

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, April 4, 2005

The Senate met at 10:30 a.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, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, and Torlakson—36.

Quorum present.

(NOTE: Senator Vincent will be excused this day on legislative business, Senator Morrow will be excused this day on personal business, Senator Dunn will be excused this day due to family illness, and Senator Florez will be excused this day due to illness.)



PRAYER

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

O God of All Creation, We give You thanks for the many blessings You have given us. We give thanks especially this day for John Paul II, whose life and witness was the way of peace, forgiveness and hope for all people everywhere. We ask that You guide our work that we may be worthy servants to all whose lives and well-being have been entrusted to us. We ask this is Your Holy Name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 31, 2005

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

SCR 32

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, March 31, 2005

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

ACR 7

AJR 6

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 7—Relative to space travel.

Assembly Joint Resolution 6—Relative to Darfur.

REPORTS OF STANDING COMMITTEES**Committee on Judiciary**

Senate Chamber, April 4, 2005

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

SB 308

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 308—An act to add Sections 27388.5 and 27388.7 to the Government Code, relating to recording fees.

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, April 4, 2005

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

SB 397

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 397—An act to add Section 11174.11 to the Penal Code, relating to elder death.

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, April 4, 2005

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

SB 439

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 439—An act to add Article 1.3 (commencing with Section 92005) to Chapter 1 of Part 57 of the Education Code, relating to the University of California.

Bill read second time.

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

Committee on Government Modernization, Efficiency, and Accountability

Senate Chamber, April 4, 2005

Mr. President: The Chair of the Committee on Government Modernization, Efficiency, and Accountability, to which was referred:

SB 645



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 645—An act to add Section 354.9 to the Code of Civil Procedure, and to add Chapter 3.2 (commencing with Section 8253) to Division 1 of Title 2 of the Government Code, relating to Mexican repatriation.

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, April 4, 2005

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

SB 583

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 583—An act to add Section 109336 to the Health and Safety Code, relating to cancer.

Bill read second time.

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

Committee on Human Services

Senate Chamber, April 4, 2005

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

SB 726

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 726—An act to amend Section 361.4 of, and to add Sections 366.23 and 366.24 to, the Welfare and Institutions Code, relating to dependent children.

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, April 4, 2005

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

SB 520

SB 601

SB 797

SB 812

SJR 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 Bill 520—An act to amend Section 707 of the Welfare and Institutions Code, relating to juvenile crime.

Bill read second time.

Senate Bill 601—An act relating to transportation.

Bill read second time.

Senate Bill 797—An act to amend Section 19.8 of the Penal Code, relating to crime.

Bill read second time.

Senate Bill 812—An act to amend Section 60010 of the Education Code, relating to instructional materials.

Bill read second time.

Senate Joint Resolution 4—Relative to the Republic of Cyprus.

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, April 4, 2005

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

SB 150

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 150—An act to amend Sections 791.10 and 791.12 of the Insurance Code, relating to insurance underwriting.

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, April 4, 2005

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

SB 220

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 220—An act to amend Section 23008 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 220 pursuant to Joint Rule 58.

SENATOR CHESBRO

Permission of Rules Committee

Senate Chamber, April 4, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 220.

PERATA, Chair

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

Committee on Judiciary

Date of Hearing, March 29, 2005

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

SB 276

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 Public Safety

Senate Chamber, April 4, 2005

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

SB 235

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 235—An act to amend Section 120291 of the Health and Safety Code, relating to HIV.

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, April 4, 2005

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

SB 401

SB 454

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 401—An act to amend Section 56.05 of the Civil Code, relating to medical information.

Bill read second time.

Senate Bill 454—An act to add Section 12693.265 to the Insurance Code, and to add Section 14005.41 to the Welfare and Institutions Code, relating to nutrition.

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, April 4, 2005

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

SB 490

SB 926

SB 1067

SB 1070

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 490—An act to add and repeal Section 59018 of the Health and Safety Code, relating to toxic substances.

Bill read second time.

Senate Bill 926—An act to add Section 40065 to the Public Resources Code, and to add Section 13228.17 to the Water Code, relating to sewage sludge.

Bill read second time.



Senate Bill 1067—An act to repeal Section 116361 of the Health and Safety Code, relating to drinking water.

Bill read second time.

Senate Bill 1070—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 Judiciary

Senate Chamber, April 4, 2005

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

SB 637

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 637—An act to add Section 2982.10 to the Civil Code, to amend Section 11713.1 of, to add Sections 4456.3 and 11713.16 to, and to add Chapter 11 (commencing with Section 12200) to Division 5 of, to the Vehicle Code, relating to vehicles, 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.

