

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FORTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, February 11, 2014

The Senate met at 9 a.m.

Hon. Hannah-Beth Jackson, of the 19th 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:

Anderson, Beall, Block, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Lieu, Mitchell, Monning, Padilla, Pavley, Roth, Torres, Walters, Wolk, Wright, and Yee—30.

Quorum present.

(NOTE: Senators Berryhill, Cannella, Steinberg, Vidak, and Wyland will be excused this day on legislative business, Senator Liu will be excused this day on personal business, and Senators Calderon, Galgiani, and Nielsen will be excused this day due to illness.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
February 11, 2014

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,

EDMUND G. BROWN JR., Governor

LAWRENCE R. BOOTH, has been appointed to the California Building Standards Commission. Booth has held multiple positions at Frank M. Booth Inc. since 1976, including president, manager, project engineer and estimator. He is a member of the Sheet Metal and Air Conditioning Contractors' National Association, the American Society of Heating, Refrigerating and Air Conditioning Engineers and the American Society of Mechanical Engineers. Appointed 01/10/2014. Effective 01/28/2014.

Member, California Building Standards Commission, vice, Randy Twist, deceased. Term ending 01/01/2015.

DAVID R. HOCHSCHILD, has been reappointed to the California Energy Commission, where he has served since 2013. Hochschild was vice president of external affairs at Solaria Corporation from 2007 to 2013 and served as a commissioner at the San Francisco Public Utilities Commission from 2007 to 2008. He was executive director at PV Now from 2005 to 2007 and co-founder and director of policy at the Vote Solar Initiative from 2002 to 2005. Hochschild was special assistant to San Francisco Mayor Willie Brown from 2000 to 2001 and program director for the President's Award, Port Alfred, South Africa from 1996 to 1997. He earned a Master of Public Policy degree in criminal justice policy from the Harvard University, Kennedy School of Government. Reappointed 01/22/2014. Effective 01/28/2014.

Member, the California Energy Commission, reappointed, vice, self. Term ending 01/06/2019.

JANE DOLAN, has been reappointed to the Central Valley Flood Protection Board, where she has served since 2012. Dolan has been executive director at the Sacramento River Conservation Area Forum since 2010 and an independent probate referee since 1987. She served as member of the Butte County Board of Supervisors, 2nd District from 1979 to 2011. Dolan was a committee member of the Governor's Advisory Drought Planning Panel in 2000 and a member of the Statewide Affordable Housing Commission in 1980. Reappointed 01/21/2014. Effective 01/29/2014.

Member, Central Valley Flood Protection Board, reappointed, vice, self. Term ending 01/01/2018.

WILLIAM H. EDGAR, has been reappointed to the Central Valley Flood Protection Board, where he has served since 2012. Edgar has been co-owner of Edgar and Associates LLP since 1999. He was contract executive director at the Sutter Butte Flood Control Agency from 2007 to 2012 and a special advisor at McDonough Holland and Allen from 2001 to 2005. Edgar was a member of the California State Reclamation Board from 2001 to 2005 and executive director of the Sacramento Area



Flood Control Agency from 1988 to 1992. He served in multiple positions for the city of Sacramento from 1977 to 1999, including city manager and assistant city manager. Edgar earned a Master of Public Policy degree in city management from the University of Pennsylvania. Reappointed 01/21/2014. Effective 01/31/2014.

Member, Central Valley Flood Protection Board, reappointed, vice, self. Term ending 01/01/2018.

MICHAEL N. VILLINES, has been reappointed to the Central Valley Flood Protection Board, where he has served since 2010. Villines has been owner of the Villines Group LLC since 2011. He served as a California State Assemblymember, 29th Assembly District, from 2004 to 2010 and was director of public relations and co-owner of Panagraph Marketing Solutions from 1999 to 2004. Villines was chief of staff to California State Assemblymember Chuck Poochigian from 1994 to 1998 and special assistant at the California Department of Fish and Game from 1992 to 1994. He was an advance representative in Governor Wilson's Office from 1991 to 1992. Villines is vice president of corporate and government relations at the State Legislative Leaders Foundation. Reappointed 01/21/2014. Effective 01/29/2014.

Member, Central Valley Flood Protection Board, reappointed, vice, self. Term ending 01/01/2018.

LINDA M. THOR, has been appointed to the Western Interstate Commission for Higher Education. Thor has been chancellor of the Foothill-De Anza Community College District since 2010. She was president at Rio Salado College from 1990 to 2010 and at West Los Angeles College from 1986 to 1990. Thor held multiple positions at the Los Angeles Community College District from 1974 to 1986, including senior director of occupational and technical education, director of high technology centers and services, director of communications services and public information officer. She was western states manager at LeMot Educational Services and director of public information and the school of continuing education at Pepperdine University from 1971 to 1972. Thor earned a Doctor of Education degree in community college administration from Pepperdine University and a Master of Public Administration degree from California State University, Los Angeles. Appointed 01/24/2014. Effective 01/29/2014.

Member, Western Interstate Commission for Higher Education, vice, Michael Kirst, Ph.D., withdrawn from the Senate. Term ending 10/12/2015.

