

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, March 29, 2005

The Senate met at 2 p.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

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, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—39.

Quorum present.

(NOTE: Senator Florez will be excused this day on legislative business.)



PRAYER

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

O God of Grace, We thank You for the rain of Springtime, and for the food it will bring to our tables. Help us to be mindful of those who go hungry, and those without shelter. Help us to have the courage to be servants of all the people, and to always do what is right in Your sight.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
March 18, 2005

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

Michael A. Rubel, General Counsel, Creative Artists Agency and former lawyer in private practice. Reappointed 02/25/05. Effective 03/14/05: Member, California Arts Council, term ending 01/01/09.

Candice J. Pederson, Administrator for the Franchise Tax Board and licensed cosmetologist. Reappointed 02/25/05. Effective 03/15/05: Member, State Board of Barbering and Cosmetology, term ending 01/01/09.

Frank J. Lloyd, licensed tax preparer, real estate broker and general contractor; former teacher, Chaffey Community College; and past member, the Commission on Aging. Reappointed 02/25/05. Effective 03/18/05.

Member, State Board of Barbering and Cosmetology, term ending 01/01/09.

Rex Stewart Hime, currently Chair of the California Exposition and State Fair Board; President and Chief Executive Officer of the California Business Properties Association; member of the Sacramento Leukemia Society Board of Trustees and the Reserve Officers Association of the United States. Reappointed 02/25/05. Effective 03/14/05:

Director, California Exposition and State Fair, term ending 01/01/09.



Marilyn Hendrickson, owned and operated Sep's Pro Fishing, Inc.; and produced "California Sportsman" on KHTK 1140AM radio in Sacramento. Appointed 02/25/05. Effective 03/09/05:

Director, California Exposition and State Fair vice Sonney L. Chong, term expired, term ending 01/01/09.

Matthew Loren Cate, former Supervising Deputy Attorney General at the California Department of Justice. Reappointed 02/25/05. Effective 03/18/05.

Inspector General, term ending 02/25/11.

Elizabeth T. Lowel, former Vice President of Onsite Energy Corporation; former Vice President of Western Operations for Duke Solutions, Inc.; member of the Power Association of Northern California, the International Association of Refrigerated Warehouses and the California League of Food Processors. Appointed 02/25/05. Effective 03/15/05.

Member, Independent System Operator Governing Board vice Michel P. Florio, term expired, term ending 12/31/07.

Mason Willrich, former President and Chief Executive Officer of PG&E Enterprises; has been an independent consultant advising clients on energy matters; former partner with Nth Power; former Director of Evergreen Solar, Inc.; is a Trustee and past Chairman of the World Affairs Council of Northern California; member of the Advisory Council of the National Renewable Energy Laboratory and at the Goldman School of Public Policy at the University of California, Berkeley. Appointed 02/25/05. Effective 03/14/05.

Member, Independent System Operator Governing Board vice Michael Kahn, term expired, term ending 12/31/07.

Sophia Delia Scherman, former Mayor of the City of Elk Grove and City Council member; serves on the Sacramento Employment Training Agency Board, Sacramento County Regional Sanitation Board and Sacramento County Sheriff's Advisory Council; member of the Dollars for Scholars Foundation, the Elk Grove Optimist Club and the Elk Grove Rotary Club. Reappointed 03/08/05. Effective 03/17/05.

Member, State Park and Recreation Commission, term expires 01/15/09.

David I. Wainwright, pilot with the San Francisco Bar Pilots Association; former trainee pilot, State of California; and former Chief Officer of the American President Lines. He is a member of the American Pilot Association and International Organization of Masters, Mates and Pilots. Appointed 02/28/05. Effective 03/16/05.

Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun vice Dennis D. Welch, term expired, term ending 12/31/08.



Sally M. McKeag, former Chief Deputy Director, the Employment Development Department; former Special Assistant, office of the Assistant Secretary for the United States Department of Labor; former Deputy Director of Operations, the Department of Consumer Affairs; former Acting Deputy Director, the Department of Fish and Game; and former Director of Constituent Affairs under Governor Pete Wilson. Appointed 03/15/05. Effective 03/16/05.

Member, Public Employment Relations Board vice Ann M. Richardson, withdrawn from the Senate, term expires 12/31/06.

Gloria J. Grant, Network Reading First Instructional Facilitator in the Intensive Network, Oakland Unified School District; and former teacher, Amelia Earhart School. Appointed 02/16/05. Effective 03/09/05.

Member, Commission on Teacher Credentialing vice Chellyn C. Boquiren, term expired, term ending 11/20/07.

Leslie Peterson Schwarze, former member, Board of Trustees, Novato Unified School District; former Treasurer, Marin County School Board Association; and former member, California State Curriculum Commission. She is a member of the California School Board Association. Appointed 02/16/05. Effective 03/08/05.

Member, Commission on Teacher Credentialing vice Nadia M. Davis, withdrawn from the Senate, term expires 11/20/08.

Jon M. Stordahl, former teacher of history and United States civics classes, Trabuco Hills High School; former member of several school site committees including Powerful Teaching and International Baccalaureate. Appointed 02/16/05. Effective 03/09/05.