Date of Hearing, March 29, 2005

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

SB 137

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

DUNN, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, April 4, 2005

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

SB 30

SB 1001

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 30—An act to add Section 17206 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Senate Bill 1001—An act to amend Sections 17053.33 and 23633 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 measures ordered printed and re-referred to the committee.

Committee on Health

Senate Chamber, April 4, 2005

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

SB 456

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 456—An act to add Section 12699.01 to the Insurance Code, relating to health care, 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, April 4, 2005

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

SB 104

SB 171

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 104—An act to amend Section 101317 of, and to add Sections 100106 and 101029 to the Health and Safety Code, relating to public health.

Bill read second time.



Senate Bill 171—An act to add Section 859.5 to the Penal Code, relating to criminal procedure.

Bill read second time.

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

REQUEST FOR UNANIMOUS CONSENT (SCR 35)

Senator Battin asked for, and was granted, unanimous consent that SCR 35 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Senate Concurrent Resolution 35

Senate Concurrent Resolution 35—Relative to Polio Awareness Day. Resolution read third time and presented by Senator Battin.

Roll Call

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

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, and Torlakson.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 424—An act to add Section 6720 to the Government Code, relating to Armenia.

Bill read second time.

The amendments proposed by the Committee on Rules were read and adopted and the measure ordered printed, engrossed, and to third reading.

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.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.



Senate Bill 502—An act to amend Section 51182 of the Government Code, and to amend Section 14875 of the Health and Safety Code, relating to vegetation management.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill 158—An act to amend Section 8230 of the Government Code, and to amend Section 4401 of the Probate Code, relating to powers of attorney.

Bill read third time and presented by Senator Machado.

Roll Call

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

AYES (31)—Senators Aanestad, Alarcón, Alquist, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, and Torlakson.

NOES (4)—Senators Ackerman, Ashburn, Battin, and Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 51—An act to amend Section 1946.1 of the Civil Code, relating to tenancy.

Bill read third time and presented by Senator Kuehl.

Roll Call

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

AYES (21)—Senators Alarcón, Alquist, Bowen, Cedillo, Ducheny, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, and Torlakson.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Denham, Dutton, Hollingsworth, Maldonado, Margett, McClintock, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

Senate Bill 963—An act to amend Section 1203.016 of the Penal Code, relating to home detention.

Bill read third time and presented by Senator Ashburn.

Roll Call

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

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl,



Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, and Torlakson.
NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Margett.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution 29—Relative to the Joint Legislative Committee on Emergency Services and Homeland Security.

Resolution read third time and presented by Senator Kehoe.

Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

April 4, 2005

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 158—No

SB 51—No

SB 963—Aye

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

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

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



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

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

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

At 11:05 a.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 Tuesday, April 5, 2005.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 4, 2005

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning SCR 1 to the Senate.

Above measure ordered held at Desk.

Assembly Chamber, April 4, 2005

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

AB 238 AB 272 AB 983

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 238—An act to amend Section 3440.1 of the Civil Code, relating to fraudulent transfers.

Assembly Bill 272—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Assembly Bill 983—An act to amend Section 33334.22 of the Health and Safety Code, relating to housing.



REPORTS OF STANDING COMMITTEES
Committee on Natural Resources and Water

Date of Hearing, March 29, 2005

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

SB 831

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 4, 2005

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

SB 858

SCR 17

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 858—An act relating to county water authorities.

Bill read second time.

Senate Concurrent Resolution 17—Relative to the flag of the former Republic of Vietnam.

Resolution 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, April 4, 2005

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

SB 773

SB 999

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 773—An act to add Section 13274.8 to the Water Code, relating to water.

Bill read second time.



Senate Bill 999—An act to amend Section 40600 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 Transportation and Housing

Senate Chamber, March 31, 2005

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

SB 160

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 160—An act to amend Section 2571 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.

Senate Chamber, April 4, 2005

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

SB 765

SB 924

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 765—An act to amend Section 18554 of the Health and Safety Code, relating to mobilehome parks.

Bill read second time.

Senate Bill 924—An act to amend Section 15250 of the Vehicle Code, relating to school.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, April 4, 2005

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

SB 441

SB 1059



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 441—An act to add Section 739.11 to the Public Utilities Code, relating to electricity.

Bill read second time.

Senate Bill 1059—An act to add Chapter 4.3 (commencing with Section 25330) to Division 15 of the Public Resources Code, relating to electricity transmission.

