

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, January 25, 2011

The Senate met at 9 a.m.

Hon. Jean Fuller, of the 18th District, presiding.

Chief Assistant Secretary Bernadette C. McNulty at the Desk.

Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

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

Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Gaines, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
January 24, 2011

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments and 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,

EDMUND G. BROWN JR., Governor

JOHN LAIRD, has taught in the Environmental Studies Department at UC Santa Cruz. He served six years in the State Assembly, from 2002 to 2008, and was the Assembly Budget Committee Chair from 2004 to 2008. Previously, Laird was a member of the Cabrillo College Board of Trustees from 1994 to 2002. He was the Executive Director for the Santa Cruz AIDS Project from 1991 to 1993. Laird was Mayor and a City Councilmember for the city of Santa Cruz from 1981 to 1990. Appointed 01/05/11. Effective 01/05/11.

Secretary of Natural Resources Agency, vice, Lester A. Snow, resigned, term ending at the Pleasure of the Governor.

DIANA S. DOOLEY, previous President and Chief Executive Officer of the California Children's Hospital Association. Prior to leading the Association, Dooley was General Counsel and Vice President for the Children's Hospital Central California near Fresno. She served as an analyst at the State Personnel Board and later as Legislative Secretary and Special Assistant to Governor Jerry Brown from 1975 to 1983. Prior to becoming an attorney in 1995, she owned a public relations and advertising agency. Dooley currently serves on the Executive Committees of the Maddy Institute Board of Directors at Fresno State University and of BloodSource in Sacramento and is past president of the Visalia Chamber of Commerce, Planned Parenthood and the Central California Futures Institute. She received her bachelor's degree from Fresno State University in 1972 and her law degree from San Joaquin College of Law in 1995. Appointed 01/03/11. Effective 01/03/11.

Secretary of Health and Human Services Agency, vice, S. Kimberly Belshe, resigned, term ending at the Pleasure of the Governor.

MARTIN MORGENSTERN, has consulted for the University of California on labor relations matters since 2003. He was director of the Department of Personnel Administration from 1999 to 2003. From 1994 to 1999, he worked as a private consultant to various labor organizations. Morgenstern was the Chair of the Center for Labor Research and Education at the University of California, Berkeley from 1987 to 1994. From 1982 to 1987, he served as a member of the Public Employment Relations Board. Morgenstern served as the Director of the Department of Personnel Administration from 1981 to 1982. In 1975, he was appointed Director of the Governor's Office of Employee Relations by Governor Jerry Brown. Appointed 01/05/11. Effective 01/05/11.

Secretary, Labor and Workforce Development Agency, vice, Victoria L. Bradshaw, withdrawn from Senate, term ending at the Pleasure of the Governor.



JACOB A. APPELSMITH, previous Special Assistant to Attorney General Jerry Brown and Chief of the California Bureau of Gambling Control since 2008. Appelsmith served as general counsel for personnel and equal employment opportunity matters as well as the statewide head of the employment law section for the Department of Justice from 1994 to 2008. Appelsmith worked as a lawyer for Pillsbury, Madison & Sutro from 1988 to 1994. He served as a student clerk to Justice Allen Broussard on the California Supreme Court and was Associate Editor of The Industrial Relations Law Journal. Appointed 01/03/11. Effective 01/03/11.

Director of Alcoholic Beverage Control, vice, Steve M. Hardy, resigned, term ending at the Pleasure of the Governor.

RONALD YANK, is a retired labor and employment law attorney. Previously, Yank served as a neutral arbitrator and mediator in the field of labor and employment law from 2007 to 2009 and was a partner at Carroll Burdick & McDonough from 1988 to 2007. Yank was a partner at Neyhart Anderson & Freitas from 1981 to 1988. Previously, he worked at Carroll Burdick & McDonough from 1974 to 1981 and became a partner in 1979. Yank was an associate at Neyhart Anderson Grodin & Beeson from 1973 to 1974. He was an Assistant Professor of Rhetoric at UC Berkeley from 1967 to 1971 and worked at the Law Offices of R.J. Engel as an Associate from 1971 to 1973. Yank has represented bargaining units of state employees including the California Correctional Peace Officers' Association and the CDF Firefighters. Appointed 01/05/11. Effective 01/05/11.

