

CALIFORNIA LEGISLATURE
2021–22 REGULAR SESSION

SENATE DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, April 21, 2021

The Senate met at 9 a.m.
Hon. Monique Limón, of the 19th 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, Cortese,
Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hertzberg,
Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, Melendez, Min,
Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner,
Umberg, Wieckowski, Wiener, and Wilk—37.

Quorum present.

(NOTE: Senator Stern has been approved to participate remotely this day due to California Department of Public Health guidelines regarding coronavirus (COVID-19) risks. Senators Becker and McGuire will be excused this day on legislative business.)



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
April 21, 2021

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

JACQUE HOSTLER-CARMESIN, has been reappointed to the Fish and Game Commission, where she has served since 2013. Hostler-Carmesin has been Chief Executive Officer at Cher-Ae Heights Indian Community of the Trinidad Rancheria since 2010 and was Director of Transportation and Land-Use Planning there from 2007 to 2009. She was Roads Director at the Hoopa Tribal Roads Department from 2003 to 2007. Hostler-Carmesin held several positions at Redwood Empire Aggregates Inc. from 1990 to 2002, including Payroll Administrator and Contract Administrator. Reappointed 03/12/2021. Effective 04/09/2021.

Member, Fish and Game Commission, vice, self, reappointed. Term ending 01/15/2025.

SAMANTHA J. MURRAY, has been reappointed to the Fish and Game Commission, where she has served since 2019. Murray has been Faculty and Executive Director of the Master of Advanced Studies Program in Marine Biodiversity and Conservation at Scripps Institution of Oceanography at the University of California, San Diego since 2017 and Principal at Samantha Murray Consulting since 2015. She was Director of the Water Program at the Oregon Environmental Council from 2015 to 2016. Murray directed various programs at the Ocean Conservancy from 2007 to 2014 and was Conservation Director at the Golden Gate Audubon Society from 2005 to 2007. Murray was Assistant Director of Conservation at the Audubon Society of Portland from 2004 to 2005 and a Legal Intern at the Columbia River Inter-Tribal Fish Commission in 2003. She earned a Juris Doctor degree from Lewis & Clark Law School. Reappointed 03/12/2021. Effective 04/12/2021.

Member, Fish and Game Commission, vice, self, reappointed. Term ending 01/15/2027.



JULIA L. MONTGOMERY, has been reappointed General Counsel at the Agricultural Labor Relations Board, where she has served in that position since 2016. Montgomery held several positions at the California Department of Fair Employment and Housing from 2013 to 2016, including as Assistant Chief Counsel and Senior Staff Counsel. She was a Managing Attorney at the California Rural Legal Assistance Foundation Inc. from 2002 to 2013, where she was Staff Attorney and Directing Attorney from 1996 to 2002. Montgomery earned a Juris Doctor degree from the University of California, Davis School of Law. Reappointed 04/15/2021. Effective 04/19/2021.

General Counsel, Agricultural Labor Relations Board, vice, self, reappointed. Term ending 4 years from 2nd Commission.

Above reappointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Human Services

Date of Hearing, April 20, 2021

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

SB 648

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 bill re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2021

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

SB 558

SB 639

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, April 20, 2021

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

SB 549

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

HURTADO, Chair

Above bill ordered to second reading.



Date of Hearing, April 20, 2021

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

SB 537

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

HURTADO, Chair

Above bill ordered to second reading.

Date of Hearing, April 20, 2021

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

SB 518

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

HURTADO, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Judiciary

Date of Hearing, April 20, 2021

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

SB 642

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

UMBERG, Chair

Above bill re-referred to the Committee on Rules.

Committee on Human Services

Date of Hearing, April 20, 2021

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

SB 364

SB 546

SB 739

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.



Committee on Rules

Senate Chamber, April 21, 2021

Madam President: The Committee on Rules has examined:

SB 80	SB 220	SB 222	SB 223
SB 351	SB 470	SB 495	SB 538
SB 542	SB 592	SB 731	SB 800
SB 805			

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, April 21, 2021

Madam President: The Committee on Rules has examined:

SB 258	SB 273	SB 326
SB 353	SB 374	SB 584

And reports the same correctly engrossed.