Member, Commission on Teacher Credentialing vice Kristen Beckner, term expired, term ending 11/20/08.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol
March 21, 2005

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

Malissa Feruzzi, owner of Feruzzi Fine Arts and former Design Consultant, residential design firm. Appointed 03/09/05. Effective 03/21/05:

Member, California Arts Council vice Aurelia M. Chang, term expired, term ending 01/01/09.



Nancy L. Wagner, pilot with the San Francisco Bar Pilots Association; Vice President of the Board of Directors for the San Francisco Bay Area Water Transit Authority; and member of the American Pilots Association. Reappointed 02/28/05. Effective 02/28/05:

Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, term ending 12/31/08.

Philip Scott Inglee, former Commissioner, Orange County Parole Board; former banking executive including President and Chief Executive Officer for Liberty National Bank; and former Chair of the Huntington Beach Planning Commission. Appointed 03/11/05. Effective 03/21/05:

Member, Board of Prison Terms vice Richard J. Loa, withdrawn from the Senate, term ending 03/15/08.

Tam M. Doduc, has served in several positions within the California Environmental Protection Agency including Assistant Secretary for Technology Certification, Assistant Secretary for Agriculture and Chemical Programs, Assistant Secretary for Air and Chemical Programs and Deputy Secretary and former Acting Chief for the Office of Environmental Technology, former Water Resources Control Engineer for the Division of Water Rights and worked in the Division of Water Quality at the Board. Appointed 02/28/05. Effective 03/21/05:

Member, State Water Resources Control Board vice Gary M. Carlton, term expired, term ending 01/15/09.

Gerald David Secundy, former Consulting Director for California Environmental Dialogue; former Executive Director of Audubon California, former President of GDS Consulting and former Vice President of External Affairs and Environmental Health and Safety at the Atlantic Richfield Company. Appointed 02/28/05. Effective 03/21/05.

Member, State Water Resources Control Board vice Nancy H. Sutley, term expired, term ending 01/15/09.

Above appointments referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 17, 2005

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

ACR 19

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 Concurrent Resolution 19—Relative to Irish-American Heritage Month.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, March 29, 2005

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

SB 382	SB 471	SB 484	SB 544
SB 572	SB 594	SB 857	

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 Bill 382—An act relating to employment.

Bill read second time.

Senate Bill 471—An act relating to hazardous substances.

Bill read second time.

Senate Bill 484—An act to amend Section 105180 of the Health and Safety Code, relating to health.

Bill read second time.

Senate Bill 544—An act to amend Section 290 of the Penal Code, relating to sex offenders.

Bill read second time.

Senate Bill 572—An act relating to health care coverage.

Bill read second time.

Senate Bill 594—An act to amend Section 150 of the Family Code, relating to support obligations.

Bill read second time.

Senate Bill 857—An act to amend Section 40001 of the Health and Safety Code, relating to air quality.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, March 29, 2005

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

SB 153	SB 264	SB 306	SB 658
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Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

KUEHL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 153—An act to add Chapter 1.698 (commencing with Section 5096.700) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources in the state, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time.

Senate Bill 264—An act to amend Section 12301 of the Water Code, relating to water.

Bill read second time.

Senate Bill 306—An act to add Section 5003.19 to the Public Resources Code, relating to state property.

Bill read second time.

Senate Bill 658—An act to add Section 31121 to the Public Resources Code, relating to coastal resources.

Bill read second time.

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

Committee on Health

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Health, to which were referred:

SB 224

SB 281

SB 442

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

ORTIZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 224—An act to amend Section 129875.1 of the Health and Safety Code, relating to health facilities.

Bill read second time.

Senate Bill 281—An act to amend Section 104650 of, and to add and repeal Section 104651 of, the Health and Safety Code, relating to nutrition.

Bill read second time.

Senate Bill 442—An act to amend Section 14005.12 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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



Committee on Education

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Education, to which were referred:

SB 260	SB 338	SB 337
SB 626	SB 821	SB 845

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

SCOTT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 260—An act to add and repeal Section 48911.3 of school the Education Code, relating to school attendance.

Bill read second time.

Senate Bill 338—An act to add Chapter 5.8 (commencing with Section 51950) to Part 28 of the Education Code, relating to curriculum.

Bill read second time.

Senate Bill 337—An act to add Sections 66017.5 and 69433.2 to the Education Code, relating to postsecondary education.

Bill read second time.

Senate Bill 626—An act to amend Sections 56240, 56241 and 56836.23 of the Education Code, relating to special education.

Bill read second time.

Senate Bill 821—An act to amend Section 49069.5 of, to add Section 42285.4 to, the Education Code, and to repeal Section 4 of Chapter 480 of the Statutes of 1992, relating to public records.

Bill read second time.

Senate Bill 845—An act to amend Sections 44260, 44260.1, 44260.2, and 44260.3 of the Education Code, relating to vocational education.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Transportation and Housing, to which were referred:

SB 186	SB 253	SB 853
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Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 186—An act to add Section 1363.01 to the Civil Code, relating to common interest developments.

Bill read second time.

Senate Bill 253—An act to amend Sections 65583, 65584.1, and 66016 of, and to repeal Sections 65586 and 65588.1 of, the Government Code, relating to housing.

