

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, December 6, 2004

MUSICAL INTERLUDE

Musical interlude presented by the St Mary's College NightinGael.

The hour of 12 o'clock m., having arrived, Lt. Governor Cruz Bustamante, President of the Senate, in accordance with Article IV Section 3(a), of the Constitution of the State of California, called the Senate to order and announced that the 2005–2006 Regular Session of the Legislature was about to convene, and informed the Senators that, pursuant to Section 9150 of the Government Code, Greg Schmidt, Secretary of the Senate; Paula K. Rossetto, Minute Clerk; and Tony Beard, Jr., Sergeant at Arms, were in their respective places.

Assistant Secretary Kipchoge Randall reading.

PRESENTATION OF THE COLORS

The colors were presented by the Honor Guard to the Governor and Adjutant General.



PRAYER

Prayer was offered by the Chaplain, Rev. Canon James Richardson:

Loving and Gracious God, As we gather this day at the beginning of a new legislative session, we pause to give You thanks for the abundance in this land called California. We give You thanks for the people who have entrusted us with the tasks before us. Watch over us now and in the days ahead. Guide us that we may meet the challenges we face with patience and civility toward each other. In the passions and strife of our time, give us a quiet and graceful spirit. In the complexities of the issues that confront us, gives us wise and courageous hearts. Help us always to see and hear the voices of those who are poor or sick, those who are without work or hungry, and those who are troubled or in prison. Guide our minds and our hearts as we shape those laws that will truly unite us as one nation, under God, with liberty and justice for all. In Your Holy Name we pray—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Cox led the Senate in the pledge of allegiance to the Flag.

CERTIFICATE OF ELECTION

State of California
Office of the Secretary of State

I, Kevin Shelley, Secretary of State of the State of California, hereby certify:

That according to the semi-official canvass filed in my office, the persons whose names are hereinafter set forth were duly elected at the November 2, 2004 General Election as State Senators in the Legislature of the State of California for four-year terms beginning on the 6th day of December, 2004;

That set opposite their respective names are the Senate districts from which they were elected (four-year terms, from the odd-numbered districts) and the names of the county or counties comprising or forming a portion of said districts, with the name of any county entirely within or comprising the district shown in capital letters.

<i>State Senators-elect</i>	<i>District</i>	<i>County or Counties</i>
Dave Cox	First	ALPINE, AMADOR, CALAVERAS, EL DORADO, LASSEN, MODOC, MONO, Nevada, Placer, PLUMAS, Sacramento, Sierra
Carole Migden	Third	MARIN, San Francisco, Sonoma
Michael J. Machado	Fifth	Sacramento, San Joaquin, Solano, YOLO
Tom Torlakson	Seventh	Contra Costa
Don Perata	Ninth	Alameda, Contra Costa
Joe Simitian	Eleventh	San Mateo, Santa Clara, Santa Cruz
Elaine Alquist	Thirteenth	Santa Clara

Abel Maldonado	Fifteenth ...	Monterey, SAN LUIS OBISPO, Santa Barbara, Santa Clara, Santa Cruz
George C. Runner	Seventeenth	Kern, Los Angeles, San Bernardino, Ventura
Tom McClintock	Nineteenth	Los Angeles, Santa Barbara, Ventura
Jack Scott	Twenty-First	Los Angeles
Sheila James Kuehl	Twenty-Third	Los Angeles, Ventura
Edward Vincent	Twenty-Fifth	Los Angeles
Alan S. Lowenthal	Twenty-Seventh	Los Angeles
Bob Margett	Twenty-Ninth	Los Angeles, Orange, San Bernardino
Bob Dutton	Thirty-First	Riverside, San Bernardino
Dick Ackerman	Thirty-Third	Orange
John Campbell	Thirty-Fifth	Orange
Jim Battin	Thirty-Seventh	Riverside
Christine Kehoe	Thirty-Ninth	San Diego

IN WITNESS WHEREOF I hereunto set my hand and affix the Great Seal of the State of California this 30th day of November, 2004.

[SEAL]

KEVIN SHELLEY
Secretary of State

RESOLUTIONS

The following resolution was introduced by Senator Speier:

Senate Resolution 1

Relative to holdover Senators

Resolved by the Senate of the State of California, That the holdover Senators take their seats, and that the Senators-elect proceed to the Bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read and adopted.

