votes in the Senate Committee on Natural Resources and Water using the video platform provided by the Senate:

AB 345—Aye	AB 345 Recon—Aye	AB 838—Aye
AB 1071—Aye	AB 1426—Aye	AB 1949—Aye
AB 1968—Aye	AB 2106—Aye	AB 2800—Aye
AB 2809—Aye	AB 3164—Aye	AB 3226—Aye

HENRY STERN, Senator, 27th District

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on legislative business, waiving per diem: Senator Hurtado.

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 Beall, Glazer, Morrell, Nielsen, and Stern.

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Moorlach requested that when the Senate adjourns this day it do so in memory of Mike Gillespie of Irvine, Mark Bove of Anaheim, and Rob Richardson of Santa Ana.

ADJOURNMENT

At 4 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Thursday, August 6, 2020.

MATHEW BURNS, Minute Clerk

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