

## CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Friday, February 13, 2015

The Senate met at 9:03 a.m.

Hon. Ricardo Lara, of the 33rd 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, Bates, Beall, Block, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Monning, Nguyen, Nielsen, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk—31.

Quorum present.

*(NOTE: Senators Berryhill, Hernandez, Mitchell, Morrell, and Pan will be excused this day on personal business. Senator Cannella will be excused this day due to illness.)*



**PRAYER**

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

*Loving God*, in the 1500's, St. John of the Cross said: "Where there is no love, put love, and love will be there." That's what Etty Hillesum did in 1943. Kayla Mueller did it in the time leading up to her death last week.

We pray today that each one of us will experience ongoing support, affection, care, and joy from those who love us intimately, so that in our work of building a more just and loving society, we will have the courage and strength to put love where there seems to be only fear, anger, violence, and chaos. May our choice to love deeply enkindle goodness, unity, and beauty in our world. We ask this in Your name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, February 13, 2015

Mr. President: The Committee on Rules has examined:

SB 37

And reports the same correctly engrossed.

DE LEÓN, Chair

**MOTIONS, RESOLUTIONS AND NOTICES****UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

February 9, 2015	February 10, 2015	February 11, 2015
February 12, 2015	February 13, 2015	

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

**Senate Joint Resolution 2**—Relative to immigration.

Resolution read third time and presented by Senator Vidak.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Huff moved a call of the Senate.

Motion carried.



**At 9:22 a.m., Senator Hannah-Beth Jackson, 19th District,  
Presiding**

**At 9:24 a.m., Senator Ricardo Lara, 33rd District, Presiding**

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SJR 2)**

On motion of Senator Vidak, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SJR 2 was adopted by the following vote:

AYES (31)—Senators Allen, Anderson, Bates, Beall, Block, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Monning, Nguyen, Nielsen, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk.

NOES (0)—None.

Above resolution ordered transmitted to the Assembly.

**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day on personal business: Senators Berryhill, Hernandez, Mitchell, Morrell, and Pan.

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

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE  
SENATE DISPENSED WITH**

At 9:26 a.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator De León moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, February 17, 2015.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, February 13, 2015

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

SCR 4

Above resolution ordered enrolled.



Assembly Chamber, February 13, 2015

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

ACR 11

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Concurrent Resolution 11**—Relative to Abraham Lincoln's birthday.

**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

February 13, 2015

*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 and reappointments are subject to Senate confirmation and consent. I hereby nominate these appointees and reappointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

JOSEPH K. LYOU, PH.D., has been reappointed to the South Coast Air Quality Management District, where he has served since 2007. Lyou has been president and chief executive officer at the Coalition for Clean Air since 2010. He was executive director at the California Environmental Rights Alliance from 2003 to 2010 and director of programs and interim executive director for the California League of Conservation Voters Education Fund from 2000 to 2002. Lyou served on the Los Angeles World Airports Air Quality Source Apportionment Study Technical Working Group and the California Environmental Protection Agency's Advisory Committee on Environment. Reappointed 01/19/2015. Effective 01/30/2015.

Member, South Coast Air Quality Management District, vice, self, reappointed. Term ending 01/15/2019.



BEVERLY J. JOHNSON, has been reappointed deputy director at the Office of Administrative Law at the California Government Operations Agency, where she has served as deputy director since 2012. Johnson was an attorney at the Beverly J. Johnson Law Offices from 2000 to 2012, served as a member of the Alameda City Council from 2010 to 2012 and from 1998 to 2002, and was mayor of the City of Alameda from 2002 to 2010. She was an associate attorney at the Law Offices of Susan L. Jeffries from 1995 to 2000, a deputy district attorney at the Alameda County District Attorney's Office from 1994 to 1995, and associate attorney at the Law Office of W. Lance Russum from 1985 to 1994. Johnson earned a Juris Doctor degree from the University of the Pacific, McGeorge School of Law. Reappointed 01/08/2015. Effective 01/16/2015.

Deputy Director, Office of Administrative Law at the California Government Operations Agency, vice, self, reappointed. Term ending 01/06/2019.

BOBBIE J. ANDERSON, has been reappointed to the California Board of Barbering and Cosmetology, where she has served since 2012. Anderson served as a field representative for California State Assembly Member Mike Davis from 2006 to 2009, supervising legal office assistant at the Los Angeles County Public Defender's Office from 1978 to 2003 and as a typist clerk at the Los Angeles County Department of Public Social Services from 1957 to 1968. Anderson was a member of the Legacy Service Employees International Union Local 660/721 Executive Board from 1995 to 2003. Reappointed 01/27/2015. Effective 02/04/2015.

Member, California Board of Barbering and Cosmetology, vice, self, reappointed. Term ending 01/01/2019.