OATH OF OFFICE ADMINISTERED

The following Senators-elect, as their respective districts were called, appeared at the Bar of the Senate, presented their certificates of election, and each took and subscribed to the following oath of office, administered by the Honorable Ronald M. George, Chief Justice of the Supreme Court of California:

Dick Ackerman, Elaine Alquist, Jim Battin, John Campbell, Dave Cox, Bob Dutton, Christine Kehoe, Sheila James Kuehl, Alan S. Lowenthal, Michael J. Machado, Abel Maldonado, Bob Margett, Tom McClintock, Carole Migden, Don Perata, George C. Runner, Jack Scott, Joe Simitian, Tom Torlakson, and Edward Vincent.

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of

California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
this sixth day of December

A.D. 2004

RONALD M. GEORGE

ROLL CALL OF ALL SENATORS

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

Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

RESOLUTIONS

The following resolution was introduced by Senator Romero:

Senate Resolution 2

Senate Resolution 2—Relative to election of officers.

Resolved by the Senate of the State of California, That Senator Don Perata be and is hereby elected President pro Tempore of the Senate; that Greg Schmidt be and he is hereby elected Secretary of the Senate; that Tony Beard, Jr., be and he is hereby elected Sergeant at Arms of the Senate.

Resolution read and presented by Senator Romero.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (40)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

OATH OF OFFICE ADMINISTERED

The newly elected officers of the Senate appeared at the Bar of the Senate and took and subscribed to the oath of office administered by Chief Justice Ronald M. George.



ADDRESS BY FORMER PRESIDENT PRO TEMPORE

Former President pro Tempore John Burton addressed the members of the Senate and introduced Senator Don Perata as President pro Tempore for the 2005–06 Session.

ADDRESS BY PRESIDENT PRO TEMPORE

Senator Perata's opening address to the members of the Senate.

As John Burton has said, "There is no greater honor than being chosen to lead by a vote of your peers."

Today, I accept this honor with humility, with a profound sense of responsibility, and with an unwavering focus on keeping faith with the trust and confidence you've placed in me. Thank you.

Now, it's time to buckle up, get to work and honor the confidence the voters of this state have placed in us.

We do so with enthusiasm and hope, determination and cooperation.

Each of us seated here has accepted public service as our chosen vocation. Our individual personalities and unique life-experiences have forged the values, ambitions and hope we bring to the legislature and state governance.

My own preparation for politics came early—as a parent and as a teacher.

To the work at hand:

There is no Democratic or Republican way to solve problems, make tough choices or provide for California's future.

Nor is this future vested in one branch of government. We have seated here our own compact with the voters and our own values rooted deeply in the history and traditions of our great nation.

That's why the Senate Democratic majority welcomes working with our Republican Governor Arnold Schwarzenegger and our Republican Senate colleagues. Like the governor, we are poised and ready to engage, deliberate and renew the Golden Dream.

We pledge to the people who elected us, the Californians who every day hope that health care will be more accessible, who hope that housing will be more affordable, who hope that good jobs at family-friendly wages will be more available, who hope to spend less time in traffic and more time at



home with their loved ones . . . we say to you: we hear your hopes and help is here—starting right now.

Within the majority caucus are the pluralities of talent—as rich, evolving and complex as the state itself—that give full expression to the hopes and dreams of all Californians.

I'd like to spend a few moments to see who they are and what they mean to the people and future of California.

Gloria Romero—committed to restoring dignity and purpose to state corrections, especially the youth authority.

Richard Alarcón—whose work for families in poverty illustrates our collective social responsibilities to the less fortunate.

Debra Bowen—ever willing to engage the challenges of technology in the marketplace, in government and in our lives.

Gil Cedillo—unrelenting in his passionate advocacy for our new Americans.

Wesley Chesbro—whose convictions and fairness are ideally suited to the budget challenges to protect vital services and encourage investment in the state's future.

Denise Ducheny—whose work on California-Mexico relations raises new vistas of mutual economic opportunity.

Joe Dunn—whose vocation and avocation in life are protecting our cherished freedoms.

Martha Escutia—tenacious unraveler of some of the state's thorniest problems, whose attention now is to help attain energy solvency to boost this state's economy.

Liz Figueroa—who will lead our own effort and determination to modernize state government.

Dean Florez—waging a relentless fight to guarantee central valley children clean air to breathe.

Sheila Kuehl—a leader in civil rights issues and the ever-vigilant gatekeeper for California's water, coast and natural resources.

Mike Machado—determined to find a better way to fund local schools.

Kevin Murray—whose eclectic brilliance accepts no boundaries in pursuit of fair and equal representation.

Deborah Ortiz—whose singular efforts and vision have placed California on the leading edge of stem cell research.