Bill read second time.

Senate Bill 853—An act to amend Sections 945, 1363, 1374, and 1378 of the Civil Code, relating to common interest developments.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, March 15, 2005

Mr. President: The Committee on Judiciary, to which was referred:

SB 116

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUNN, Chair

Above measure ordered to second reading.

Committee on Transportation and Housing

Date of Hearing, March 15, 2005

Mr. President: The Committee on Transportation and Housing, to which was referred:

SB 114

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Public Safety

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

SB 261

SB 277

SB 330

SB 453

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

ALQUIST, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 261—An act to amend Sections 799 and 803 of the Penal Code, relating to crimes.

Bill read second time.

Senate Bill 277—An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

Bill read second time.

Senate Bill 330—An act to amend Section 1382 of the Penal Code, relating to criminal procedure.

Bill read second time.

Senate Bill 453—An act to amend Section 14173 of, to amend and renumber Section 14174.3 of, and to repeal Sections 14172, 14174, and 14175 of, the Penal Code, relating to the Central Valley Rural Crime Prevention Program, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing, March 16, 2005

Mr. President: The Committee on Elections, Reapportionment and Constitutional Amendments, to which were referred:

SB 8

SB 117

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measures ordered to second reading.

Committee on Judiciary

Date of Hearing, March 15, 2005

Mr. President: The Committee on Judiciary, to which was referred:

SB 158

Reports the same back with the recommendation: Do pass as amended.

DUNN, Chair

Above measure ordered to second reading.

Committee on Agriculture

Senate Chamber, March 29, 2005

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

SB 509



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

DENHAM, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 509—An act to add Section 12978.5 to the Food and Agricultural Code, relating to pesticide.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, March 15, 2005

Mr. President: The Committee on Judiciary, to which was referred:

SB 40

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUNN, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Environmental Quality, to which were referred:

SB 369

SB 420

SB 421

SB 497

SB 646

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 369—An act to add Part 3.7 (commencing with Section 71175) to Division 34 of the Public Resources Code, relating to ecological labeling.

Bill read second time.

Senate Bill 420—An act to amend Section 40910 of the Public Resources Code, relating to solid waste.

Bill read second time.

Senate Bill 421—An act to amend Section 25354.5 of the Health and Safety Code, relating to hazardous substances.

Bill read second time.

Senate Bill 497—An act to add Article 7 (commencing with Section 10390) to Chapter 2 of Part 2 of Division 2 of the Public Contracts Code, relating to public contracts.

Bill read second time.



Senate Bill 646—An act to amend Section 13269 of the Water Code, relating to water.

Bill read second time.

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

Committee on Human Services

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Human Services, to which were referred:

SB 258

SB 493

SB 516

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 258—An act to add Section 5338 to the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Senate Bill 493—An act to amend Sections 11254 and 11333.7 of, and to add Sections 11254.2 and 11331.6 to, the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

Bill read second time.

Senate Bill 516—An act to add Section 13113.6 to the Health and Safety Code, relating to fire protection.

Bill read second time.

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

Committee on Banking, Finance and Insurance

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which were referred:

SB 2

SB 518

SB 597

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 2—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.

Bill read second time.

Senate Bill 518—An act to amend Sections 790.03, 2051.5, 2071, 10089.82, 14028, 14029, 14035, 14062, 15011, 15027, 15027.1, and



15040 of, and to add Sections 14028.1, 14061.5, 15018.5, 15027.5, 15028.7, and 15039.5 to, and to add Chapter 11.7 (commencing with Section 679.95) to Part 1 of Division 1 of, the Insurance Code, relating to homeowners' insurance.

Bill read second time.

Senate Bill 597—An act to amend Section 1861.025 of the Insurance Code, relating to auto insurance.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, March 29, 2005

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

SB 866

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

KUEHL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 866—An act to add Division 32.5 (commencing with Section 81750) to the Water Code, relating to water.

Bill read second time.

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

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing, March 16, 2005

Mr. President: The Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

SB 11

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Local Government

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Local Government, to which were referred:

SB 142

SB 268

SB 282

SB 287

SB 409

SB 557



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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 142—An act to amend Section 53260 of the Government Code, relating to local employment contracts.

Bill read second time.

Senate Bill 268—An act to amend Section 53601.7 of the Government Code, relating to local agencies.

Bill read second time.

Senate Bill 282—An act to amend Section 24011 of the Government Code, relating to county offices.

Bill read second time.

Senate Bill 287—An act to amend Section 20133 of the Public Contract Code, relating to public contracts.

Bill read second time.

Senate Bill 409—An act to amend Section 65302 of the Government Code, relating to general plans.

Bill read second time.

Senate Bill 557—An act to add Section 10062 of the Public Utilities Code, relating to municipal utilities.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, March 29, 2005

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

SB 387

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

KUEHL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 387—An act to amend Section 2081.7 of the Fish and Game Code, and to amend Section 7043 of, and to add Section 7046 to, the Water Code, relating to water.

Bill read second time.

