

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, March 5, 2014

The Senate met at 9 a.m.

Hon. Jerry Hill, of the 13th District, presiding.

Chief Assistant Secretary Bernadette McNulty at the Desk.

Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

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

Beall, Berryhill, Block, Cannella, Corbett, Correa, De León, DeSaulnier, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Hueso, Huff, Jackson, Knight, Lara, Leno, Liu, Mitchell, Monning, Nielsen, Padilla, Pavley, Roth, Steinberg, Torres, Vidak, Wolk, and Wyland—33.

Quorum present.

(NOTE: Senators Walters and Yee will be excused this day on legislative business, Senators Calderon, Lieu, and Wright will be excused this day on personal business, and Senator Anderson will be excused this day due to illness.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

March 5, 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

JOHN A. CAPITMAN, has been appointed to the San Joaquin Valley Unified Air Pollution Control District Governing Board. Capitman has served in multiple positions at Fresno State University since 2005, including Nickerson distinguished professor in health policy and executive director of the Central Valley Health Policy Institute. He held multiple positions at Brandeis University from 1987 to 2004, including professor and director of long-term care studies at the Schneider Institutes for Health Policy and at Virginia Commonwealth University from 1983 to 1987, including health policy analyst for the Virginia Center on Aging and assistant professor in the Department of Health Administration and the Department of Gerontology. He was a principal investigator at Berkeley Planning Associates and an evaluation research consultant at the California Department of Health Services, Office of Long-Term Care and Aging from 1980 to 1983. Capitman was research director at the Center for Research in Social Dynamics from 1977 to 1979. He is co-founder and Board of Directors member of VISIONS Inc. Capitman earned a Doctor of Philosophy degree in psychology from Duke University. Appointed 02/04/2014. Effective 02/11/2014.

Member, San Joaquin Valley Unified Air Pollution Control District Governing Board, vice, Henry Forman, Ph.D., resigned, 01/22/2013. Term ending 01/01/2018.

RANDY SHORT, has been appointed to the California Boating and Waterways Commission. Short has been president of Almar Management Inc., a marina management company, since 2000, where he was chief operating officer from 1988 to 2000. He was mountain manager at Mammoth-June Ski Resort from 1985 to 1988. Short is a member of the Association of Marine Industries and of the Marina Recreation Association. Appointed 02/13/2014. Effective 02/21/2014.

Member, California Boating and Waterways Commission, vice, Henry Purdon, withdrawn from the Senate. Term ending 01/15/2015.

ERICK MIKITTEN, has been reappointed to the California Building Standards Commission, where he has served since 2012. Mikitten has been president of Mikitten Architecture since 1991 and was a lecturer and instructor at the University of California, Berkeley College of Environmental Design from 1990 to 1991. He earned a Master of Arts degree in architecture from the University of California, Berkeley. Reappointed 02/04/2014. Effective 02/21/2014.

Member, California Building Standards Commission, vice, self, reappointed. Term ending 01/01/2018.



CHERYL ROBERTS, has been reappointed to the California Building Standards Commission, where she has served since 2013. Roberts has served in multiple positions at the Rancho Cucamonga Fire Protection District since 1992, including battalion chief, fire captain, fire academy coordinator and paramedic. Roberts was a fire academy ladder instructor at Mt. San Antonio College Fire Academy from 1998 to 2003 and a seasonal wildland firefighter for the U.S. Forest Service in 1990. Reappointed 02/04/2014. Effective 02/11/2014.

Member, California Building Standards Commission, vice, self, reappointed. Term ending 01/01/2018.

FRANK C. DAMRELL JR., has been reappointed to the Delta Stewardship Council, where he has served since 2013. He has been of counsel at Cotchett Pitre and McCarthy LLP since 2012. Damrell served as a judge at the U.S. District Court, Eastern District of California from 1997 to 2011 and was an attorney in private practice from 1968 to 1997. He served as a deputy district attorney at the Stanislaus County District Attorney's Office from 1966 to 1968 and deputy attorney general at the California Department of Justice from 1965 until 1966. Damrell earned a Juris Doctor degree from Yale Law School. Reappointed 02/14/2014. Effective 02/20/2014.