Jack Scott—a college president determined to guarantee the opportunity for every deserving student to have a college education.

Nell Soto—who in action and words reminds us of our duty to serve the public who have vested so much trust in us.

Jackie Speier—the nation's leading defender of financial privacy.

Tom Torlakson—who leads our featured efforts to increase home ownership and decrease the time parents waste in cars commuting.

Ed Vincent—who pursues his own dream—The California Triple Crown—to be the envy of American thoroughbred racing.



We are also fortunate to have five new Democratic members Elaine Alquist, Christine Kehoe, Alan Lowenthal, Carole Migden, and Joe Simitian, who are well-prepared from decades of combined service in the Assembly and who bring new dimensions and talents to the Senate.

As for me, leadership is loyal service: to my constituents, to my caucus, to the Senate, to our shared values. It's what I've learned from family, from teaching and from practicing the art of politics. My own passions about gun violence, mental health and urban schools will continue to burn.

And to my Republican colleagues, I ask you to engage fully with us. Your minority status does not diminish you. You are essential to a strong, vibrant republic. In committee or in debate, the state needs what you have to offer. Above all, we will continue our collegiality and civility—which have been the hallmark and tradition of this house.

So let us begin today—together and individually—to make the Senate as efficient as possible, to improve our oversight to assure the most cost-effective public services and to modernize state government to meet the present needs and future hopes of this great state—in this session and beyond.

Thank you for the honor to preside over these proceedings.

And now I present to you Minority Leader Dick Ackerman, a man of principle, a man whose word is his bond, a man who shares our passion and commitment to public service. And Dick's a UC Berkeley graduate who this afternoon is filing a lawsuit against the BCS and the University of Texas.

ADDRESS BY MINORITY LEADER

Senator Ackerman addressed the members of the Senate.

Senator Speier Presiding

MESSAGES FROM THE DEMOCRATIC AND REPUBLICAN CAUCUS

Madam President: The Democratic Caucus reports that:

Senator Romero has been elected Majority Floor Leader;

Senator Murray has been elected Chair of the Democratic Caucus;

Senator Alarcón has been elected Majority Whip;

Senator Bowen and Senator Cedillo have been recommended to be elected to the Committee on Rules.

Madam President: The Republican Caucus reports that:

Senator Ackerman has been elected Minority Floor Leader;

Senator Poochigian has been elected Assistant Minority Floor Leader;

Senator George Runner has been elected Chair of the Republican Caucus;

Senator Hollingsworth has been elected Minority Whip;

Senator Battin and Senator Ashburn have been recommended to be elected to the Committee on Rules.



RESOLUTIONS

The following resolution was introduced by Senator Perata:

Senate Resolution 3

Senate Resolution 3—Relative to election of members of the Committee on Rules

Resolved by the Senate of the State of California, That the following Members are hereby elected members of the Senate Committee on Rules: Senator Ashburn, Senator Battin, Senator Bowen, and Senator Cedillo.

Resolution read and presented by Senator Perata.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (40)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

RESOLUTIONS

The following resolution was introduced by Senator Ashburn:

Senate Resolution 4

Senate Resolution 4—Relative to the Standing Rules of the Senate for the 2005–06 Regular Session.

Resolution read and presented by Senator Ashburn.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (40)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

REQUEST FOR UNANIMOUS CONSENT (SCR 1)

Senator Battin asked for, and was granted, unanimous consent to take up SCR 1 at this time, without reference to committee, print, or file, and that the same be considered engrossed.



Consideration of Senate Concurrent Resolution 1

Senate Concurrent Resolution 1—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

Resolution read and presented by Senator Battin.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was introduced by Senator Alarcón:

Senate Resolution 5

Senate Resolution 5—Relative to notifying the Governor of the organization of the Senate.

Resolved by the Senate of the State of California, That the President of the Senate appoint a Special Committee to wait upon his Excellency, the Governor, and inform him that the Senate is duly organized for the 2005–2006 Regular Session and is now ready to receive any communication he may have to make to this House.

Resolution read and adopted.

Appointment of Special Committee

The President, in accordance with SR 5, appointed Senators Alarcón, Ackerman, Hollingsworth, Kuehl, Poochigian, and Romero to notify the Governor of the organization of the Senate.

RESOLUTIONS

The following resolution was introduced by Senator Migden:

Senate Resolution 6

Senate Resolution 6—Relative to notifying the Assembly of the organization of the Senate.

Resolved by the Senate of the State of California, That the President of the Senate appoint a Special Committee to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the state.