JOSEPH A. FEDERICO, has been reappointed to the California Board of Barbering and Cosmetology, where he has served since 2011. Federico has been chief financial officer at the Federico Beauty Institute since 2009, where he has been a member of the board of directors since 2004 and was director of financial aid from 2006 to 2009. He is a member of the American Association of Cosmetology Schools and the California Association of Student Financial Aid Administrators. Reappointed 01/27/2015. Effective 02/03/2015.

Member, California Board of Barbering and Cosmetology, vice, self, reappointed. Term ending 01/01/2019.



DEBRA M. CORNEZ, has been reappointed director of the Office of Administrative Law at the California Government Operations Agency, where she has been director since 2012 and has served in several positions since 1986, including acting director, assistant chief counsel, and staff counsel. Cornez served as staff counsel at the University of the Pacific, McGeorge School of Law Institute for Administrative Justice from 1983 to 1986. She earned a Juris Doctor degree from the University of the Pacific, McGeorge School of Law. Reappointed 01/08/2015. Effective 01/16/2015.

Director, Office of Administrative Law at the California Government Operations Agency, vice, self, reappointed. Term ending 01/06/2019.

CHRISTOPHER V. DOWNEY, has been reappointed to the California Commission on Disability Access, where he has served since 2013. Downey has been principal architect at Architecture for the Blind since 2009, and a lecturer at the University of California, Berkeley Department of Architecture since 2011. He was managing principal at Michelle Kaufmann Designs in 2008, founding partner at Ashdown Downey Architecture and Design from 2003 to 2007, and held several positions at Holt Hinshaw from 1993 to 2003. Downey is a member of the LightHouse for the Blind and Visually Impaired Board of Directors and the American Institute of Architects San Francisco Chapter. He earned a Master of Architecture degree from the University of California, Berkeley. Reappointed 01/13/2015. Effective 02/02/2015.

Member, California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2018.

ZACKERY P. MORAZZINI, has been appointed director of the Office of Administrative Hearings at the California Department of General Services. Morazzini has served as general counsel at the California Fair Political Practices Commission since 2011. He served in several positions at the California Department of Justice from 2001 to 2011, including supervising deputy attorney general, deputy attorney general, and graduate legal scholar. Morazzini was an attorney at Martinez and Kaminski from 2000 to 2001 and at the Pacific Legal Foundation from 1999 to 2000. He earned a Master of Science in Law and a Juris Doctor degree from the University of the Pacific, McGeorge School of Law. Appointed 01/21/2015. Effective 01/21/2015.

Director, Office of Administrative Hearings at the California Department of General Services, vice, Linda A. Cabatic, resigned 12/21/2014. Term ending at the pleasure of the Governor.



PAMELA AHLIN, has been appointed director of the California Department of State Hospitals, where she has served as chief deputy director since 2014 and was a deputy director from 2012 to 2014. Ahlin was executive director at Coalinga State Hospital from 2008 to 2012, where she was a hospital administrator from 2005 to 2007. She served as a staff services manager at Wasco State Prison from 2001 to 2005 and was an associate governmental program analyst at the California Substance Abuse Treatment Facility and State Prison, Corcoran from 1997 to 2001 and at Corcoran State Prison from 1996 to 1997. Ahlin served as a correctional officer at Avenal State Prison from 1991 to 1996. She serves as the California Department of State Hospitals' representative on the California Rehabilitation Oversight Board and is secretary of the Western Psychiatric State Hospital Association Board. Ahlin earned a Master of Arts degree in leadership and organizational development from Fresno Pacific University. Appointed 01/07/2015. Effective 01/07/2015.

Director, California Department of State Hospitals, vice, Stephen Mayberg, vacated 2010. Term ending at the pleasure of the Governor.

STEPHANIE L. CLENDENIN, has been appointed chief deputy director at the California Department of State Hospitals. Clendenin has been chief deputy director at the California Office of Statewide Health Planning and Development since 2011, where she has served in several positions since 1994, including acting director in 2011 and acting chief deputy director from 2009 to 2011. She was a staff services manager at the California Department of Forestry and Fire Protection from 2005 to 2006 and served in several positions at the California Department of Finance from 1998 to 2000, including staff administrative analyst and associate administrative analyst. Appointed 01/07/2015. Effective 01/07/2015.

Chief Deputy Director, California Department of State Hospitals, vice, Pamela A. Ahlin, re-assigned. Term ending at the pleasure of the Governor.

RICHARD MAULLIN, PH.D., has been reappointed to the California Independent System Operator Board of Governors, where he has been chair since 2014 and has served since 2011. Maullin has been a partner at Fairbank, Maslin, Maullin, Metz and Associates since 1981. He earned a Doctor of Philosophy and a Master of Science degree in political science from the University of California, Los Angeles. Reappointed 01/02/2015. Effective 01/13/2015.