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



Committee on Business, Professions and Economic Development

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which were referred:

SB 299

SB 777

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

FIGUEROA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 299—An act to amend Section 1635.5 of the Business and Professions Code, relating to dentistry.

Bill read second time.

Senate Bill 777—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to grocery stores.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, March 29, 2005

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

SB 771

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 771—An act to amend Sections 39630, 39631, and 39632 of, and to amend the heading of Chapter 3.3 (commencing with Section 39630) of Part 2 of Division 26 of, the Health and Safety Code, and to amend Sections 72400, 72410, 72420, 72421, 72425, 72440, 72441, 72500, 72505, 72520, 72521, 72525, 72540, and 72542 of, and to amend the heading of Division 38 (commencing with Section 72400) and the heading of Division 39 (commencing with Section 72500) of, the Public Resources Code, relating to vessels.

Bill read second time.

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



Committee on Labor and Industrial Relations

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which were referred:

SB 292

SB 923

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

ALARCÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 292—An act to amend Section 138.7 of the Labor Code, relating to workers' compensation.

Bill read second time.

Senate Bill 923—An act to add Chapter 2.8 (commencing with Section 9950) to Part 1 of Division 3 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 923 pursuant to Joint Rule 58.

SENATOR FLOREZ

Permission of Rules Committee

Senate Chamber, March 29, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 923.

PERATA, Chair

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

Committee on Judiciary

Senate Chamber, March 29, 2005

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

SB 130

SB 416

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

DUNN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 130—An act to amend Section 3262 of the Civil Code, relating to works of improvement.

Bill read second time.



Senate Bill 416—An act to amend Sections 904.6 and 939 of the Penal Code, relating to grand juries.

Bill read second time.

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

Committee on Local Government

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Local Government, to which were referred:

SB 196

SB 568

SB 1009

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 196—An act to amend Section 5907 of the Revenue and Taxation Code, relating to county assessors.

Bill read second time.

Senate Bill 568—An act to amend Section 97.73 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Senate Bill 1009—An act to amend Section 41026 of the Water Code, relating to water.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Revenue and Taxation, to which were referred:

SB 801

SB 998

SB 1055

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 801—An act to add Sections 6452.2 and 6471.1 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Senate Bill 998—An act to add Section 6385.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.



Senate Bill 1055—An act to add Section 6066.1 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Committee on Health

Senate Chamber, March 29, 2005

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

SB 600

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

ORTIZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 600—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, and making an appropriation therefor.

Bill read second time.

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

Committee on Agriculture

Senate Chamber, March 29, 2005

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

SB 295

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

DENHAM, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 295—An act to amend Section 6046 of the Food and Agricultural Code, relating to agriculture.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, March 29, 2005

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

SB 702



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

DUNN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 702—An act to amend Sections 18005 and 18010 of, to add Sections 18003, 18008, and 18620 to, and to add Chapter 6 (commencing with Section 18300) to Part 1 of Title 3 of, the Corporations Code, relating to associations.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Business, Professions and Economic Development, to which were referred:

SB 592

SB 700

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

FIGUEROA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 592—An act to add Article 7.6 (commencing with Section 4128) to Chapter 9 of Division 2 of the Business and Professions Code, relating to pharmacy technicians.

Bill read second time.

Senate Bill 700—An act to amend Sections 114850, 114870, and 114896 of the Health and Safety Code, relating to public health.

Bill read second time.

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

Committee on Rules

Senate Chamber, March 29, 2005

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

SB 366

SB 488

SB 496

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 Bill 366—An act relating to female offenders.

Bill read second time.



Senate Bill 488—An act relating to dispute resolution programs.

Bill read second time.

Senate Bill 496—An act to amend Section 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Committee on Human Services

Senate Chamber, March 29, 2005

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

SB 418

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 418—An act to amend Sections 19461 and 19469 of, and to add Section 19471 to, the Welfare and Institutions Code, relating to rehabilitation services, and making an appropriation therefor.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, March 29, 2005

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

SB 239

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 239—An act to add Section 2602 to the Penal Code, relating to prisoners.

Bill read second time.

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

Committee on Banking, Finance and Insurance

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which was referred:

SB 513



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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 513—An act to add Section 409.12 to the Military and Veterans Code, relating to military.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 513 pursuant to Joint Rule 58.

SENATOR SOTO

Permission of Rules Committee

Senate Chamber, March 29, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 513.

PERATA, Chair

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

Committee on Energy, Utilities and Communications

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

SB 628

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

ESCUTIA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 628—An act to add Section 25218.3 to the Public Resources Code, relating to energy resources.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 457

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

MACHADO, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 457—An act to amend Section 8686 of the Government Code, and to amend Sections 17207 and 24347.5 of, and to add Sections 195.92, 195.93, and 195.94 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Health

Senate Chamber, March 29, 2005

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

SB 24

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

ORTIZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 24—An act to add Article 3 (commencing with Section 127400) to Chapter 2 of Part 2 of Division 107 of the Health and Safety Code, relating to hospitals.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, March 29, 2005

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

SB 245

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

FLOREZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 245—An act to add Section 14682 to the Government Code, relating to state property.

Bill read second time.

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



Committee on Budget and Fiscal Review

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which were referred:

SCA 2

SCA 5

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

CHESBRO, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 2—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.