Resolution read and adopted.



Appointment of Special Committee

The President, in accordance with SR 6, appointed Senators Alquist, Campbell, Cox, Dutton, Kehoe, Lowenthal, Maldonado, Migden, Runner, and Simitian to notify the Assembly of the organization of the Senate.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 1 p.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Perata 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 Monday, January 3, 2005.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

December 1, 2004

To the Senate of the State of California:

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

ARNOLD SCHWARZENEGGER, Governor

Thomas J. Campbell, former Bank of America Dean and Professor of Business at the Haas School of Business at the University of California, Berkeley, former California State Senator and former United States Congressman. Appointed 12/01/04. Effective 12/01/04.

Director of Finance vice Donna Arduin, resigned, term ending at the Pleasure of the Governor.

Dennis James Boyle, former Director, Riverside County Department of Public Social Services. He also has over 30 years of experience in social services. Appointed 12/01/04. Effective 12/01/04.

Director of Social Services vice Rita L. Saenz, resigned, term ending at the Pleasure of the Governor.

Catherine Mary Banker, Business Development Manager for Vector Resources, Inc. where she assists school districts and other local entities in developing funding sources for infrastructure projects. Appointed 11/29/04. Effective 11/30/04.

Member, Commission on Teacher Credentialing vice Margaret G. Fortune, term expired, term ending 11/20/07.



Maytte Maria Teresa Bustillos, Spanish Language Arts Training Specialist, Sacramento City Unified School District. Appointed 11/29/04. Effective 11/30/04.

Member, Commission on Teacher Credentialing vice Helen L. Doherty, withdrawn from the Senate, term ending 11/20/05.

Paul Lawrence Clopton, Statistician, United States Department of Veterans Affairs since 1976. Appointed 11/29/04. Effective 11/30/04.

Member, Commission on Teacher Credentialing vice Hilary McLean, withdrawn from the Senate, term ending 11/20/05.

Guillermo Gomez, elementary content expert, reading programs, Los Angeles Unified School District; Elementary Literacy and Administrative Trainer, Sacramento County Office of Education. Appointed 11/29/04. Effective 11/30/04.

Member, Commission on Teacher Credentialing vice Alberto Vaca, term expired, term ending 11/20/08.

Aida Leticia Molina, Reading First Coordinator for the Bakersfield City School District. Appointed 11/29/04. Effective 11/29/04.

Member, Commission on Teacher Credentialing vice Alan D. Bersin, term expired, term ending 11/20/07.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol
December 2, 2004

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective December 2, 2004, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Craig B. Grivette Director, Stephen P. Teale Data Center
Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, December 6, 2004

Madam President: The Senate Rules Committee has reconstituted the following committees in order that they may hold hearings in December:

Labor and Industrial Relations: Senators Alarcón, Ch., Campbell, V.Ch., Dunn, Figueroa, Kuehl, Margett, McClintock and Romero;

Select Committee on California Correctional System: Senators Romero, Ch., Denham, Kuehl and Machado (4 vacancies exist);

The Senate Rules Committee has appointed the following members to the Joint Committee on Boards, Commissions and Consumer Protection: Senators Figueroa, Ch., Aanestad, and Vincent.

PERATA, Chair



State Capitol, December 6, 2004

Madam President: The Senate Rules Committee has appointed the following Senate Standing Committee chairs and vice chairs for the 2005–2006 Session:

Agriculture: Senator Denham, Ch.

Appropriations: Senator Migden, Ch.; Senator Aanestad, V. Ch.

Banking, Finance and Insurance: Senator Speier, Ch.; Senator Cox, V.Ch.

Budget and Fiscal Review: Senator Chesbro, Ch.; Senator Hollingsworth, V.Ch.

Business, Professions and Economic Development: Senator Figueroa, Ch.; Senator Campbell, V.Ch.

Education: Senator Scott, Ch.; Senator Maldonado, V.Ch.

Elections, Reapportionment and Constitutional Amendments: Senator Bowen, Ch.; Senator Battin, V.Ch.

Energy, Utilities and Communications: Senator Escutia, Ch.; Senator Morrow, V.Ch.

Environmental Quality: Senator Lowenthal, Ch.; Senator Runner, V.Ch.

Governmental Organization: Senator Florez, Ch.; Senator Denham, V.Ch.

Government Modernization, Efficiency and Accountability: Senator Figueroa, Ch.; Senator Dutton, V.Ch.

Health: Senator Ortiz, Ch.; Senator Runner, V.Ch.