Member, California Independent System Operator Board of Governors, vice, self, reappointed. Term ending 12/31/2017.



JOHN J. SCHNEIDER, has been reappointed to the State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, where he has served since 2013. He has been marine operations manager at the Tesoro Corporation since 2014, where he has held several positions since 2006, including marine manager, single point mooring operations manager, and marine superintendent. Schneider was a ship's officer for the Alaska Tanker Company from 1999 to 2006 and for the Maritime Overseas Company from 1989 to 1999. Reappointed 01/16/2015. Effective 01/27/2015.

Member, State Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, vice, self, reappointed. Term ending 12/31/2018.

KATHLEEN L. THOMASBERG, has been appointed to the Central Coast Regional Water Quality Control Board. Thomasberg served in several positions at the Monterey County Water Resources Agency from 1992 to 2012, including senior hydrologist and conservation manager, program manager for water quality and conservation, water quality supervisor, and water quality specialist. She was a source control inspector at the Carmel Area Wastewater District from 1991 to 1992 and a microbiology laboratory technician at Hartnell Community College from 1986 to 1991. Appointed 01/15/2015. Effective 01/19/2015.

Member, Central Coast Regional Water Quality Control Board, vice, Russell Jeffries, term expired. Term ending 09/30/2018.

Above appointments and reappointments referred to the Committee on Rules.

#### 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 223:** By Senator Galgiani—An act to add Section 64.6 to the Harbors and Navigation Code, relating to aquatic invasive plants.

**Senate Bill 224:** By Senator Liu (Coauthor: Senator Leno)—An act to add Section 3055 to the Penal Code, relating to parole.

**Senate Bill 225:** By Senator Wieckowski—An act to add Section 42889.5 to the Public Resources Code, relating to recycling.

**Senate Bill 226:** By Senator Pavley—An act to add Chapter 12 (commencing with Section 10737) to Part 2.74 of Division 6 of the Water Code, relating to groundwater.

**Senate Bill 227:** By Senator Mitchell—An act to amend Section 891 of the Penal Code, relating to grand juries.

**Senate Bill 228:** By Senator Cannella—An act to amend Section 1242 of the Water Code, relating to water.





**Senate Bill 229:** By Senator Roth—An act relating to courts, and making an appropriation therefor.

**Senate Bill 230:** By Senator Hancock—An act to amend Section 3041 of the Penal Code, relating to parole.

**Senate Bill 231:** By Senator Gaines—An act to amend Sections 75212 and 75230 of the Public Resources Code, and to amend Section 99313 of the Public Utilities Code, relating to transportation, and making an appropriation therefor.

**Senate Bill 232:** By Senator Hall (Principal coauthor: Assembly Member Burke)—An act to amend Section 52074 of the Education Code, relating to school accountability.

**Senate Bill 233:** By Senator Hertzberg—An act to amend Section 5993 of the Fish and Game Code, relating to fish and wildlife.

**Senate Bill 234:** By Senators Wolk and Nielsen (Principal coauthors: Senators Berryhill, Cannella, and McGuire) (Principal coauthors: Assembly Members Alejo, Dodd, and Frazier) (Coauthors: Senators Gaines, Galgiani, Morrell, Stone, and Vidak) (Coauthors: Assembly Members Achadjian, Bigelow, Chávez, Dahle, Gallagher, Gray, Lackey, Levine, Linder, Melendez, Olsen, Patterson, Steinorth, and Waldron)—An act relating to fish and wildlife, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

#### REQUESTS TO ADJOURN IN MEMORIAM

Senator Block requested that when the Senate adjourns this day it do so in memory of Lauren Wallace Childers of Escondido.

Senator Fuller requested that when the Senate adjourns this day it do so in memory of Fitzhugh Fulton of Thousand Oaks.

Senator Huff requested that when the Senate adjourns this day it do so in memory of Bruce Rogers of Anaheim and Anna “Annie” Aguiar of Chino.

Senator Liu requested that when the Senate adjourns this day it do so in memory of Bill Dryer and Forrest “Frosty” Boyd of La Cañada Flintridge and Dolores Wong of Glendale.

Senator McGuire requested that when the Senate adjourns this day it do so in memory of Henry Trione of Santa Rosa.

Senators McGuire and Nielsen requested that when the Senate adjourns this day it do so in memory of Don Clausen of Fortuna.

Senator Mitchell requested that when the Senate adjourns this day it do so in memory of Risë K. Phillips of Los Angeles.



Senator Stone requested that when the Senate adjourns this day it do so in memory of Larry Stone of Los Angeles.

Senator Vidak requested that when the Senate adjourns this day it do so in memory of Jerry Tarkanian of Fresno.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Tuesday, February 17, 2015.

NEVA MARIE PARKER, Minute Clerk

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