

## CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

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# SENATE DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, January 25, 2005

The Senate met at 9 a.m.

Hon. Don Perata, of the 9th District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary Kipchoge Randall reading.

### ROLL CALL

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

Aanestad, Ackerman, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—38.

Quorum present.

*(NOTE: Senator Alarcón will be excused this day on legislative business and Senator Florez will be excused this day due to illness.)*

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
January 25, 2005

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent.



I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Linda Catherine Brown, former Principal Consultant to State Senator Ross Johnson. Appointed 01/18/05. Effective 01/18/05.

Deputy Director, Office of Administrative Law vice Michelle M. Lopez, withdrawn from Senate, term ending 01/07/07.

Above appointment referred to the Committee on Rules.

Governor's Office, State Capitol  
January 25, 2005

*To the Senate of the State of California:*

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

Anthony J. Alvarado

Member, Board of Governors of  
the California Community Colleges

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

#### **MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 24, 2005

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

AJR 3

E. DOTSON WILSON, Chief Clerk of the Assembly

#### **FIRST READING OF ASSEMBLY MEASURES**

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

**Assembly Joint Resolution 3**—Relative to the 32nd anniversary of Roe v. Wade.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Rules**

Senate Chamber, January 25, 2005

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

SCR 4

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

PERATA, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Concurrent Resolution 4**—Relative to public health awareness.

Resolution read second time.

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

**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 114:** By Senator Bowen—An act to add Article 4 (commencing with Section 11920) to Chapter 4 of Division 5 of the Vehicle Code, relating to vehicles.

**Senate Bill 115:** By Senator Florez—An act to amend Section 14845 of the Government Code, and to amend Sections 999, 999.5, 999.7, 999.9, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

**Senate Bill 116:** By Senators Dutton, Scott, and Simitian (Coauthors: Senators Chesbro, Cox, Ducheny, Escutia, and George Runner)—An act to amend Section 1255.7 of the Health and Safety Code, to amend Section 271.5 of the Penal Code, and to amend Section 14005.24 of, and to amend and repeal Sections 300 and 361.5 of, the Welfare and Institutions Code, relating to abandonment of newborns.

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

**Senate Resolution 7**—Relative to the Bowl Championship Series.

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

**COMMUNICATIONS AND LETTERS OF TRANSMITTAL**

The following communication was ordered printed in the Journal:

January 24, 2005

*Mr. Greg Schmidt*

*Secretary of the Senate*

Dear Mr. Schmidt: Please be advised that the Assembly and Senate contingents of the Joint Committee on Rules met on January 3, 2005, and January 24, 2005, respectively, and approved the following items:

- Selection of Assembly Member Cindy Montañez as the Chair of the Joint Committee on Rules for the 2005–06 Legislative Session (17–0); and



- Appointment of Jon Waldie as the Chief Administrative Officer of the Joint Committee on Rules for the 2005–06 Legislative Session (17–0).

Please ensure that these actions are printed in the Senate Daily Journal.

Sincerely,

CINDY MONTAÑEZ  
Chair

#### **LEAVES OF ABSENCE FOR THE DAY**

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

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

#### **REQUESTS TO ADJOURN IN MEMORIAM**

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Elise P. Sepulveda of San Antonio.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of John Galvez of Sacramento.

#### **ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, January 26, 2005.

PAULA K. ROSSETTO, Minute Clerk

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