Resolution read second time.

Senate Constitutional Amendment 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (f) of Section 10 of Article IV thereof, relating to state finances.

Resolution read second time.

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

Committee on Banking, Finance and Insurance

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which was referred:

SB 706

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 706—An act to amend Sections 1871.7, 1879.3, and 12921.8 of, and to add Section 12921.95 to, the Insurance Code, relating to the Insurance Commissioner.

Bill read second time.

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



Committee on Education

Senate Chamber, March 29, 2005

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

SB 161

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

SCOTT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 161—An act to add Article 9 (commencing with Section 49055) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, March 29, 2005

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

SB 93

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

DUNN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 93—An act relating to local government finance.

Bill read second time.

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

Committee on Rules

Senate Chamber, March 29, 2005

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

SB 98	SB 629	SB 814	SB 1090
SB 206	SB 657	SB 929	
SB 348	SB 695	SB 1085	
SB 355	SB 711	SB 1089	

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 Bill 98—An act to amend Section 91 of the Streets and Highways Code, relating to transportation.

Bill read second time.

Senate Bill 206—An act relating to Medi-Cal.

Bill read second time.

Senate Bill 348—An act relating to international trade.

Bill read second time.

Senate Bill 355—An act relating to the Internet.

Bill read second time.

Senate Bill 629—An act to amend Section 12804.9 of the Vehicle Code, relating to transportation.

Bill read second time.

Senate Bill 657—An act relating to taxation.

Bill read second time.

Senate Bill 695—An act relating to resource conservation.

Bill read second time.

Senate Bill 711—An act relating to school facilities.

Bill read second time.

Senate Bill 814—An act to amend Section 5051 of the Penal Code, relating to prisons.

Bill read second time.

Senate Bill 929—An act to amend Section 30263 of the Public Resources Code, relating to coastal resources.

Bill read second time.

Senate Bill 1085—An act to amend Section 6216.5 of the Public Resources Code, relating to state lands.

Bill read second time.

Senate Bill 1089—An act to amend Section 11750 of the Insurance Code, relating to workers' compensation insurance.

Bill read second time.

Senate Bill 1090—An act to amend Section 10091 of the Insurance Code, relating to insurance.

Bill read second time.

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



Committee on Environmental Quality

Senate Chamber, March 29, 2005

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

SB 250

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 250—An act to add Section 43830.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Committee on Health

Date of Hearing, March 16, 2005

Mr. President: The Committee on Health, to which was referred:

SB 162

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Government Modernization, Efficiency, and Accountability.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, March 16, 2005

Mr. President: The Committee on Health, to which was referred:

SB 47

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Public Safety

Senate Chamber, March 29, 2005

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

SB 939

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

ALQUIST, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 939—An act to amend Section 12027.1 of the Penal Code, relating to concealed firearms.

Bill read second time.

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

Committee on Transportation and Housing

Date of Hearing, March 15, 2005

Mr. President: The Committee on Transportation and Housing, to which was referred:

SCR 10

Reports the same back with the recommendation: Be adopted as amended and be placed on the Consent Calendar.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which were referred:

SB 370

SB 1016

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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 370—An act to amend Section 12223 of the Elections Code, relating to elections.

Bill read second time.

Senate Bill 1016—An act to amend Sections 2150, 2155, 2157, 2160, 2188, 2194, and 2202 of, and to add Sections 2157.1, 2157.2, and 2188.1 to, the Elections Code, relating to voter information.

Bill read second time.

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

Committee on Rules

Senate Chamber, March 29, 2005

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

SB 194

SB 244

SB 630

SB 692

SB 838

SB 960



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 Bill 194—An act to amend Section 7582.2 of the Business and Professions Code, relating to private patrol operators.

Bill read second time.

Senate Bill 244—An act to amend Section 1771.7 of the Health and Safety Code, relating to continuing care retirement communities.

Bill read second time.

Senate Bill 630—An act to amend Section 1276.4 of the Health and Safety Code, relating to health facilities.

Bill read second time.

Senate Bill 692—An act relating to immigration.

Bill read second time.

Senate Bill 838—An act relating to the environment.

Bill read second time.

Senate Bill 960—An act relating to tidelands and submerged lands of the City of Santa Cruz.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Transportation and Housing, to which were referred:

SB 110	SB 324	SB 519	SB 806
SB 223	SB 371	SB 575	SCR 20
SB 254	SB 435	SB 689	

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 110—An act to amend Section 142263 of the Public Utilities Code, relating to transportation.

Bill read second time.

Senate Bill 223—An act to add Chapter 4.1 (commencing with Section 50560) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

Bill read second time.



Senate Bill 254—An act to amend Sections 7076, 7086, 7097, and 7107 of, and to add Section 7114.2 to, the Government Code, and to amend Sections 17053.34, 17053.46, 17053.47, 23622.8, 23634, and 23646 of the Revenue and Taxation Code, relating to economic development.

Bill read second time.

Senate Bill 324—An act to amend Section 8558 of, and to add Sections 8557.5 and 14032.3 to, the Government Code, relating to highways.

Bill read second time.

Senate Bill 371—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time.