Director, Department of Personnel Administration, vice, Debbie Endsley, withdrawn from Senate, term ending at the Pleasure of the Governor.

ANA MATOSANTOS, previous Director and Chief Deputy Director of the Department of Finance. In 2007, she served as Deputy Legislative Secretary for Health and Human Services and Veterans Affairs in the Office of the Governor. From 2004 to 2007, she was a member of the Health and Human Services Agency staff, as an Assistant Secretary for programs and fiscal affairs, and as Associate Secretary for Legislative Affairs. Matosantos worked for the California State Senate as a consultant to the Senate Committees on Health and Human Services and Budget and Fiscal Review. She received her bachelor's degree in Political Science from Stanford University in 1997. Appointed 01/05/11. Effective 01/05/11.

Director of Finance, vice, Cynthia Bryant, resigned, term ending at the Pleasure of the Governor.



ILENE W. STRAUS, ED.D., is Assistant Superintendent for Educational Services with the Beverly Hills Unified School District. Straus was Senior Director of Secondary Education for the Santa Monica-Malibu Unified School District in 2006, and she also served as the Chief Educational Officer and Principal of Santa Monica High School from 2002 to 2006. Previously, Strauss was Principal of Lincoln Middle School in Santa Monica from 1986 to 2002. She received the California Secondary Principal of the Year award in 1991. Appointed 01/10/11. Effective 01/12/11.

Member, State Board of Education, vice, James Fang, withdrawn from Senate, term ending 01/15/13.

JAMES C. RAMOS, has served as the Chairman for the San Manuel Band of Indians since 2008, having previously served as Treasurer, member of the Business Committee, and Chairman of the Tribe's Gaming Commission. Ramos was re-elected in 2010 as a member of the San Bernardino Community College Board of Trustees, where he has served since 2005. He has served as a member and chairperson of the Native American Heritage Commission since 2007. Appointed 01/06/11. Effective 01/12/11.

Member, State Board of Education, vice, Alan Arkatov, withdrawn from Senate, term ending 01/15/13.

MICHAEL W. KIRST, PH.D., currently serves as Professor Emeritus at Stanford University, where he has taught since 1969. Previously, Kirst served on the California State Board of Education under Governor Brown from 1975 to 1982. Kirst also served as the Director of Program Planning for the U.S. Office of Education and was Staff Director for the U.S. Senate Subcommittee on Manpower, Employment, and Poverty from 1967 to 1969. Appointed 01/06/11. Effective 01/12/11.

Member, State Board of Education, vice, Benjamin B. Austin, withdrawn from Senate, term ending 01/15/14.

PATRICIA A. RUCKER, has worked as the Legislative Advocate for the California Teachers Association since 2008 and was a consultant for the California Teachers Association on instruction and professional development from 1997 to 2008. She also served as a teacher in the Del Paso Heights School District from 1983 to 1997. Appointed 01/06/11. Effective 01/12/11.

Member, State Board of Education, vice, David P. Lopez, Ed.D., withdrawn from Senate, term ending 01/15/14.



CARL A. COHN, ED.D., has been a Professor and the Co-Director of the Urban Leadership Program at Claremont Graduate University since 2009. Previously, Cohn served as the Superintendent of Schools for the San Diego Unified School District from 2005 to 2007. He was a Clinical Professor with the Rossier School of Education at the University of Southern California from 2002 to 2005 and the Superintendent of Schools for the Long Beach Unified School District from 1992 to 2002. Cohn is a member of the Association of California School Administrators. Appointed 01/06/11. Effective 01/12/11.

Member, State Board of Education, vice, Theodor R. Mitchell, Ph.D., withdrawn from Senate, term ending 01/15/14.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol
January 2, 2011

Gregory Schmidt
Secretary of the Senate

Dear Mr. Schmidt:

Enclosed are the Governor's 2010 Executive Report on Parole Review Decisions and the 2010 Acts of Executive Clemency, issued pursuant to article 5, section 8 of the California Constitution.