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, April 4, 2005

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

SB 112

SB 500

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 112—An act to amend Section 13276 of the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Senate Bill 500—An act to amend Sections 300 and 11401 of the Welfare and Institutions Code, relating to foster care, 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 Judiciary

Date of Hearing, April 29, 2005

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

SB 373

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

DUNN, Chair

Above measure ordered to second reading.



Committee on Appropriations

Senate Chamber, April 4, 2005

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

SB 48

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

MIGDEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 48—An act to amend Section 12316 of the Penal Code, relating to ammunition.

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, April 4, 2005

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

SB 176

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 176—An act to amend Sections 13380 and 23612 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 Rules

Senate Chamber, April 4, 2005

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

SB 815

SB 841

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 815—An act to amend Section 415.50 of the Code of Civil Procedure, relating to service by publication.

Bill read second time.



Senate Bill 841—An act to amend Section 4491 of the Public Resources Code, relating to forest practices.

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 138

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

ALQUIST, Chair

Above measure ordered to second reading.

Committee on Business, Professions and Economic Development

Senate Chamber, April 4, 2005

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

SB 579

SB 683

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 579—An act to repeal Sections 3129 and 3130 of the Business and Professions Code, relating to optometry.

Bill read second time.

Senate Bill 683—An act to add Section 1634.1 to the Business and Professions Code, relating to dentistry.

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, April 4, 2005

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

SB 404

SB 498

SB 535

SB 767

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 404—An act to amend Section 44262 of the Education Code, relating to teacher credentialing.

Bill read second time.

Senate Bill 498—An act to add Chapter 3.55 (commencing with Section 44765) to Part 25 of the Education Code, relating to teachers.

Bill read second time.

Senate Bill 535—An act to amend Sections 17171, 17173, 17180, 17199.4, 17230, 17464, 47605, 47605.6, 47607, 47634.2, and 47652 of the Education Code, relating to charter schools.

Bill read second time.

Senate Bill 767—An act to add Section 94794 to the Education Code, relating to private postsecondary education.

Bill read second time.

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

Committee on Local Government

Senate Chamber, April 4, 2005

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

SB 671

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 671—An act to amend Section 9 of the Plumas County Flood Control and Water Conservation District Act (Chapter 2114 of the Statutes of 1959), 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 Rules

Senate Chamber, April 4, 2005

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

SB 870

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 870—An act 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.

INTRODUCTION AND FIRST READING OF SENATE MEASURE

The following measure was introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Resolution 11: By Senator Soto—Relative to the 60th anniversary of the death of Franklin Delano Roosevelt.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

An annual report for 2004 and a plan update for 2005, relating to the Clean Fuels Program was received from the South Coast Air Quality Management District and transmitted to the Committee on Environmental Quality.

A final report relating to the Task Force on Uniform Poll Worker Training Standards was received from the Yolo County Clerk/Recorder and transmitted to the Committee on Elections Reapportionment and Constitutional Amendments.

A report dated: March 1, 2005, relating to veterans homes, was received from the Department of Veterans Affairs and transmitted to the Committee on Veterans Affairs.

A report dated: March 4, 2005, relating to the Use of Harbor and Watercraft Revolving Fund was received from the State Department of Parks and Recreation and transmitted to the Committee on Budget and Fiscal Review.

A report dated: March 4, 2005, relating to adverse environmental impacts of agricultural activities and operations, was received from the State Water Resources Control Board and transmitted to the Committee on Agriculture.

A preliminary report dated: March 15, 2005, relating to the 2004–05 enrollment was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

A preliminary report dated: March 15, 2005, relating to the 2004–05 Early Assessment Program was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

Annual report dated: March 15, 2005, relating to the Fresno County EMS Fund, FY 2003–04, was received from the Fresno County Department of Community Health and transmitted to the Committee on Health.



A report dated: March 16, 2005, relating to penalties imposed under the Administrative Penalty Program, was received from Air Resources Board and transmitted to the Committee on Environmental Quality.

A report dated: March 16, 2005, relating to pilot project annual operations was received from the San Diego Hospice and Palliative Care and transmitted to the Committee on Human Services.

A report dated: March 17, 2005, relating to underground storage tanks was received from the State Water Resources Control Board and transmitted to the Committee on Environmental Quality.

A report dated: March 17, 2005, relating to the 2002–03 Small Business/DVOBE's Contract Activity was received from the Department of Health Services and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: March 17, 2005, relating to amounts budgeted and expended for licensing, compliance and administration was received from the Department of Alcoholic Beverage Control and transmitted to the Committee on Business, Professions and Economic Development.