Member, the Delta Stewardship Council, vice, self, reappointed. Term ending 02/03/2018.

ANTHONY M. MUNOZ, has been appointed to the Commission on Peace Officer Standards and Training. Munoz has held multiple positions at the Alameda Police Department since 1995, including sergeant and officer. He is past president and executive board member at the California Narcotics Officers' Association. Appointed 02/07/2014. Effective 02/19/2014.

Member, Commission on Peace Officer Standards and Training, vice, Robert Cooke, term expired. Term ending 01/15/2017.

MICHAEL PICKER, has been appointed to the California Public Utilities Commission. Picker has been Senior Advisor for Renewable Energy in the Office of the Governor since 2009; he will resign this position prior to taking the oath of office. He was principal at Lincoln Crow Strategic Communications from 2000 to 2009 and a consultant at Kaufman Campaign Consultants from 2000 to 2002. Picker was deputy treasurer in the Office of the California State Treasurer from 1998 to 1999 and chief of staff to Sacramento Mayor Joe Serna Jr. from 1992 to 1999. He was deputy assistant for toxic substance control in the Office of the Governor from 1981 to 1982 and a stop environmental cancer organizer at the Campaign for Economic Democracy from 1978 to 1982. He has been a member of the Sacramento Municipal Utility District Board of



Directors since 2012; he will resign this position prior to taking the oath of office. Appointed 01/28/2014. Effective 02/05/2014.

Member, California Public Utilities Commission, vice, Mark Ferron, resigned, 01/16/2014. Term ending 01/01/2015.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, March 5, 2014

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

SB 838

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

STEINBERG, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 838—An act to amend Section 647 of the Penal Code, relating to disorderly conduct.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, March 5, 2014

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

AB 1331

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

PAVLEY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1331—An act to repeal and add Division 26.7 (commencing with Section 79700) of the Water Code, and to repeal Section 2 of Chapter 3 of the Seventh Extraordinary Session of the Statutes of 2009, relating to a clean and safe drinking water program, 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.

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



Committee on Rules

State Capitol, March 5, 2014

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

Laura A. Alarcon, Chief, Bureau of Security and Investigative Services (5-0)

STEINBERG, Chair

Above appointment ordered placed on unfinished business file.

State Capitol, March 5, 2014

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:

John J. Carvelli, Jr., Member, State Athletic Commission (5-0)

Mary Alice Lehman, Member, State Athletic Commission (5-0)

Martha A. Shen-Urquidez, Member, State Athletic Commission (5-0)

STEINBERG, Chair

Above appointments ordered placed on unfinished business file.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and ordered held at desk:

Senate Resolution 33: By Senator Steinberg—Relative to the Standing Rules of the Senate for the 2013-14 Regular Session.

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

Senate Concurrent Resolution 79—Relative to school and college textbooks.

Resolution read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1303—An act to amend Section 19605.7 of, and to add Section 19549.16 to, the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1414—An act to amend Sections 27510, 27519, and 27644 of, and to add Sections 27519.6 and 27644.5 to, the Food and Agricultural Code, and to add Sections 109992 and 110674 to the Health and Safety Code, relating to eggs, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.



MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 503** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

MEASURES REFERRED TO THE COMMITTEE ON RULES

The following measures, **SR 30** and **SR 31**, were referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS**Committee on Governmental Organization**

AB 1303—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Berryhill, Cannella, Correa, De León, Galgiani, Hernandez, Torres, and Vidak.

NOES (0)—None.

Date of Hearing: 3/4/2014

Correa (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Walters and Yee.

The following Senators were granted leaves of absence for the day due to personal business: Senators Calderon, Lieu, and Wright.

The following Senator was granted leave of absence for the day due to illness: Senator Anderson.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, March 6, 2014.

PAULA K. ROSSETTO, Minute Clerk

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