Human Services: Senator Simitian, Ch.; Senator Maldonado, V.Ch.

Judiciary: Senator Dunn, Ch.; Senator Morrow, V.Ch.

Labor and Industrial Relations: Senator Alarcón, Ch.; Senator Campbell, V.Ch.

Local Government: Senator Kehoe, Ch.; Senator Cox, V.Ch.

Natural Resources and Water: Senator Kuehl, Ch.; Senator Margett, V.Ch.

Public Employment and Retirement: Senator Soto, Ch.; Senator Ashburn, V.Ch.

Public Safety: Senator Alquist, Ch.; Senator Poochigian, V.Ch.

Revenue and Taxation: Senator Machado, Ch.; Senator Dutton, V.Ch.

Rules: Senator Battin, V. Ch.

Transportation and Housing: Senator Torlakson, Ch.; Senator McClintock, V.Ch.

Veterans Affairs: Senator Morrow, Ch.

PERATA, 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 1: By Senators Murray and Campbell—An act to amend Section 25744 of, and to add Sections 25407, 25744.4, and 25744.5 to, the Public Resources Code, and to amend Sections 399.6, 399.8, and 2827 of, and to add Section 379.8 to, the Public Utilities Code, relating to energy, and making an appropriation therefor.

Senate Bill 2: By Senator Speier—An act to amend Section 2051.5 of, and to add Sections 124.5, 1749.85, and 2059 to, the Insurance Code, relating to homeowners' insurance.

Senate Bill 3: By Senator Torlakson—An act to add and repeal Section 97 of the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to highways.

Senate Bill 4: By Senator Murray—An act to add Chapter 4.5 (commencing with Section 6400) to Division 7 of Title 1 of the Government Code, relating to state government.

Senate Bill 5: By Senator Morrow—An act to add Section 66015.8 to the Education Code, relating to public postsecondary education.

Senate Bill 6: By Senator Ducheny—An act to amend Section 7073 of the Government Code, relating to enterprise zones, and declaring the urgency thereof, to take effect immediately.

Senate Bill 7: By Senator Figueroa—An act to amend Section 1798.1 of the Civil Code, relating to the Information Practices Act.

Senate Bill 8: By Senator Soto—An act to add Section 87406.3 to the Government Code, relating to the Political Reform Act of 1974.

Senate Bill 9: By Senator Denham—An act to add Sections 15202.2 and 15202.3 to the Government Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Senate Bill 10: By Senator Dunn—An act relating to construction defects.

Senate Bill 11: By Senator Bowen—An act to add Section 85303.5 to the Government Code, relating to the Political Reform Act of 1974.

Senate Bill 12: By Senator Escutia—An act to amend Sections 49430, and 49431 of, and to add Section 49431.2 to, the Education Code, relating to pupils.

Senate Bill 13: By Senator Bowen—An act to amend Section 1798.24 of the Civil Code, and Section 10850 of the Welfare and Institutions Code, relating to personal information.

Senate Bill 14: By Senator Runner—An act to amend Section 220 of the Revenue Taxation Code, relating to taxation, to take effect immediately, tax levy.

Senate Bill 15: By Senator Escutia—An act to amend Section 311 of the Public Utilities Code, relating to the Public Utilities Commission.

Senate Bill 16: By Senator Alquist—An act to repeal and add Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.



Senate Bill 17: By Senator Escutia—An act to amend Sections 62, 64, 65.1, and 482 of, to add Sections 64.1, 64.5, and 486 to, to repeal Section 480.2 of, and to repeal and add Section 480.1 of, the Revenue and Taxation Code, relating to property taxation, to take effect immediately, tax levy.

Senate Bill 18: By Senator Ortiz—An act to amend Sections 125290.30 and 125290.50 of, and to add Chapter 2 (commencing with Section 125330) and Chapter 3 (commencing with Section 125360) to Part 5.5 of Division 106 of, the Health and Safety Code, relating to reproductive health.

Senate Bill 19: By Senator Ortiz—An act to add Division 113 (commencing with Section 130600) to the Health and Safety Code, relating to prescription drugs, and making an appropriation therefor.

Senate Bill 20: By Senator Escutia—An act to amend Sections 11629.7, 11629.71, 11629.72, 11629.73, 11629.731, 11629.74, 11629.75, 11629.76, 11629.77, 11629.78, 11629.79, 11629.8, 11629.81, and 11629.85 of, to amend the heading of Article 5.5 (commencing with Section 11629.7) of, and to repeal Section 11629.84 of, and to repeal Article 5.6 (commencing with Section 11629.9) of Chapter 1 of Part 3 of Division 2 of, the Insurance Code, and to amend Sections 4000.37 and 16056.1 of, and to repeal Sections 16020.1 and 16020.2 of, the Vehicle Code, relating to auto insurance.

