

CALIFORNIA LEGISLATURE
2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, August 10, 2020

The Senate met at 2 p.m.
Hon. Scott Wilk, of the 21st District, presiding.
Secretary Erika Contreras at the Desk.
Assistant Secretary Heshani Wijemanne 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, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jones, Leyva, McGuire, Melendez, Mitchell, Monning, Moorlach, Morrell, Pan, Portantino, Roth, Rubio, Umberg, Wieckowski, Wiener, and Wilk—33.

Quorum present.

(NOTE: Senators Glazer, Jackson, Skinner, and Stern will be excused this day to adhere to California Department of Public Health guidelines regarding coronavirus (COVID-19). Senator Grove will be excused this day on personal business. Senators Bates and Nielsen will be excused this day due to illness.)



PRAYER

Upon invitation of the President, the following prayer was offered by Senator Allen, as written by the Chaplain, Sister Michelle Gorman, RSM:

This is the prayer of Etty Hillesum from her diaries of 1941–1943. She was killed in Auschwitz on November 30, 1943.

Dear God, these are anxious times.

Tonight, for the first time I lay in the dark with burning eyes as scene after scene of human suffering passed before me.

I shall promise You one thing, God, just one very small thing:

I shall never burden my today with cares about my tomorrow, although that takes some practice.

Each day is sufficient unto itself.

I shall try to help You, God, to stop my strength ebbing away, although I cannot vouch for it in advance.

But one thing is becoming increasingly clear to me:

that You cannot help us,

that we must help You to help ourselves.

And that is all we can manage these days and also all that really matters:

that we safeguard that little piece of You, God, in ourselves.

And perhaps in others as well.

Alas, there doesn't seem to be much You Yourself can do about our circumstances, about our lives.

Neither do I hold You responsible.

You cannot help us, but we must help You,

and defend Your dwelling place inside us to the last.—AMEN.

(An Interrupted Life, The Diaries of Etty Hillesum 1941–43 by Etty Hillesum)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
August 10, 2020

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business August 10, 2020, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Sonia Y. Angell

Director, California Department of
Public Health

Sincerely,

GAVIN NEWSOM, Governor

Above withdrawal transmitted to the Committee on Rules.



REPORTS OF STANDING COMMITTEES

Committee on Business, Professions and Economic Development

Date of Hearing, August 8, 2020

Mr. President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 1458	AB 1469	AB 1969	AB 2004
AB 2113	AB 2199	AB 2288	AB 2478
AB 2592	AB 2749		

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

GLAZER, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, August 8, 2020

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 896

Reports the same back with the recommendation: Pursuant to Senate Rule 29.10, that the measure be re-referred to the Committee on Appropriations pursuant to Joint Rule 10.5.

GLAZER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, August 8, 2020

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 2134

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

GLAZER, Chair

Above bill ordered to second reading.

Date of Hearing, August 8, 2020

Mr. President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 1470	AB 2152
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Reports the same back with the recommendation: Do pass.

GLAZER, Chair

Above bills ordered to second reading.



Date of Hearing, August 8, 2020

Mr. President: The Committee on Business, Professions and Economic Development, to which were referred:

AB 1457	AB 2210	AB 2332	AB 2538
AB 2759	AB 3087	AB 3205	AB 3307

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.

GLAZER, Chair

Above bills re-referred to the Committee on Appropriations.

MOTIONS, RESOLUTIONS AND NOTICES
MOTION TO SUSPEND JOINT RULE 62(a)

Senator Hill moved that Joint Rule 62(a) be suspended for the purpose of allowing the Committee on Labor, Public Employment and Retirement to meet and hear **AB 323** on Tuesday, August 11, 2020 without four days' notice in the Daily File.

Roll Call

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

AYES (22)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Lena Gonzalez, Hertzberg, Hill, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Umberg, Wieckowski, and Wiener.

NOES (6)—Senators Borgeas, Dahle, Jones, Melendez, Moorlach, and Morrell.

UNANIMOUS CONSENT TO STRIKE FROM FILE

Without objection, the following Governor's appointment was stricken from file:

Sonia Y. Angell	Director, California Department of Public Health
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UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

August 3, 2020	August 4, 2020	August 5, 2020
August 6, 2020	August 7, 2020	August 8, 2020

MOTION TO WITHDRAW AND PLACE ON FILE

Senator Dahle moved that **AB 1384** be withdrawn from the Committee on Judiciary, and that the measure be ordered to second reading.



Roll Call

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

AYES (8)—Senators Borgeas, Chang, Dahle, Jones, Melendez, Moorlach, Morrell, and Wilk.

