

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, February 3, 2010

The Senate met at 9 a.m.

Hon. S. Joseph Simitian, of the 11th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Aanestad, Alquist, Ashburn, Calderon, Cedillo, Cogdill, Cox, DeSaulnier, Ducheny, Dutton, Hancock, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—33.

Quorum present.

(NOTE: Senators Corbett, Florez, Harman, and Hollingsworth will be excused this day on legislative business and Senators Correa and Denham will be excused this day on personal business.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
February 2, 2010

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,

ARNOLD SCHWARZENEGGER, Governor

LESTER A. SNOW, previously served as director of the California Department of Water Resources since 2004 and principal in a water resource consulting company from 2001 to 2004. He also served as the Mid-Pacific regional director of the U.S. Bureau of Reclamation. Snow served as the executive director of the CALFED Bay-Delta program from 1995 to 1999 and prior to that, spent seven years as the general manager of the San Diego County Water Authority. His experience also includes six years with the Arizona Department of Water Resources including four years as the Tucson area director. Appointed 02/01/10. Effective 02/01/10.

Secretary of Natural Resources Agency, vice, Michael Chrisman, resigned, term ending at the Pleasure of the Governor.

MARK W. COWIN, has served the Department of Water Resources for 29 years in various positions, most recently as deputy director of integrated water management since 2007. He was chief of the division of planning and local assistance from 2002 to 2007 and assistant director for the CALFED Bay-Delta program from 1998 to 2002. Cowin earned a Bachelor of Science degree in civil engineering from Stanford University. Appointed 02/01/10. Effective 02/01/10.

Director of Water Resources, vice, Lester A. Snow, re-assigned, term ending at the Pleasure of the Governor.

PAUL SCHIFINO, is owner and president of Junior Steel Company since 2003 and, Anvil Steel Corporation since 1996. He was a partner for Schifino and Lindon from 1992 to 1996, associate attorney for Strook and Strook and Lavan from 1990 to 1992 and adjunct professor at Georgetown University from 1987 to 1989. Appointed 01/19/10. Effective 02/02/10.

Member, Contractors' State License Board, Department of Consumer Affairs, vice, Cynthia A. Mitchell, term expired, term ending 06/01/13.

LINDA J. BRISKMAN, is retired from the City of Beverly Hills where she served as city council member from 2001 to 2009 and has served on the State Park and Recreation Commission since 2009. She was mayor of Beverly Hills in 2005. Briskman served on the Westside Cities Council of Governments and was co-chair of the Transportation Committee. She was a member and served as chair of the Beverly Hills Planning Commission from 1996 to 2001 and the Beverly Hills Traffic and



Parking Commission from 1992 to 1996. Reappointed 01/16/10. Effective 01/29/10.

Member, State Park and Recreation Commission, term ending 01/15/14.

NANCY E. RYAN, PH.D., previous deputy executive director for policy at the Public Utilities Commission since 2009 and previous chief of staff and chief energy advisor for President Michael R. Peevey from 2006 to 2009. Prior to that, Ryan was a senior economist and California deputy regional director for the Environmental Defense Fund from 2001 to 2005, deputy director for Ecosystems Program in 2005 and visiting assistant professor for the Goldman School of Public Policy at the University of California, Berkeley from 1996 to 2007. Appointed 01/21/10. Effective 01/21/10.

Member, Public Utilities Commission, vice, Rachelle B. Chong, resigned, term ending 01/01/15.

KEN J. WILLIAMS, is school director for the Universal College of Beauty since 1989, where he previously served as chief operations officer from 2001 to 2008 and vice president from 1995 to 2000 and has served on the State Board of Barbering and Cosmetology since 2007. He worked for Vons Grocery as a clerk from 1973 to 1989 and department head and trainer from 1970 to 1989. Williams is a member of the Advisory Board for Supercuts and El Camino College. Reappointed 01/12/10. Effective 01/22/10.