Sincerely,

ANDREA LYNN HOCH, Legal Affairs Secretary

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 24, 2011

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 6

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 6—Relative to human trafficking.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, January 25, 2011

Madam President: The Senate Rules Committee has appointed the following:

STANDING COMMITTEES

Agriculture (7)—Rubio (Vice Chair), Berryhill, Evans, La Malfa, Vargas, and Wolk

Appropriations (9)—Walters (Vice Chair), Alquist, De León, Emmerson, Pavley, Price, Steinberg, and Wyland.

Banking and Financial Institutions (7)—Blakeslee (Vice Chair), Evans, Kehoe, Liu, Padilla, and Walters.

Business, Professions, and Economic Development (9)—Emmerson (Vice Chair), Corbett, Correa, Hernandez, Negrete McLeod, Vargas, Walters, and Wyland.

Education (11)—Huff (Vice Chair), Alquist, Blakeslee, Emmerson, Hancock, Liu, Price, Simitian, Vargas, and vacancy.

Elections and Constitutional Amendments (5)—La Malfa (Vice Chair), De León, Gaines, and Wolk.

Energy, Utilities, and Communications (11)—Fuller (Vice Chair), Berryhill, Corbett, De León, DeSaulnier, Pavley, Rubio, Simitian, Strickland, and Wright.

Environmental Quality (7)—Strickland (Vice Chair), Blakeslee, Hancock, Kehoe, Lowenthal, and Pavley.

Governance and Finance (9)—Huff (Vice Chair), DeSaulnier, Fuller, Hancock, Hernandez, La Malfa, Leno, and Liu.

Governmental Organization (13)—Anderson (Vice Chair), Berryhill, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Strickland, Wyland, and Yee.

Health (9)—Strickland (Vice Chair), Alquist, Anderson, Blakeslee, De León, DeSaulnier, Rubio, and Wolk.

Human Services (7)—Emmerson (Vice Chair), Berryhill, Hancock, Strickland, Wright, and Yee.

Insurance (8)—Gaines (Vice Chair), Anderson, Corbett, Correa, Lowenthal, Price, and Wyland.

Judiciary (5)—Harman (Vice Chair), Blakeslee, Corbett, and Leno.

Labor and Industrial Relations (7)—Vacancy (Chair), Corbett (Vice Chair), Dutton, Leno, Padilla, Wyland, and Yee.



Legislative Ethics (6)—Walters (Chair), Lowenthal (Vice Chair), Negrete McLeod, and 3 vacancies.

Natural Resources and Water (9)—La Malfa (Vice Chair), Cannella, Evans, Fuller, Kehoe, Padilla, Simitian, and Wolk.

Public Employment and Retirement (5)—Walters (Vice Chair), Gaines, Padilla, and Vargas.

Public Safety (7)—Anderson (Vice Chair), Calderon, Harman, Liu, Price Jr., and Steinberg.

Transportation and Housing (9)—Gaines (Vice Chair), Harman, Huff, Kehoe, Lowenthal, Pavley, Rubio, and Simitian.

Veterans Affairs (7)—Cannella (Vice Chair), Berryhill, Calderon, La Malfa, Negrete McLeod, and Rubio.

JOINT COMMITTEES

Joint Committee on the Arts (6)—Price (Chair), Calderon, Cannella, Emmerson, Kehoe, and Liu.

Joint Committee on Rules (14)—Alquist, Cannella, Corbett, De León, Dutton, Emmerson, Fuller, Harman, Huff, Kehoe, Leno, Steinberg, Vargas, and Wright.

Joint Legislative Audit Committee (7)—Alquist, Anderson, De León, Dutton, La Malfa, Rubio, and Wolk.

Joint Legislative Budget Committee (8)—DeSaulnier, Emmerson, Huff, Kehoe, Leno, Padilla, Walters, and Wolk.

STEINBERG, Chair

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Bill 123: By Senator Liu (Coauthor: Senator Lowenthal) (Coauthor: Assembly Member Beall)—An act to add Chapter 4 (commencing with Section 2110) to Division 2.5 of the Welfare and Institutions Code, relating to runaway and homeless youth.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, January 26, 2011.

PAULA K. ROSSETTO, Minute Clerk

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