

CALIFORNIA LEGISLATURE
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SENATE DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, February 21, 2017

The Senate met at 2:11 p.m.
Hon. Connie M. Leyva, of the 20th District, presiding.
Secretary Daniel Alvarez at the Desk.
Assistant Secretary Zachary L. Twilla reading.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE
ROLL CALL

The roll was called and the following Senators answered to their names:
Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella,
De León, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill,
Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning,
Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth,
Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—39.

Quorum present.

(NOTE: Senator Fuller will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

According to Václav Havel, “Hope is an orientation of the heart; it transcends the world that is immediately experienced, and is anchored somewhere beyond its horizons. . . .”

O God in whom we hope, we ask You to bless our efforts to bring leadership, justice, and ongoing solutions to the challenges of our times.

Give us the strength to accomplish the seemingly impossible with limited time, energy, and resources.

Help us to be especially sensitive to the needs of those on the margins, those who are vulnerable, those who are close to despair.

May all that we do today engender hope in our communities, for as Harvey Milk once said, “The important thing is not that we can live on hope alone, but that without it, life is not worth living.”

And so we continue to hope in Your providence.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO ALLOW GUESTS ON THE FLOOR**

Without objection, Senate Rule 55 was suspended to allow lobbyists on the Floor of the Senate for today’s session.

PRIVILEGES OF THE FLOOR**SPECIAL PRESENTATIONS**

Senator De León made a special presentation of a memorial resolution to Barbara Williams and Troy Garity, in honor of the life of their husband and father, the Honorable Tom Hayden, former California State Senator, and invited the Honorable John Burton, former President pro Tempore of the California State Senate, to address the Senate. At Senator Leyva’s request, the Senate observed a moment of silence.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, February 21, 2017

Madam President: The Committee on Rules has examined:

SB 146

And reports the same correctly engrossed.

DE LEÓN, Chair



Committee on Public Safety

Senate Chamber, February 21, 2017

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

SB 8

SB 143

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

Senate Bill 8—An act to add Chapter 2.9D (commencing with Section 1001.82) to Title 6 of Part 2 of the Penal Code, relating to diversion.

Bill read second time.

Senate Bill 143—An act to amend Sections 1170.126 and 1170.18 of the Penal Code, relating to sentencing.

Bill read second time.

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

Committee on Rules

Senate Chamber, February 21, 2017

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

SB 35

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

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 35—An act relating to housing.

Bill read second time.

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

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

Assembly Concurrent Resolution 11—Relative to Cervical Cancer Screening and Awareness Month.

Resolution read third time.



Amendments Adopted

Amendments to **ACR 11** proposed by Senator Leyva were read and adopted and the measure ordered printed, and to second reading.

UNFINISHED BUSINESS**Consideration of Governor's Appointments**

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

PAMELA HAYNES, Member, California Community Colleges Board of Governors.

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 (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Consideration of Governor's Appointments

Senator Cannella placed the following Governor's appointments before the Senate:

JANE W. CARNEY, Member, Trustees of the California State University.

JEAN P. FIRSTENBERG, Member, Trustees of the California State University.

LATEEFAH SIMON, Member, Trustees of the California State University.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (33)—Senators Allen, Atkins, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Newman, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Vidak, Wieckowski, Wiener, and Wilk.

NOES (3)—Senators Anderson, Morrell, and Stone.



Consideration of Governor's Appointments

Senator Cannella placed the following Governor's appointments before the Senate:

LILLIAN KIMBELL, Member, Trustees of the California State University.

THELMA E. MELENDEZ, PH.D., Member, Trustees of the California State University.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Consideration of Governor's Appointments

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

LORI AJAX, Chief, Bureau of Medical Cannabis Regulation.

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 (35)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Newman, Nguyen, Pan, Portantino, Roth, Skinner, Stern, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



Consideration of Assembly Amendments

Senate Concurrent Resolution 13—Relative to Lunar New Year Celebration.

Resolution presented by Senator Pan.

The question being: “Shall the Senate concur in the Assembly amendments to SCR 13?”

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (38)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Gaines, Galgiani, Glazer, Hernandez, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Above resolution ordered enrolled.

PRIVILEGES OF THE FLOOR

SPECIAL INTRODUCTIONS

Senator Berryhill introduced Elijah, Seth, and AJ Billings of Sierra Hills Baptist Church in Prather, in honor of their visit to the California State Senate.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Joint Resolution 5: By Senator Stone (Principal coauthor: Senator Wiener) (Coauthor: Senator Moorlach)—Relative to federal rescheduling of marijuana from a Schedule I drug.

REQUESTS TO BE ADDED TO ROLL CALL

February 21, 2017

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SCR 13—Aye

GOV# 1—Aye

GOV# 2—Aye

GOV# 3—Aye

GOV# 4—Aye

KEVIN DE LEÓN, President pro Tempore



LEAVES OF ABSENCE

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Hueso requested that when the Senate adjourns this day it do so in memory of Oscar Padilla of San Diego.

Senator Stern requested that when the Senate adjourns this day it do so in memory of Hon. Frances Prince of Thousand Oaks.

ADJOURNMENT

At 3:54 p.m., on motion of Senator Cannella, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, February 22, 2017.

NEVA MARIE PARKER, Minute Clerk

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