ATKINS, Chair

Committee on Health

Senate Chamber, April 21, 2021

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

SB 637

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

PAN, Chair

Second Reading of Bills—Author's Amendments**Senate Bill 637**—An act to amend Section 1276 of, and to add Section 1275.9 to, the Health and Safety Code, relating to health facilities.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 20, 2021

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

SB 334	SB 555	SB 572
SB 598	SB 660	

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

UMBERG, Chair

Above bills re-referred to the Committee on Appropriations.



Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which were referred:
SB 76 SB 505

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.

UMBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which was referred:
SB 591

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

UMBERG, Chair

Above bill re-referred to the Committee on Housing.

Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which was referred:
SB 272

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

UMBERG, Chair

Above bill ordered to second reading.

Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which was referred:
SB 657

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

UMBERG, Chair

Above bill ordered to second reading.

Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which was referred:
SB 323

Reports the same back with the recommendation: Do pass.

UMBERG, Chair

Above bill ordered to second reading.



Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which was referred:
SB 447

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

Above bill ordered to second reading.

Date of Hearing, April 20, 2021

Madam President: The Committee on Judiciary, to which were referred:
SB 241 SB 338 SB 380

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

UMBERG, Chair

Above bills ordered to second reading.

Committee on Business, Professions and Economic Development

Senate Chamber, April 21, 2021

Madam President: The Chair of the Committee on Business, Professions and Economic Development, to which was referred:

SB 471

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

ROTH, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 471—An act to add Division 10 (commencing with Section 7920) to Title 1 of the Government Code, relating to economic development, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 471 pursuant to Joint Rule 58.

SENATOR HUESO

Permission of Rules Committee

Senate Chamber, April 21, 2021

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 471.

ERIKA CONTRERAS, Designee
(Secretary of the Senate)

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



Committee on Rules

Senate Chamber, April 21, 2021

Madam President: The Committee on Rules has examined:

SCR 16

And reports the same has been correctly enrolled and presented to the Secretary of State on the 21st day of April, 2021, at 11:30 a.m.

ATKINS, Chair

Committee on Public Safety

Senate Chamber, April 21, 2021

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

SB 804

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 804—An act to amend Section 14424 of, and to add Section 14415.7 to, the Public Resources Code, relating to resource conservation.

Bill read second time.

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

Committee on Education

Senate Chamber, April 21, 2021

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

SB 723

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

LEYVA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 723—An act to add Chapter 4 (commencing with Section 58550) to Part 31 of Division 4 of Title 2 of the Education Code, relating to pupil instruction.

Bill read second time.

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



Date of Hearing, April 14, 2021

Madam President: The Committee on Education, to which was referred:
SB 416

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.

LEYVA, Chair

Above bill ordered to second reading.

Committee on Judiciary

Senate Chamber, April 21, 2021

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

SB 211

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

Senate Bill 211—An act to amend Sections 6056, 6140, and 6140.03 of, and to repeal Sections 6011 and 6069.5 of, the Business and Professions Code, relating to attorneys.

Bill read second time.

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

Committee on Banking and Financial Institutions

Date of Hearing, April 21, 2021

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

SB 577

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.

LIMÓN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2021

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

SB 476

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

LIMÓN, Chair

Above bill ordered to second reading.



Date of Hearing, April 21, 2021

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

SB 449

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

LIMÓN, Chair

Above bill ordered to second reading.

Senate Chamber, April 21, 2021

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

SB 754

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

LIMÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 754—An act to add Article 7 (commencing with Section 44558) to Chapter 1 of Division 27 of the Health and Safety Code, relating to economic development, and making an appropriation therefor.

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

State Capitol, April 21, 2021

Madam President: The Committee on Rules has ordered the following measures to third reading:

SCR 33	SCR 34	SCR 36	SCR 37
SR 27	SR 28	SR 29	ACR 35
ACR 39	ACR 50	ACR 56	ACR 63

State Capitol, April 21, 2021

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

Governance and Finance—SB 556.

Health—SB 642.

Judiciary—SB 363.

Natural Resources and Water—SB 790.

Transportation—SB 583, ACR 21.



Committee on Education

Date of Hearing, April 14, 2021

Madam President: The Committee on Education, to which was referred:
SB 659

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

LEYVA, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing, April 20, 2021

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

SB 497

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.

Committee on Transportation

Senate Chamber, April 21, 2021

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

SB 726

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

GONZALEZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 726—An act to amend Sections 44272 and 44272.4 of, and to add Section 43018.4 to, the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Senate Chamber, April 21, 2021

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

SCR 28

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

GONZALEZ, Chair



Second Reading of Bills—Author's Amendments

Senate Concurrent Resolution 28—Relative to the Korean War Veterans Memorial Highway.