Member, State Board of Barbering and Cosmetology, term ending 01/01/13.

FRANK J. LLOYD, previous to retiring, owned and was a broker for Inland Valley Property from 1984 to 1998 and Lee Alves Realty from 1970 to 1984. He has served on the State Board of Barbering and Cosmetology since 2004. Reappointed 01/12/10. Effective 01/24/10.

Member, State Board of Barbering and Cosmetology, term ending 01/01/13.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, February 3, 2010

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5–0, has referred SB 85 (Cogdill) to the Local Government Committee.

STEINBERG, Chair



State Capitol, February 3, 2010

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

Peter M. Lopez, Member, California Exposition and State Fair Board of Directors (5–0)

Steven R. Roberts, Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun (5–0)

Marc A. Luker, Member, Water Quality Control Board, San Diego Region (5–0)

STEINBERG, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, February 3, 2010

Mr. President: The Committee on Rules has considered the following nomination by the Governor and reports the same back with the recommendation that he be confirmed:

Abel Maldonado, Lieutenant Governor (4–0)

STEINBERG, Chair

Above nomination ordered placed on unfinished business file.

State Capitol, February 3, 2010

Mr. President: The Senate Rules Committee has made the following appointments to boards and commissions:

Appointed Stephen Arditti of Sacramento as a member to the Postsecondary Education Commission for a term ending December 31, 2011.

Appointed Pam O'Connor of Santa Monica as an alternate to the California Coastal Commission for a term ending at the pleasure of her Coastal Commission member.

Appointed Ramon W. Johnson M.D. of Laguna Niguel as a member to the Commission on Emergency Medical Services for a term ending January 1, 2013.

Appointed Ryan L. Brooks of San Francisco as a member to the New Motor Vehicle Board for a term ending January 15, 2014.

Appointed Darshan Singh of San Francisco as a member to the Prison Industry Board for a term ending January 1, 2014.

STEINBERG, Chair

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Bill 939: By Senator Aanestad—An act to amend Sections 17053.74 and 23622.7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.



Senate Bill 940: By Senator Cogdill—An act to amend Section 288 of the Penal Code, relating to crime.

Senate Bill 941: By Senator Wyland—An act to amend Section 5002 of the Public Resources Code, relating to parks and recreation.

Senate Bill 942: By Senator Dutton—An act to add Sections 11349.10 and 11349.11 to the Government Code, relating to the State Auditor.

Senate Bill 943: By Senator Harman—An act to amend Section 19542 of the Business and Professions Code, relating to horse racing.

Senate Bill 944: By Senators Runner and Strickland (Principal coauthor: Assembly Member Audra Strickland)—An act to amend Section 37222 of the Education Code, and to add Section 6722 to the Government Code, relating to Ronald Reagan Day.

Senate Bill 945: By Senator Liu—An act to amend Section 18961.5 of the Welfare and Institutions Code, relating to child abuse and neglect.

Senate Bill 946: By Senator Cogdill—An act to amend Section 1602 of the Fish and Game Code, relating to fish and wildlife.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SR 33** and **ACR 96** were withdrawn from Committee and placed on third reading.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Corbett, Florez, Harman, and Hollingsworth.

The following Senators were granted leaves of absence for the day due to personal business: Senators Correa and Denham.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Leno requested that when the Senate adjourns this day it do so in memory of Norma Rolfe of San Francisco.

Senator Negrete McLeod requested that when the Senate adjourns this day it do so in memory of Amparo Holguin of San Bernardino.

Senator Wolk requested that when the Senate adjourns this day it do so in memory of Weldon Wallace West, M.D., Virginia L. Yoakum, Earleen Frances Black, James D. Moon, Carol Ann Kent, Peter Yagi, Ricardo "Sonny" Estante, and Sheila V. Freese of Stockton.



ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, February 4, 2010.

PAULA K. ROSSETTO, Minute Clerk

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