Senate Bill 21: By Senator Florez—An act to add Article 6 (commencing with Section 1249) to Chapter 1 of Part 2 of Division 2 of the Water Code, relating to water.

Senate Bill 22: By Senator Migden—An act relating to DNA identification, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Senate Bill 23: By Senator Migden—An act to amend Sections 12693.29 and 12693.43 of, and to add Section 12693.335 to, the Insurance Code, and to add Article 7.5 (commencing with Section 1120) to Chapter 4 of Part 1 of Division 1 of the Unemployment Insurance Code, relating to childrens' health insurance.

Senate Constitutional Amendment 1: By Senator Morrow—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7.5 to Article I of the California Constitution, relating to marriage.

Senate Constitutional Amendment 2: By Senator McClintock—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 10 and 12 of Article IV thereof, by amending Section 3 of Article XIII A thereof, by amending Sections 8 and 8.5 of Article XVI thereof, by repealing Section 20 of Article XVI thereof, and by repealing and adding Article XIII B thereof, relating to state finance.



Senate Constitutional Amendment 3: By Senator Lowenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing and adding Section 1 of Article XXI thereof, relating to redistricting.

Senate Constitutional Amendment 4: By Senator Denham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article II thereof, relating to the Office of the Secretary of State.

Senate Concurrent Resolution 2: By Senator Scott—Relative to Arts Education Month.

REPORTS

The following reports were ordered printed in the Journal:

An annual report dated: November 1, 2004, relating to the Drug Manufacturing, Medical Device Manufacturing, and Home Medical Device Retailer Licensing Costs and Fee Analysis was received from the Department of Health Services and transmitted to the Committee on Health.

An annual report dated: November 1, 2004, relating to the Substance Abuse Treatment Facility and State Prison at Corcoran (SATF) (2003), was received from the Department of Corrections and transmitted to the Committee on Public Safety.

A report dated: November 22, 2004, relating to Continuation of Fee Reductions was received from the Department of Corporations and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: November 29, 2004, relating to the CSU Employment, Enrollment, Class, Size, Course Section and Data Expenditure to the 2003 Budget Act was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: November 29, 2004, relating to the Consultant Services Contracts was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

A Title Summary report dated: November 30, 2004, relating to Redistricting. Initiative Constitutional Amendment, was received from Department of Justice and transmitted to the Committee on Rules.

An annual report dated: November 30, 2004, relating to the 2003 Status of Underground Storage Tank Cleanup Fund, was received from the State Water Resources Control Board and transmitted to the Committee on Environmental Quality.



An annual report dated: December 1, 2004, relating to the Commission's Annual Report, FY 2003/2004 was received from the Public Utilities Commission and transmitted to the Committee on Budget and Fiscal Review.

A report dated: December 1, 2004, relating to the Supplemental Report of the 2004 Budget was received from the Board of Equalization and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: December 2, 2004, relating to the Department of Transportation's Revenues and Expenditures authorized by the Seismic Retrofit Bond Act of 1996, was received from the California State Auditor and transmitted to the Committee on Rules.

A report dated: December 2, 2004, relating to 2003 California Beach Advisory Report, was received from the State Water Resources Control Board and transmitted to the Committee on Environmental Quality.

An audit report dated: December 7, 2004, relating to the City of Richmond, was received from the California State Auditor and transmitted to the Committee on Rules.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alquist requested that when the Senate adjourns this day it do so in memory of Larry R. Riddle-Meza of Sacramento.

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Sergio Diaz Varela of Lomita and Lawrence Jay Stern of Los Angeles.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Marylou Gonzalez of Indio.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Esther Smicklas of Santa Monica.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Phoebe Ellen McGowan of West Sacramento, Frances Vivian Grupe of Linden and Wilbur H. Smith of Stockton.

Senator Perata requested that when the Senate adjourns this day it do so in memory of Former Senator Henry Mello of Watsonville, Former Senator Al Song and Stanley F. Wilkening of Santa Rosa.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of his father Suren "Frank" Poochigian of Fresno.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Richard Garcia of Duarte.



ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 1:30 p.m., Monday, January 3, 2005.

PAULA K. ROSSETTO, Minute Clerk