Senate Bill 435—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read second time.

Senate Bill 519—An act to add Section 21655.10 to the Vehicle Code, relating to highways.

Bill read second time.

Senate Bill 575—An act to amend Section 65589.5 of the Government Code, relating to local planning.

Bill read second time.

Senate Bill 689—An act to amend Section 12811 of the Vehicle Code, relating to vehicles.

Bill read second time.

Senate Bill 806—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read second time.

Senate Concurrent Resolution 20—Relative to the CHP Officer Thomas J. Steiner Memorial Highway.

Resolution read second time.

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

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

SB 469



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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 469—An act to amend Section 101 of, and to add Sections 336.7, 357.3, and 9011.5 to, the Elections Code, relating to petitions.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 469 pursuant to Joint Rule 58.

SENATOR BOWEN

Permission of Rules Committee

Senate Chamber, March 29, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 469.

PERATA, Chair

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

Committee on Banking, Finance and Insurance

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Banking, Finance and Insurance, to which were referred:

SB 487

SB 778

SB 781

SB 798

SB 943

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 487—An act to add Section 10204.5 to the Insurance Code, relating to life insurance.

Bill read second time.

Senate Bill 778—An act to add Article 1.5 (commencing with Section 865) to Chapter 7 of Division 1 of the Financial Code, relating to banks.

Bill read second time.

Senate Bill 781—An act to amend Section 867 of the Financial Code, relating to financial institutions.

Bill read second time.

Senate Bill 798—An act to amend Section 1357.51 of the Health and Safety Code, relating to health care service plans.

Bill read second time.



Senate Bill 943—An act to amend Section 1103.4 of the Civil Code, and to amend Section 12404 of the Insurance Code, relating to real property.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, March 29, 2005

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

SB 547

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 547—An act to add and repeal Section 23538.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

SB 720

SB 735

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

DUNN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 720—An act to amend Section 1218 of the Code of Civil Procedure, to amend Section 6380 of the Family Code, and to amend Sections 136.2 and 1203.097 of the Penal Code, relating to court orders.

Bill read second time.

Senate Bill 735—An act to amend Sections 1942.6 and 1962 of, and to add Section 1962.1 to, the Civil Code, and to amend Section 602 of the Penal Code, relating to tenancy.

Bill read second time.

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



Committee on Governmental Organization

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Governmental Organization, to which were referred:

SB 955

SB 1096

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

FLOREZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 955—An act to add Article 5.6 (commencing with Section 8589.25) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to public safety, and making an appropriation therefor.

Bill read second time.

Senate Bill 1096—An act to amend Section 19596.2 of the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

Bill read second time.

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

Committee on Education

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Education, to which were referred:

SCA 12

SB 385

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

SCOTT, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XVI thereof, relating to school finance.

Resolution read second time.

Senate Bill 385—An act to amend and repeal Section 60640 of the Education Code, relating to pupil assessment.

Bill read second time.

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



Committee on Public Safety

Senate Chamber, March 29, 2005

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

SB 585

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 585—An act to amend Section 6389 of the Family Code, relating to protective orders.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, March 29, 2005

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

SB 922

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 922—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 922 pursuant to Joint Rule 58.

SENATOR DUCHENY

Permission of Rules Committee

Senate Chamber, March 29, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 922.

PERATA, Chair

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

Committee on Education

Date of Hearing, March 16, 2005

Mr. President: The Committee on Education, to which was referred:

SB 12



Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Health.

SCOTT, Chair

Above measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which were referred:

SB 272 SB 784

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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 272—An act to amend Section 13140 of the Elections Code, relating to candidates.

Bill read second time.

Senate Bill 784—An act to amend Section 83124 of the Government Code, relating to elections.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 784 pursuant to Joint Rule 58.

SENATOR BOWEN

Permission of Rules Committee

Senate Chamber, March 29, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 784.

PERATA, Chair

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

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

Senate Concurrent Resolution 11—Relative to Tinloy Street.

Resolution read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.



THIRD READING OF SENATE BILLS

Senate Bill 94—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Migden.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Bowen, Campbell, Cedillo, Chesbro, Cox, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Bowen, Campbell, Cedillo, Chesbro, Cox, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE INSURANCE COMMISSIONER

March 7, 2005

To the Senate of the State of California:

Re: Appointment Announcement—Conservation and Liquidation Office

Dear Senators: Pursuant to Insurance Code Section 1035, this is to inform you that I have appointed Mr. David E. Wilson as the Chief Executive Officer (CEO) of the Conservation and Liquidation Office (CLO) effective March 1, 2005. The CLO acts on behalf of the Insurance Commissioner to conserve, rehabilitate, or liquidate failed insurance companies licensed under the Insurance Code. The CLO also operates as fiduciary for the benefit of claimants.

Enclosed is a copy of David E. Wilson's resume. Should you have any questions regarding Mr. Wilson's appointment or wish to discuss this matter further, please contact me at (916) 492-3608.

Sincerely,

JOHN GARAMENDI, Insurance Commissioner

Above appointment referred to the Committee on Rules.