NOES (22)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Lena Gonzalez, Hertzberg, Hill, Hurtado, Leyva, McGuire, Monning, Pan, Portantino, Roth, Rubio, Umberg, Wieckowski, and Wiener.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****Consideration of Governor's Appointments**

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

ALVA V. JOHNSON, Director, State Lottery.

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 (23)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Lena Gonzalez, Hertzberg, Hill, Hurtado, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Umberg, Wieckowski, and Wiener.

NOES (1)—Senator Jones.

Consideration of Governor's Appointments

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

DOUGLAS L. PARKER, J.D., Division Chief, Occupational Safety and Health, Labor and Workforce Development Agency.

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 (23)—Senators Allen, Archuleta, Atkins, Beall, Bradford, Caballero, Dodd, Durazo, Lena Gonzalez, Hertzberg, Hill, Hurtado, Leyva, McGuire, Mitchell, Monning, Pan, Portantino, Roth, Rubio, Umberg, Wieckowski, and Wiener.

NOES (2)—Senators Melendez and Morrell.



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 Glazer, Jackson, Skinner, and Stern.

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

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

**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, August 11, 2020.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, August 10, 2020

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

SCR 93

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 Concurrent Resolution 93—Relative to terminating the state of emergency proclaimed by the Governor on March 4, 2020.

Resolution read second time.

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



Committee on Energy, Utilities and Communications

Date of Hearing, August 3, 2020

Mr. President: The Committee on Energy, Utilities and Communications, to which were referred:

AB 570

AB 841

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

HUESO, Chair

Above bills ordered to second reading.

Committee on Natural Resources and Water

Date of Hearing, August 5, 2020

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

AB 838

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

STERN, Chair

Above bill ordered to second reading.

Committee on Business, Professions and Economic Development

Date of Hearing, August 8, 2020

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 2273

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

GLAZER, Chair

Above bill ordered to second reading.

Committee on Public Safety

Senate Chamber, August 10, 2020

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

AB 2699

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

Assembly Bill 2699—An act to amend Section 32000 of the Penal Code, relating to firearms.

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, August 10, 2020

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

AB 2213

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

Assembly Bill 2213—An act to add Section 8589.65 to the Government Code, relating to emergency services.

Bill read second time.

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

MOTIONS, RESOLUTIONS AND NOTICES

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 323** was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules.

MEASURES WITHDRAWN AND PLACED ON FILE

Without objection, **AB 2338** was withdrawn from the Committee on Appropriations and ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, August 10, 2020

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

Labor, Public Employment and Retirement—AB 323.

Committee on Human Services

Date of Hearing, August 10, 2020

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

AB 1845

AB 2926

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

HURTADO, Chair

Above bills ordered to second reading.



Date of Hearing, August 10, 2020

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

AB 1929

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.

HURTADO, Chair

Above bill ordered to second reading.

Date of Hearing, August 10, 2020

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

AB 2387

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

HURTADO, Chair

Above bill ordered to second reading.

Date of Hearing, August 10, 2020

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

AB 826

AB 2377

AB 3134

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

HURTADO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, August 10, 2020

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

AB 2174

Reports the same back with the recommendation: Do pass.

HURTADO, Chair

Above bill ordered to second reading.

Date of Hearing, August 10, 2020

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

AB 1766

AB 1979

AB 2746

AB 3073

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.

HURTADO, Chair

Above bills re-referred to the Committee on Appropriations.



Committee on Judiciary

Senate Chamber, August 10, 2020

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

AB 1436 AB 1667 AB 3228

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 1436—An act to add Sections 1947.01, 1947.02, and 1947.03 to, and to add Title 19 (commencing with Section 3273.01) to Part 4 of Division 3 of, the Civil Code, and to add Section 1161.6 to the Code of Civil Procedure, relating to COVID-19 relief.

Bill read second time.

Assembly Bill 1667—An act to amend Sections 6113, 6120, 8002, 8200, and 8220 of, and to add Sections 6110.5 and 6110.6 to, the Probate Code, relating to wills.

Bill read second time.

Assembly Bill 3228—An act to add Chapter 17.95 (commencing with Section 7320) to Division 7 of Title 1 of the Government Code, relating to detention facilities.

Bill read second time.

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

Committee on Veterans Affairs

Date of Hearing, August 10, 2020

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

AB 2192

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.

ARCHULETA, Chair

Above bill re-referred to the Committee on Appropriations.



Date of Hearing, August 10, 2020

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

AB 3371

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

ARCHULETA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, August 10, 2020

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

AB 2193

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

ARCHULETA, Chair

Above bill ordered to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Agriculture

AB 1205—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Caballero, Dahle, Galgiani, Glazer, and Wilk.

NOES (0)—None.