Resolution read second time.

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

Committee on Rules

State Capitol, April 21, 2021

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

Honorable Rob Bonta, J.D., Attorney General (3–0)

ATKINS, Chair

Above appointment ordered to unfinished business.

MOTIONS, RESOLUTIONS AND NOTICES**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 277** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations.

Without objection, **SB 34** was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Appropriations.

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

Senate Bill 727—An act to amend Section 218.7 of the Labor Code, relating to employment.

Bill read second time.

The amendments proposed by the Committee on Labor, Public Employment and Retirement were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Judiciary.

Senate Bill 28—An act to add the heading of Article 1 (commencing with Section 11545) to, and to add Article 2 (commencing with Section 11548.5) to, Chapter 5.6 of Part 1 of Division 3 of Title 2 of the Government Code, and to amend Sections 914.3, 5820, 5840, 5860, 5870, 5880, 5890, and 5930 of, and to add Section 5895 to, and to repeal and add Section 5960 of, the Public Utilities Code, relating to communications.

Bill read second time.

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



Senate Bill 389—An act to add Section 23401.5 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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

Senate Bill 793—An act to amend Sections 23320, 23357, 23358, and 23396 of, to add Section 23039.5 to, and to add Article 7 (commencing with Section 23550) to Chapter 3 of Division 9 of, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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

Senate Bill 816—An act to amend Section 8561 of the Government Code, relating to emergency services.

Bill read second time and ordered to consent calendar.

Senate Bill 702—An act to add Section 1305 to the Government Code, relating to state government.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Judiciary.

Senate Bill 374—An act to amend Section 6320 of the Family Code, relating to protective orders.

Bill read second time and ordered to third reading.

SENATE COMMITTEE ROLL CALLS

Committee on Banking and Financial Institutions

SB 449—Do pass as amended and re-refer to the Committee on Environmental Quality

AYES (6)—Senators Durazo, Eggman, Hueso, Limón, Min, and Portantino.

NOES (2)—Senators Dahle and Ochoa Bogh.

SB 476—Do pass as amended and re-refer to the Committee on Appropriations

AYES (8)—Senators Caballero, Durazo, Eggman, Hueso, Limón, Min, Ochoa Bogh, and Portantino.

NOES (1)—Senator Dahle.



SB 577—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (9)—Senators Caballero, Dahle, Durazo, Eggman, Hueso, Limón, Min, Ochoa Bogh, and Portantino.

NOES (0)—None.

Date of Hearing: 4/21/2021

Limón, Chair

Committee on Health

SB 110—Do pass and re-refer to the Committee on Appropriations

AYES (10)—Senators Eggman, Gonzalez, Grove, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 255—Do pass as amended and re-refer to the Committee on Appropriations

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 340—Do pass as amended and re-refer to the Committee on Judiciary

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 379—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Eggman, Gonzalez, Hurtado, Leyva, Limón, Pan, Roth, Rubio, and Wiener.

NOES (2)—Senators Grove and Melendez.

SB 428—Do pass and re-refer to the Committee on Appropriations

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 465—Do pass as amended and re-refer to the Committee on Appropriations

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 516—Do pass and re-refer to the Committee on Appropriations

AYES (10)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 525—Do pass and re-refer to the Committee on Education with the recommendation: To consent calendar

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.



SB 535—Do pass as amended and re-refer to the Committee on Appropriations

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 562—Do pass and re-refer to the Committee on Appropriations

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 650—Do pass as amended and re-refer to the Committee on Appropriations

AYES (8)—Senators Eggman, Gonzalez, Leyva, Limón, Pan, Roth, Rubio, and Wiener.

NOES (2)—Senators Grove and Melendez.

SB 689—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (11)—Senators Eggman, Gonzalez, Grove, Hurtado, Leyva, Limón, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

SB 744—Do pass and re-refer to the Committee on Judiciary

AYES (9)—Senators Gonzalez, Grove, Hurtado, Leyva, Melendez, Pan, Roth, Rubio, and Wiener.

NOES (0)—None.

Date of Hearing: 4/21/2021

Pan, Chair

LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day on legislative business: Senators Becker and McGuire.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, April 22, 2021.

MATHEW BURNS, Minute Clerk

O