LEAVES OF ABSENCE FOR THE DAY

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

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

At 2:19 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 Wednesday, March 30, 2005.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Local Government**

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Local Government, to which were referred:

SB 135

SB 274

SB 521

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 135—An act to amend Section 61229 of the Government Code, relating to community services districts.

Bill read second time.

Senate Bill 274—An act to add Section 1129.5 to the Government Code, relating to public service.

Bill read second time.

Senate Bill 521—An act to amend Sections 65460.2 and 65460.4 of the Government Code, and to amend Section 33031 of, and to add Section 33032 to, the Health and Safety Code, relating to transit village plans.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 607

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 607—An act to amend Section 6006.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Date of Hearing, March 29, 2005

Mr. President: The Committee on Natural Resources and Water, to which were referred:

SB 264 SB 347 SB 543 SB 742

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

KUEHL, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Local Government

Senate Chamber, March 29, 2005

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

SB 1014

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1014—An act to amend Sections 15202 and 30053 of, and to add Section 68502.6 to, the Government Code, and to amend Section 1037 of the Penal Code, relating to trial costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Health

Senate Chamber, March 29, 2005

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

SB 564



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

ORTIZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 564—An act to amend Section 30166 of, and to add Article 4 (commencing with Section 30133) to Chapter 2 of Part 13 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Transportation and Housing, to which were referred:

SB 172	SB 212	SB 551
SB 680	SB 800	

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 172—An act to amend Section 188.5 of the Streets and Highways Code, relating to transportation.

Bill read second time.

Senate Bill 212—An act to amend Section 103900 of, and to add Section 103902 to, the Health and Safety Code, and to add Section 12803.5 to the Vehicle Code, relating to public health.

Bill read second time.

Senate Bill 551—An act to add Chapter 11(commencing with Section 1380) to Title 6 of Part 4 of Division 2 of the Civil Code, relating to common interest developments.

Bill read second time.

Senate Bill 680—An act to add Chapter 10 (commencing with Section 100700) to Part 12 of Division 10 of the Public Utilities Code, and to add Section 9250.6 to the Vehicle Code, relating to transportation.

Bill read second time.



Senate Bill 800—An act to amend Section 5090.70 of the Public Resources Code, and to amend Section 38225 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

SB 151

SB 277

SB 737

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 151—An act to amend Section 95 of the Penal Code, relating to bribery.

Bill read second time.

Senate Bill 277—An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

Bill read second time.

Senate Bill 737—An act to amend Section 11552 of, to add Article 14 (commencing with Section 12838) to Chapter 1 of Part 2.5 of Division 3 of Title 2 of, and to repeal Sections 11560, 11563.1, 12811, and 12811.1 of, the Government Code, and to amend Sections 2800, 2802, 2803, 2804, 2806, 2807, 2808, 2809, 2810, 2810.5, 2811, 2815, 2816, 3041, 3041.1, 5000, 5001, 5003.5, 5050, 5052, 5054, 5055, 5057, 5067, 5075, 5076.1, 6024, 6025, 6026, 6030, 6050, 7518, 13600, 13601, 13602, 13603, 13810, and 14204 of, to amend the headings of Chapter 1 (commencing with Section 5000), Chapter 2 (commencing with Section 5050), Chapter 3 (commencing with Section 5075), Chapter 4 (commencing with Section 6001), and Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of, and to amend the heading of Title 4.5 (commencing with Section 13600) of Part 4, of, and to add Sections 5075.1, 5075.6, and 5075.7 to, and to repeal Sections 2036, 2038, 2043.3, 2045.3, 2046.3, 2048.3, 2048.7, 5051, 5051.5, 5053, 5082, 6001, 6003, and 6004 of, and to repeal Article 3 (commencing with Section 2400) of Chapter 2 of Title 1 of Part 3 of, the Penal Code, and to amend Sections 1000, 1703, 1710, 1711, 1712, 1713, 1714, 1716, 1719, 1720, 1723, 1725, 1766, 1798, 3150, 3151, 3158, 3300, and 3309 of, and to repeal Sections 1717, 1718, 1721, 1722, 1798.5, and 3157 of, the Welfare and Institutions Code, relating to reorganizing the Youth and Adult Correctional Agency.

Bill read second time.



Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 737 pursuant to Joint Rule 58.

SENATOR ROMERO

Permission of Rules Committee

Senate Chamber, March 29, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 737.

PERATA, Chair

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

Committee on Rules

Senate Chamber, March 29, 2005

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

SB 328	SB 698	SB 731
SB 872	SB 1000	

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 Bill 328—An act relating to hospitals.

Bill read second time.

Senate Bill 698—An act relating to schoolbuses.

Bill read second time.

Senate Bill 731—An act to amend Section 1658 of the Vehicle Code, relating to vehicles.

Bill read second time.

Senate Bill 872—An act to amend Section 12979 of the Food and Agricultural Code, relating to pesticide.

Bill read second time.

Senate Bill 1000—An act relating to vehicles.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, March 29, 2005

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which were referred:

SB 265	SB 621	SB 1093
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Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SOTO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 265—An act to add Section 19853.2 to the Government Code, relating to state employees.

Bill read second time.

Senate Bill 621—An act to add Section 19829.5 to the Government Code, relating to employment relations.