BO DEREK, has been reappointed to the California Horse Racing Board of Directors, where she has served since 2008. Derek has been the owner of Bless the Beasts since 1998 and has been a film and television actress since 1977. Reappointed 01/02/2014. Effective 01/24/2014.

Member, California Horse Racing Board of Directors, reappointed, vice, self. Term ending 01/01/2018.



ELIZABETH C. MORRIS, has been appointed to the California Housing Partnership Corporation. Morris has been principal at E.M. Advisors since 2008. She served in multiple positions at the San Diego Housing Commission from 1979 to 2008, including president, chief executive officer, acting assistant deputy director and development specialist. Appointed 12/17/2013. Effective 12/31/2013.

Member, California Housing Partnership Corporation, appointed, vice, Geoffrey Brown, term expired. Term ending 01/01/2014.

ELIZABETH C. MORRIS, has been reappointed to the California Housing Partnership Corporation. Morris has been principal at E.M. Advisors since 2008. She served in multiple positions at the San Diego Housing Commission from 1979 to 2008, including president, chief executive officer, acting assistant deputy director and development specialist. Reappointed 01/02/2014. Effective 01/17/2014.

Member, California Housing Partnership Corporation, reappointed, vice, self. Term ending 01/01/2017.

ANGELINA M. GALITEVA, has been reappointed to the California Independent System Operator Board of Governors, where she has served since 2011. Galiteva has been principal at New Energy Options Inc. since 2003. She was executive director of strategic planning at the Los Angeles Department of Water and Power from 1997 to 2003 and a member of the California Independent System Operator and California Power Exchange, Office of the Trustee from 1996 to 1997. Galiteva was a power analyst at the New York Power Authority from 1994 to 1996. She is founder of the Renewables 100 Policy Institute and chair of the World Council for Renewable Energy. Galiteva earned a Master of Law degree and a Juris Doctor degree from Pace University School of Law. Reappointed 01/28/2014. Effective 01/31/2014.

Member, California Independent System Operator Board of Governors, reappointed, vice, self. Term ending 12/31/2016.

ASHUTOSH A. BHAGWAT, has been reappointed to the California Independent System Operator Board of Governors, where he has served since 2011. Bhagwat has been a professor of law at the University of California, Davis School of Law since 2011. He was a professor of law at the University of California, Hastings College of Law from 1994 to 2011 and an associate at Sidley and Austin from 1992 to 1994. Bhagwat was a law clerk for Justice Anthony M. Kennedy at the U.S. Supreme Court from 1991 to 1992 and for Judge Richard A. Posner at the U.S. Court of Appeals, Seventh Circuit from 1990 to 1991. He was a research assistant at the Federal Reserve System Board of Governors from 1986 to 1987. Bhagwat earned a Juris Doctor degree from the University of Chicago Law School. Reappointed 01/28/2014. Effective 02/01/2014.

Member, California Independent System Operator Board of Governors, reappointed, vice, self. Term ending 12/31/2016.



DEVON L. GRAVES, has been appointed to the California Student Aid Commission. Graves has been conference services lead at California State Polytechnic University, Pomona Housing Conference Services since 2012. He is chair of the California State Student Association, Board of Directors and a member of the Cal Poly Pomona Foundation, Inc. Board of Directors. Graves was attorney general at the California State Polytechnic University, Pomona Associated Students Inc. from 2012 to 2013. He was the men's basketball representative of the California State Polytechnic University, Pomona Bronco Athletics Association from 2011 to 2012. Appointed 01/10/2014. Effective 01/25/2014.

Member, California Student Aid Commission, vice, Ishan M. Shah, term expired. Term expired 06/01/2015.

JOY O. HIGA, has been appointed to the California State Teachers' Retirement Board. Higa has held multiple positions at the UnitedHealth Group since 2006, including vice president of regulatory affairs and health care reform, vice president of government affairs and vice president of regulatory and external affairs. She served in multiple positions at the California State Controller's Office from 2004 to 2006, including deputy chief of staff for policy and policy director. Higa was chief deputy secretary for cabinet affairs at the Office of Governor Gray Davis in 2003 and was deputy director for plan and provider relations at the California Department of Managed Health Care from 2000 to 2003. She was director of health sciences governmental relations at the University of California, Los Angeles from 1998 to 2000 and manager of government relations at PacifiCare Health Systems from 1996 to 1998. Appointed 01/27/2014. Effective 01/27/2014.

Member, California State Teachers' Retirement Board, vice, Michael Lawson, term expired. Term ending 12/31/2017.

DAVOOD GHODS, has been appointed chief of the Office of Technology Services at the California Department of Technology. Ghods has been deputy director for enterprise information services at the California Department of Corrections and Rehabilitation since 2012. He was information technology services director at Auriga Corporation from 2011 to 2012, senior manager at Ernst and Young LLP from 2009 to 2011 and an agency information officer for the California Department of Food and Agriculture from 2006 to 2009. Ghods was chief information officer at the California Department of Consumer Affairs from 2005 to 2006 and served in multiple positions at the Stephen P. Teale Data Center from 2002 to 2005 and from 1987 to 2001, including assistant director and chief of the Project Management Office, local area network support manager and performance analyst. He served in multiple positions at the California Department of Information and Technology from 2001 to



2002, including deputy director and division chief. Appointed 01/21/2014. Effective 01/21/2014.

