

## CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FORTY-SIXTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, February 3, 2016

The Senate met at 9 a.m.

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

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

### ROLL CALL

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

Allen, Anderson, Beall, Block, Cannella, De León, Fuller, Galgiani, Hall, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Nguyen, Nielsen, Pan, Pavley, Roth, Runner, Stone, Vidak, and Wieckowski—34.

Quorum present.

*(NOTE: Senators Bates, Berryhill, Glazer, and Hancock will be excused this day on legislative business. Senators Gaines and Wolk will be excused this day on personal business.)*



**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol

February 3, 2016

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following reappointments heretofore made by me to offices which by law are to be filled by the Governor. These reappointments are subject to Senate confirmation and consent. I hereby nominate these re-appointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

GENEVIEVE A. SHIROMA, has been reappointed to the California Agricultural Labor Relations Board, where she has served since 1999. Shiroma served as chief of the Air Quality Branch at the California Air Resources Board from 1990 to 1999, where she was an air quality engineer from 1978 to 1990. Reappointed 01/04/2016. Effective 01/13/2016.

Member, California Agricultural Labor Relations Board, vice, self, reappointed. Term ending 01/01/2021.

CELIA L. MCGUINNESS, has been reappointed to the California Commission on Disability Access, where she has served since 2015. McGuinness has been managing attorney at the Law Office of Paul L. Rein since 2010, where she was an associate from 2008 to 2010. She was a sole practitioner at the Law Office of Celia McGuinness from 1999 to 2008 and served as a deputy public defender at the San Francisco Public Defender's Office from 1991 to 1997. McGuinness was an adjunct legal writing and research instructor and a moot court instructor at the University of California, Hastings College of the Law from 2008 to 2010 and from 1994 to 1997, and was a visiting clinical professor at the University of San Francisco, School of Law in 1998. She is a member of the Consumer Attorneys of California, the Coalition of Disability Access Professionals, and the Alameda Contra Costa Trial Lawyers' Association Board. McGuinness earned a Juris Doctor degree from the University of California, Hastings College of the Law. Reappointed 01/04/2016. Effective 01/11/2016.

Member, California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2019.



LAURIE C. YOO, has been reappointed to the California Commission on Disability Access, where she has served since 2014. Yoo has been associate general counsel at Westfield LLC since 2007. She was a partner at Katten, Muchin and Rosenman in 2006, where she was an associate from 1998 to 2006. Yoo was a legal intern at the U.S. Holocaust Memorial Museum Office of Legal Counsel in 1996. She earned a Juris Doctor degree from the University of California, Los Angeles School of Law. Reappointed 01/04/2016. Effective 01/26/2016.

Member, California Commission on Disability Access, vice, self, reappointed. Term ending 01/01/2019.

BRUCE HOLADAY, has been reappointed to the California State Board of Education, where he has served since 2012. Holaday has been director at Wildlife Associations since 2014, where he was director of educational advancement from 2010 to 2014. He was executive director at Newpoint Tampa High School from 2009 to 2010 and at the Oakland Military Institute from 2004 to 2009. Holaday held several positions at Culver Academies from 1976 to 2004, including director of development, director of Culver Summer Camps, and English teacher. He earned a Master of Education degree in English from Indiana University. Reappointed 01/18/2016. Effective 01/20/2016.

Member, California State Board of Education, vice, self, reappointed. Term ending 01/15/2020.

FELIZA I. ORTIZ-LICON, has been reappointed to the California State Board of Education, where she has served since 2015. Ortiz-Licon has been senior director of K–12 education at the National Council of La Raza since 2013, where she was regional director of education for California and the Far West from 2007 to 2013. She was director of college access services at the Fulfillment Fund from 2006 to 2007, director of policy for Los Angeles Unified School District Board of Education member David Tokofsky from 2003 to 2006, and served as a teacher at John Muir Elementary School from 1999 to 2001. She is a member of the American Educational Research Association. Ortiz-Licon earned a joint Doctor of Education degree in educational leadership from the University of California, Irvine and California State University, Los Angeles, and a Master of Arts degree in city and regional planning from the University of California, Berkeley. Reappointed 01/18/2016. Effective 01/22/2016.