Date of Hearing: 8/10/2020

Galgiani, Chair

CERTIFICATIONS OF COMMITTEE VOTE

August 10, 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 10, 2020, I cast the following votes in the Senate Committee on Agriculture using the video platform provided by the Senate:

AB 1205—Aye

STEVEN GLAZER, Senator, 7th District

SENATE COMMITTEE ROLL CALLS

Committee on Health

AB 1124—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Lena Gonzalez, Hurtado, Leyva, Mitchell, Monning, Pan, and Rubio.

NOES (0)—None.



AB 1161—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Lena Gonzalez, Hurtado, Leyva, Melendez, Mitchell, Monning, Pan, and Rubio.

NOES (0)—None.

AB 2112—Do pass as amended and re-refer to the Committee on Appropriations

AYES (8)—Senators Lena Gonzalez, Hurtado, Leyva, Melendez, Mitchell, Monning, Pan, and Rubio.

NOES (0)—None.

AB 2118—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Lena Gonzalez, Hurtado, Leyva, Mitchell, Monning, Pan, and Rubio.

NOES (1)—Senator Melendez.

AB 2218—Do pass and re-refer to the Committee on Appropriations

AYES (7)—Senators Lena Gonzalez, Hurtado, Leyva, Mitchell, Monning, Pan, and Rubio.

NOES (1)—Senator Melendez.

AB 2265—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (8)—Senators Lena Gonzalez, Hurtado, Leyva, Melendez, Mitchell, Monning, Pan, and Rubio.

NOES (0)—None.

AB 2293—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (8)—Senators Lena Gonzalez, Hurtado, Leyva, Melendez, Mitchell, Monning, Pan, and Rubio.

NOES (0)—None.

AB 3224—Do pass and re-refer to the Committee on Appropriations

AYES (8)—Senators Lena Gonzalez, Hurtado, Leyva, Melendez, Mitchell, Monning, Pan, and Rubio.

NOES (0)—None.

AB 3336—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Lena Gonzalez, Hurtado, Leyva, Mitchell, Monning, Pan, and Rubio.

NOES (1)—Senator Melendez.

Date of Hearing: 8/10/2020

Pan, Chair

Committee on Human Services**AB 826**—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Beall, Hurtado, Jackson, Pan, and Wiener.

NOES (2)—Senators Jones and Melendez.



AB 1766—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 1845—Do pass as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Beall, Hurtado, Jackson, Pan, and Wiener.

NOES (1)—Senator Melendez.

AB 1929—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 1979—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 2174—Do pass

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 2377—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Beall, Hurtado, Jackson, Pan, and Wiener.

NOES (2)—Senators Jones and Melendez.

AB 2387—Do pass as amended

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 2746—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 2926—Do pass as amended and re-refer to the Committee on Appropriations

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.



AB 2944—Do pass as amended and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 3073—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (7)—Senators Beall, Hurtado, Jackson, Jones, Melendez, Pan, and Wiener.

NOES (0)—None.

AB 3134—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Beall, Hurtado, Jackson, Pan, and Wiener.

NOES (1)—Senator Jones.

Date of Hearing: 8/10/2020

Hurtado, Chair

CERTIFICATIONS OF COMMITTEE VOTE

August 10, 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 10, 2020, I cast the following votes in the Senate Committee on Human Services using the video platform provided by the Senate:

AB 826—Aye	AB 1766—Aye	AB 1845—Aye
AB 1929—Aye	AB 1979—Aye	AB 2174—Aye
AB 2377—Aye	AB 2387—Aye	AB 2746—Aye
AB 2926—Aye	AB 2944—Aye	AB 3073—Aye
AB 3134—Aye		

HANNAH-BETH JACKSON, Senator, 19th District

SENATE COMMITTEE ROLL CALLS

Committee on Veterans Affairs

AB 2192—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (5)—Senators Archuleta, Hurtado, Roth, Umberg, and Wilk.

NOES (0)—None.

AB 2193—Do pass and be ordered to the consent calendar

AYES (5)—Senators Archuleta, Hurtado, Roth, Umberg, and Wilk.

NOES (0)—None.

AB 3371—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Archuleta, Hurtado, Roth, Umberg, and Wilk.

NOES (0)—None.

Date of Hearing: 8/10/2020

Archuleta, Chair



REQUESTS TO ADJOURN IN MEMORIAM

Senator Monning requested that when the Senate adjourns this day it do so in memory of Adam Hill of San Luis Obispo.

Senator Pan requested that when the Senate adjourns this day it do so in memory of Robbie Waters of Sacramento.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Marlene Feuer of La Cañada.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, August 11, 2020.

MATHEW BURNS, Minute Clerk

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