An annual report dated: March 17, 2005, relating to The Statewide Automated Welfare System was received from California Health and Human Services Agency Data Center and transmitted to the Committee on Health.

A Title Summary report dated: March 18, 2005, relating to Mid-Decade District Reapportionment. Congressional Exception. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to Urban Areas. Tribal Compacts. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to Compacts. Allowing Tribal Casinos. Urban Areas. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to Juvenile Courts. Child's Mental Health Treatment. Parental Consent. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to Electric Service Providers. Regulation. Initiative Statute. Amdt. #1-NS, was received from the Department of Justice and transmitted to the Committee on Rules.



A Title Summary report dated: March 18, 2005, relating to the Prescription Drugs Act. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to Prescription Drugs. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to the Prescription Drug Program. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 18, 2005, relating to School Employment Decisions. Employment Performance. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: March 18, 2005, relating to the basic financial statements for Fiscal Year Ended June 30, 2004, was received from the California State Auditor and transmitted to the Committee on Rules.

An annual report dated: March 18, 2005, relating to waiver activity for January 2003–December 2003, was received from the California Department of Education and transmitted to the Committee on Education.

Annual report dated: March 21, 2005, relating to Glenn County EMS Fund, FY 2003–04, was received from the Glenn County Department of Finance and transmitted to the Committee on Health.

An investigative report dated: March 23, 2005, relating to the California Whistleblower Protection Act, was received from the California State Auditor and transmitted to the Committee on Rules.

An audit report dated: March 23, 2005, relating to the State of California internal controls and compliance with state and federal laws and regulation for the year ended June, 30, 2005, was received from the California State Auditor and transmitted to the Committee on Rules.

A report dated: March 23, 2005, relating to the 2004 California Physician Corps Loan Repayment Program, was received from the Medical Board of California and transmitted to the Committee on Business, Professions and Economic Development.

A Title Summary report dated: March 23, 2005, relating to Defined Benefit Retirement Plan. Private Sector Employees. Initiative Statute. was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: March 23, 2005, relating to Commercial Real Property Taxation. Reassessment, Exemptions, and Revenue Distributions. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.



A Title Summary report dated: March 23, 2005, relating to Commercial Property Taxes, Exemptions, Revenues for Schools, Transportation, Public Safety. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: March 24, 2005, relating to Non-Cervical Gynecological Cancer Treatments, was received from the Department of Health Services and transmitted to the Committee on Health.

A final report dated: March 24, 2005, relating to the Judges' Pilot Program was received from the Victim Compensation and Government Claims Board and transmitted to the Committee on Public Safety.

A report dated: March 24, 2005, relating to the 2004 Asset Forfeiture was received from the Department of Justice and transmitted to the Committee on Judiciary.

A Title Summary report dated: March 25, 2005, relating to Prohibition on Government Employee Payroll Deductions for Political Purposes. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

An annual report dated: March 25, 2005, relating to the Extra Credit Teacher Home Purchase Program, was received from the California State Treasurer and transmitted to the Committee on Education.

Annual report dated: March 25, 2005, relating to Nevada County EMS Fund, FY 2003–04, was received from the Nevada County Human Services Agency and transmitted to the Committee on Health.

An annual report dated: March 25, 2005, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

A report dated: March 28, 2005, relating to 2002–03 and 2003–04 CSU Institutional Financial Aid Program, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 29, 2005, relating to San Diego County Indian Gaming Local Community Benefit Committee (IGLCBC) was received from San Diego County and transmitted to the Committee on Governmental Organization.

An annual report dated: March 30, 2005, relating to Butte County Indian Gaming Local Community Benefit Committee (IGLCBC) was received from Butte County and transmitted to the Committee on Governmental Organization.



A report dated: March 31, 2005, relating to California Pollution Control Financing Authority 2004 Annual Report, was received from Treasurer of the State of California and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 31, 2005, was received from the California Pollution Control Financing Authority and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 31, 2005, was received from the California Pollution Control Financing Authority regarding the CalCAP 2004 Annual Report and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 31, 2005, relating to Tulare County Indian Gaming Special Distribution of Funds was received from the County of Tulare and transmitted to the Committee on Governmental Organization.

REQUESTS TO ADJOURN IN MEMORIAM

Senators Figueroa and Perata requested that when the Senate adjourns this day it do so in memory of Fred Korematsu of San Leandro.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Homer Williams and Mary Gutierrez Mariscal of Stockton.

Senator Runner requested that when the Senate adjourns this day it do so in memory of William Allen Mansfield of Victorville.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, April 5, 2005.

PAULA K. ROSSETTO, Minute Clerk