Member, California State Board of Education, vice, self, reappointed. Term ending 01/15/2020.



JANEA A. SCOTT, has been reappointed to the California Energy Commission, where she has served since 2013. Scott was a deputy counselor for renewable energy and special assistant to the counselor at the U.S. Department of the Interior, Office of the Secretary from 2009 to 2013, and held several positions at the Environmental Defense Fund from 2000 to 2009, including senior attorney and staff attorney. She served as an AmeriCorps member at the San Francisco Urban Service Project from 1996 to 1997. Scott earned a Juris Doctor degree from the University of Colorado Law School and a Master of Science degree in earth systems from Stanford University. Reappointed 01/07/2016. Effective 01/13/2016.

Member, State Energy Resources Conservation and Development Commission, vice, self, reappointed. Term ending 01/06/2021.

MARK J. FERRON, has been reappointed to the California Independent System Operator Board of Governors, where he has served since 2015. Ferron served as a member of the California Public Utilities Commission from 2011 to 2014, was a partner at the Silicon Valley Social Venture Fund from 2010 to 2014, and held several positions at Deutsche Bank from 1996 to 2009, including managing director and chief operating officer of the Global Markets Division. He was vice president at Salomon Brothers from 1994 to 1996 and at Bank of America from 1986 to 1994. Ferron earned a Master of Arts degree in economics from Stanford University. Reappointed 01/07/2016. Effective 01/18/2016.

Member, California Independent System Operator Board of Governors, vice, self, reappointed. Term ending 12/31/2018.

DAVID OLSEN, has been reappointed to the California Independent System Operator Board of Governors, where he has served since 2012. Olsen was managing director at the Western Grid Group from 2003 to 2013 and coordinator for the California Energy Commission's Renewable Energy Transmission Initiative from 2007 to 2010. He was coordinator at the Tehachapi Collaborative Study Group from 2005 to 2007, president at Clipper Windpower Development from 2001 to 2003, and CEO at Patagonia Inc. from 1996 to 1999. He was vice president at the Magma Power Company from 1988 to 1995 and president and CEO at Northern Power Systems from 1984 to 1988. Reappointed 01/07/2016. Effective 01/16/2016.

Member, California Independent System Operator Board of Governors, vice, self, reappointed. Term ending 12/31/2018.



JUDITH E. FREYMAN, has been reappointed to the Occupational Safety and Health Appeals Board, where she has served since 2012. Freyman was vice president and western operations director at Mercer ORC Worldwide from 2001 to 2012 and held multiple positions at ConAgra Refrigerated Prepared Foods from 1979 to 2001, including assistant general counsel and corporate counsel. Freyman was corporate counsel at the Jewel Corporation from 1977 to 1979. She earned a Juris Doctor degree from the Loyola University, Chicago School of Law. Reappointed 01/18/2016. Effective 01/20/2016.

Member, Occupational Safety and Health Appeals Board, vice, self, reappointed. Term ending 01/15/2020.

THOMAS E. UNTERMAN, has been reappointed to the California State Teachers' Retirement Board, where he has served since 2013. Unterman has been an adjunct faculty member at the University of California, Los Angeles School of Law since 2011 and has held multiple positions at Rustic Canyon Partners since 1999, including founder and founding partner. He held multiple positions at the Times Mirror Company from 1992 to 1999, including executive vice president and chief financial officer. Unterman was a partner at Morrison and Foerster from 1986 to 1992 and at Orrick, Herrington and Sutcliffe LLP from 1969 to 1986. Unterman is a member of the ProPublica Board of Directors and the Museum of Contemporary Art, Los Angeles Board of Trustees. He earned a Juris Doctor degree from the University of Chicago Law School. Reappointed 01/04/2016. Effective 01/13/2016.

Member, California State Teachers' Retirement Board, vice, self, reappointed. Term ending 12/31/2019.