Member, Office of Technology Services at the California Department of Technology, vice, Ron L. Hughes, re-assigned. Term ending at the pleasure of the Governor.

DAVID L. ORTH, has been reappointed to the California Water Commission, where he has served since 2013. Orth had been general manager of the Kings River Conservation District since 2002. He was vice president of resource management at California Valley Land Company Inc. from 2000 to 2002 and held multiple positions at the Westlands Water District from 1986 to 2000, including general manager and director of finance. Orth was deputy treasurer and principal accountant at the Fresno County Auditor-Controller and Treasurer's Office from 1982 to 1986. Reappointed 01/21/2014. Effective 01/27/2014.

Member, California Water Commission, reappointed, vice, self. Term ending 01/15/2018.

JAMES S. FAMIGLIETTI, PH.D., has been appointed to the Santa Ana Regional Water Quality Control Board. Famiglietti has been director of the University of California Center for Hydrologic Modeling since 2009 and professor of earth system science at the University of California, Irvine School of Physical Sciences since 2001. He was a professor at the University of Texas at Austin Department of Geological Sciences from 1994 to 2001 and a postdoctoral research associate at Princeton University and at the National Center for Atmospheric Research from 1992 to 1993. Famiglietti is a member of the Geological Society of America and the American Geophysical Union. He earned a Doctor of Philosophy degree in civil engineering from Princeton University and a Master of Science degree in hydrology from the University of Arizona. Appointed 01/06/2014. Effective 01/20/2014.

Member, Santa Ana Regional Water Quality Control Board, vice, Fred Ameri, term expired. Term ending 09/30/2017.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES **Committee on Governmental Organization**

Senate Chamber, February 11, 2014

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

AB 520

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

WRIGHT, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 520—An act to amend Section 25503.5 of, and to add Section 25503.57 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, February 11, 2014

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

AB 146

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

DESAULNIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 146—An act to add Section 7073.7 to the Government Code, relating to economic development.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 146 pursuant to Joint Rule 58.

ASSEMBLY MEMBER OLSEN

Permission of Rules Committee

Senate Chamber, February 11, 2014

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 146.

STEINBERG, Chair

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

Committee on Natural Resources and Water

Date of Hearing, February 11, 2014

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

SB 848

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

PAVLEY, Chair

Above measure ordered to second reading.



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 974: By Senator Anderson (Coauthor: Senator Torres)—An act to add Section 100509 to the Government Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

Senate Bill 975: By Senator Lieu—An act to add Section 10343 to the Public Contract Code, relating to public contracts.

Senate Bill 976: By Senator Gaines—An act to amend Section 10140 of the Public Contract Code, relating to public contracts.

Senate Bill 977: By Senator Liu—An act to amend Section 391 of the Welfare and Institutions Code, relating to juveniles.

Senate Bill 978: By Senator DeSaulnier—An act to amend Section 264.2 of the Penal Code, relating to rape victims.

Senate Bill 979: By Senator Beall—An act to amend Section 256 of the Welfare and Institutions Code, relating to juveniles.

Senate Bill 980: By Senator Lieu—An act to amend Section 1405 of the Penal Code, relating to DNA testing.

Senate Bill 981: By Senator Huff—An act to add Section 11349.11 to, and to add and repeal Section 11349.10 of, the Government Code, relating to regulations.

Senate Bill 982: By Senator Huff—An act to amend Sections 261.9 and 647 of the Penal Code, relating to sex offenses.

Senate Bill 983: By Senator Hernandez—An act to amend Section 7205 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 984: By Senator Walters—An act to amend Section 22950 of the Education Code, relating to state teachers' retirement.

Senate Bill 985: By Senator Pavley—An act to amend Sections 10561 and 10562 of the Water Code, relating to stormwater.

Senate Bill 986: By Senator Hernandez—An act to amend Section 14182 of the Welfare and Institutions Code, relating to Medi-Cal.

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

Assembly Bill 1303—An act to add Section 19610.7 to the Business and Professions Code, relating to horse racing.

Bill read second time and ordered to third reading.



Assembly Bill 418—An act to add the heading of Article 1 (commencing with Section 65089.11) to Chapter 2.65 of, and to add Article 2 (commencing with Section 65089.50) to Chapter 2.65 of, Division 1 of Title 7 of, the Government Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SR 27** was withdrawn from Committee and placed on third reading.

SENATE COMMITTEE ROLL CALLS

Committee on Natural Resources and Water

SB 848—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (6)—Senators Evans, Jackson, Lara, Monning, Pavley, and Wolk.

NOES (0)—None.

Date of Hearing: 2/11/2014

Pavley (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Berryhill, Cannella, Steinberg, Vidak, and Wyland.

The following Senator was granted leave of absence for the day due to personal business: Senator Liu.

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

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, February 12, 2014.

PAULA K. ROSSETTO, Minute Clerk

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