Bill read second time.

Senate Bill 1093—An act to amend Section 21151 of the Government Code, relating to public employee benefits.

Bill read second time.

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

Committee on Public Safety

Date of Hearing, March 29, 2005

Mr. President: The Committee on Public Safety, to which was referred:

SB 963

Reports the same back with the recommendation: Do pass.

ALQUIST, Chair

Above bill ordered to second reading.

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 1109: By the Committee on Natural Resources and Water (Senators Kuehl (Chair), Aanestad, Bowen, Dutton, Hollingsworth, Kehoe, Lowenthal, Machado, Margett, Migden, and Romero)—An act to amend Section 2081.7 of the Fish and Game Code, relating to fish and game.

Senate Bill 1110: By the Committee on Natural Resources and Water (Senators Kuehl (Chair), Aanestad, Bowen, Dutton, Hollingsworth, Kehoe, Lowenthal, Machado, Margett, Migden, and Romero)—An act to amend Sections 65040.2, 65352.3, 65560, and 65562.5 of the Government Code, to repeal Section 85.3 of the Harbors and Navigation Code, to amend Section 20676 of the Public Contract Code, to amend Sections 2207, 4561.5, and 42240 of, and to repeal Sections 665, 733, 2797, 4535, 4561.6, 5072.3, 29411, 29412, and 30521 of the Public Resources Code, relating to public resources.

Senate Concurrent Resolution 35: By Senator Battin—Relative to Polio Awareness Day.



MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 323** was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Judiciary;

SB 376 was withdrawn from the Committee on Natural Resources and Water and re-referred to the Committee on Rules;

SB 777 was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Rules;

SB 377 was withdrawn from the Committee on Banking, Finance, and Insurance and re-referred to the Committees on Health and Banking, Finance, and Insurance;

SB 704 was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules; and

SB 923 was withdrawn from the Committee on Labor and Industrial Relations and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS**Committee on Natural Resources and Water**

SB 153—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Bowen, Dutton, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (1)—Senator Hollingsworth.

SB 200—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Bowen, Dutton, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (1)—Senator Hollingsworth.

SB 264—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Bowen, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (0)—None.

SB 347—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Bowen, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Margett, Migden, and Romero.

NOES (0)—None.

SB 387—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Bowen, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (0)—None.

SB 502—Do pass as amended

AYES (10)—Senators Bowen, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (0)—None.



SB 543—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Romero.

NOES (0)—None.

SB 742—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Bowen, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (0)—None.

SB 831—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Bowen, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, and Romero.

NOES (0)—None.

Date of Hearing: 3/29/2005

Kuehl (Chair)

Committee on Public Safety**SB 128—Do pass and re-refer to Committee on Appropriations**

AYES (3)—Senators Alquist, Margett, and Poochigian.

NOES (1)—Senator Romero.

Failed passage

SB 128—Reconsideration granted

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

SB 138—Do pass as amended

AYES (4)—Senators Alquist, Margett, Poochigian, and Romero.

NOES (0)—None.

SB 252—Do pass and re-refer to Committee on Judiciary

AYES (2)—Senators Margett and Poochigian.

NOES (1)—Senator Cedillo.

Failed passage

SB 252—Reconsideration granted

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

SB 453—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Margett, and Poochigian.

NOES (0)—None.

Failed passage



SB 453—Reconsideration granted

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

SB 613—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Margett, and Poochigian.

NOES (0)—None.

Failed passage

SB 613—Reconsideration granted

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

SB 619—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alquist, Margett, Poochigian, and Romero.

NOES (0)—None.

SB 647—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

SB 839—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Alquist, Margett, and Poochigian.

NOES (1)—Senator Romero.

Failed passage

SB 839—Reconsideration granted

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

SB 963—Do pass

AYES (6)—Senators Alquist, Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

Date of Hearing: 3/29/2005

Alquist (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Glenn Heaton Lehmer of Palm Springs and Edward Day of Mission Viejo.

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Wayne Miyata of Hermosa Beach.



Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Pete Rey of Vallejo.

Senators Kehoe, Ducheny, and Cox requested that when the Senate adjourns this day it do so in memory of Dallas Clark of San Diego.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Paul Henning of Toluca Lake and Dan Cohen of Santa Monica.

Senator Lowenthal requested that when the Senate adjourns this day it do so in memory of Mai Nguyen Den and Jennifer Choppin Fitzgerald of Long Beach.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Jack Lee Molini of Stockton.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Dr. Charles R. McMonigle of Arcadia.

Senator McClintock requested that when the Senate adjourns this day it do so in memory of James Hartley of Moorpark.

Senator Murray requested that when the Senate adjourns this day it do so in memory of Renora Bell of Dayton, Ohio.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Robert "Tag" D. Taggart of Sacramento.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Dorothy Greer Lancaster, Raymond Henry Schletewitz, Janet Milovich and Al Radka of Fresno and John Tsu of Millbrae.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Dale Reed and Robert Church of Lancaster.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Cristi Lantz Villegas of Pomona.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Richard Allen Fertado of Brentwood.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, March 30, 2005.

PAULA K. ROSSETTO, Minute Clerk



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