Above reappointments referred to the Committee on Rules.

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Rules**

State Capitol, February 3, 2016

Mr. President: The Committee on Rules has ordered the following measure to third reading:

SCR 99

State Capitol, February 3, 2016

Mr. President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Justin R. Paddock, Chief, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (5-0)

DE LEÓN, Chair

Above appointment ordered to unfinished business.



State Capitol, February 3, 2016

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Silas H. Abrego, Ed.D., Member, Trustees of the California State University (5-0)

Adam Day, Member, Trustees of the California State University (5-0)

Peter J. Taylor, Member, Trustees of the California State University (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, February 3, 2016

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

George H. Livingstone, Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun (5-0)

Jennifer F. Schmid, Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun (5-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, February 3, 2016

Mr. President: The Committee on Rules has made the following appointments:

Appointed Joseph Yee as a member of the Capitol Area Committee for a term ending December 31, 2019.

Appointed the Honorable Janet Nguyen as a member of the Governor's Military Council for a term ending at the pleasure of the Committee.

Appointed John R. Dierking, J.D., as a member of the Board of Vocational Nursing and Psychiatric Technicians for a term ending June 1, 2016.

Appointed Mariam Z. Valencia, J.D., as a member of the Physician Assistant Board for a term ending January 1, 2019.

Appointed the Honorable Bob Huff as a member of the State Allocation Board for a term ending at the pleasure of the Committee.

DE LEÓN, 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 Monning—An act to amend Sections 1771, 1788, and 1788.4 of the Health and Safety Code, relating to continuing care contracts.

**Senate Bill 940:** By Senator Vidak—An act relating to transportation.

**Senate Bill 941:** By Senator Mitchell—An act to amend Sections 27756 and 27757 of the Government Code, to amend Sections 1203.016, 1203.1ab, and 1208.2 of the Penal Code, to amend Section 19280 of the Revenue and Taxation Code, and to amend Sections 207.2, 332, 656, 729.9, 871, 900, and 11325.24 of, and to repeal Sections 902, 903, 903.1, 903.15, 903.2, 903.25, 903.4, 903.45, 903.47, 903.5, 903.6, 903.7, and 904 of, the Welfare and Institutions Code, relating to juveniles.

**Senate Bill 942:** By Senator Liu—An act to amend Sections 319 and 361.4 of the Welfare and Institutions Code, relating to dependency proceedings.

**Senate Bill 943:** By Senator Anderson—An act to amend Section 34600 of the Vehicle Code, relating to vehicles.

**Senate Bill 944:** By the Committee on Transportation and Housing (Senators Beall (Chair), Allen, Bates, Cannella, Gaines, Galgiani, Leyva, McGuire, Mendoza, Roth, and Wieckowski)—An act to amend Section 4270 of, and to amend and renumber Section 4750.10 of, the Civil Code, and to amend Section 12955.9 of the Government Code, relating to housing.

**Senate Bill 945:** By Senator Monning—An act to add Chapter 11 (commencing with Section 122380) to Part 6 of Division 105 of the Health and Safety Code, relating to pet boarding facilities.

**Senate Bill 946:** By Senator Leyva—An act to amend Sections 46300 and 48205 of the Education Code, relating to pupil attendance.

**Senate Bill 947:** By Senator Pan—An act to amend Section 11052.5 of the Welfare and Institutions Code, relating to public social services.

**Senate Bill 948:** By Senator Anderson (Principal coauthor: Assembly Member Lackey)—An act to amend Sections 4629.7, 4681.1, 4681.6, 4689.8, 4691.9, and 4860 of, and to add Sections 4519.8, 4681.2, 4690.7, 4793, and 4794 to, the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.



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

**Senate Concurrent Resolution 106:** By Senator Jackson—Relative to California Court Reporting and Captioning Week.

**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day on legislative business: Senators Bates, Berryhill, Glazer, and Hancock.

The following Senators were granted leaves of absence for the day on personal business: Senators Gaines and Wolk.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, February 4, 2016.

NEVA MARIE PARKER, Minute Clerk

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