

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 21, 2005

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

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, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—38.

Quorum present.

(NOTE: Senators Dunn and Murray will be excused this day on legislative business.)



PRAYER

Upon invitation of the President, the following prayer was offered by Archbishop Moushegh Mardirossian, Prelate, Western United States Armenian Apostolic Church of America:

Our Heavenly Father, Here, in this Hall, sit the Legislators of our Beautiful Golden State in meditation, in consultation and in action. We, the people, regard our legislative body to be the sacred ground for upholding freedom, equality and justice for all.

Therefore, we come here this morning, with the heart of a pilgrim to ask you to uphold it and guard it as the sanctuary of our dreams and as the stronghold of our hopes for each other.

Many of our finest and bravest have sacrificed their lives to uphold these values.

Today, we ask you to remember those who died in the line of duty to defend the principles of democracy, freedom and human rights.

We ask you to remember the one and half million martyrs of the Armenian Genocide of 1915 who gave their lives for the love of freedom, for the love of our nation and our faith.

This week we commemorate the 90th Anniversary of this most atrocious massacre.

Lord, we thank our Governor of the Golden State of California, Arnold Schwarzenegger, for proclaiming April 24, 2005 as a Day of Remembrance of the Armenian Genocide.

Bless our Governor, our State Senators, State Assemblymen, and all those elected officials who are staunch supporters for Truth and Justice.

Bless our new generations and especially those youth who are participating in "The March for Humanity" in memory of our martyrs.

God save America. Lord, save Armenia.

Make our ethnic, religious and cultural diversities pull us together in our common heritage of equality, justice, freedom for all, and in our belief of dignity of our common humanity.

In spite of all challenges and sufferings, in spite of all hardship and sacrifices imposed upon us,

We have developed enough courage to believe that only freedom sustains democracy.

We have mastered enough experience to know that only justice heals and

We have accumulated enough wisdom to see that equal opportunity for all makes peace prevail.

May the Lord bless us all.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 21, 2005

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

SB 424

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Public Safety**

Date of Hearing, April 19, 2005

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

SB 803

Reports the same back with the recommendation: Amend, and re-refer to the Committee on Public Safety.

ALQUIST, Chair

Above measure ordered to second reading.

Committee on Budget and Fiscal Review

Date of Hearing, April 21, 2005

Mr. President: The Committee on Budget and Fiscal Review, to which was referred:

GRP 1

Reports the same back with the recommendation: That the plan be allowed to take effect.

CHESBRO, Chair

Above plan ordered placed on file.

Committee on Business, Professions and Economic Development

Senate Chamber, April 21, 2005

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

SB 1112

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 1112—An act to amend Sections 5515, 7011.4, 7028.13, 7071.6, 7071.11, 7071.12, 7073, 7085, 7085.5, 7110.5, and 7145.5 of, and to repeal and add Section 7071.15 of, the Business and Professions Code,



to amend Sections 94739 and 94931 of, to add Sections 94742.2 and 94781 to, and to repeal Section 94742.3 of, the Education Code, and to amend Section 19830 of the Health and Safety Code, relating to professions and vocations.

Bill read second time.

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 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 Section 136.2 of the Penal Code, relating to court orders.

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

Senate Bill 972—An act to amend Section 704.090 of the Code of Civil Procedure, to amend Sections 1202.4 and 1202.41 of the Penal Code, to amend Section 9202 of, and to add Section 216 to, the Probate Code, and to amend Section 730.6 of the Welfare and Institutions Code, relating to restitution, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Senate Bill 547—An act to add and repeal Section 22651.10 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Bill 556—An act to amend Section 11999.6 of the Health and Safety Code, and to amend Sections 1210, 1210.1, and 3063.1 of the Penal Code, relating to drug treatment.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, and re-referred to the Committee on Health.

Senate Bill 1108—An act to amend Sections 1658, 6704.1, 8764, 8776.4, 19641.2, 24045.3, 24045.5, 24045.9, 24045.15, and 25658 of the Business and Professions Code, to amend Sections 798.25, 799.1.5, 1365.2.5, 1747.08, 1798.81.5, 1798.83, and 1936 of the Civil Code, to amend Sections 995.640, 1985.6, 2025.480, 2030.050, 2031.300, and 2033.220 of the Code of Civil Procedure, to amend Section 31109.1 of the Corporations Code, to amend Sections 1240, 17212.2, 17592.70, 17592.72, 17592.73, 22115, 22200, 33126, 41020.5, 41326.1, 41328,



41530, 44830.3, 48853, 49341, 49414.5, 51226.1, 51430, 52059, 52124, 56366, 56366.1, 56366.11, 56505, 59052, 66739.5, 71093, 89539.2, 94742.3, 94931, and 99235 of, and to amend and renumber Section 17463.6 of, the Education Code, to amend Section 9042 of the Elections Code, to amend Sections 299.3, 420, 2024.6, 3111, and 6341 of the Family Code, to amend Section 14252 of the Financial Code, to amend Sections 1053, 1363.5, and 8494 of the Fish and Game Code, to amend Sections 77253 and 77265 of the Food and Agricultural Code, to amend Sections 3309.5, 6254, 7072, 7076.2, 7099, 7110, 7113.5, 8592.4, 8875.10, 12599, 12715, 17555, 20281.5, 20610, 21224, 22860, 27393, 30061, 31492.1, 31725.65, 31755, 31781.2, 31831.2, 31874.6, 51283.4, 53080, 53635, 54954.5, 56700, 65053.5, 65351, 65460.1, 66907.7, 68085, 68115, 68927, 69927, 70367, 71622, 82036, 84602, and 90004 of, and to add the heading of Chapter 5 (commencing with Section 14557) to Part 5.3 of Division 3 of Title 2 of, the Government Code, to amend Sections 1179.2, 1351.2, 1596.792, 11571.1, 18070, 25395.110, 25395.65, 25395.67, 25395.93, 25395.95, 25395.96, 25404, 25404.3, 44297, 100425, 101317, 101850, 113995, 118275, 120440, 125001 of, and to amend and renumber the heading of Article 45 (commencing with Section 99 123620) of Chapter 2 of Part 2 of Division 106 of, the Health and Safety Code, to amend Section 1215.2 of the Insurance Code, to amend Sections 98.2, 98.6, 2699.5, 3099.3, 3600.1, and 4658.5 of the Labor Code, to amend Sections 179, 972.1, and 985 of the Military and Veterans Code, to amend Sections 502.01, 679.05, 1203.4a, 11055, 12081, and 12553 of the Penal Code, to amend Sections 6106.5, 6108, and 10411 of the Public Contract Code, to amend Sections 5018.1, 14530.1, 14539, 14551, 21159.24, 30310, 40507, 42648.6 of, to amend and renumber Section 21061.5 of, and to amend and renumber the heading of Chapter 4 (commencing with Section 71069) of Part 2 of Division 34 of, the Public Resources Code, to amend Sections 353.2, 379.6, 394.25, 2827.10, 2828, 21661.5, 90300, 130054.1, 130630, and 170042 of the Public Utilities Code, to amend Sections 69.4, 214, 217, 2508, 3811, 7105, 17041, 17052.6, 18648, 18706, 19164, and 20583 of the Revenue and Taxation Code, to amend Sections 527, 36705, 36733, and 36737 of the Streets and Highways Code, to amend Section 1052 of the Unemployment Insurance Code, to amend Sections 4000.1, 4466, 5205.5, 9400.1, 12509, 13352, 15250, 15275, 23575, 23593, and 27362 of the Vehicle Code, to amend Sections 521, 525, 527, 1013, 12997, 13305, 13387, and 35539.13 of the Water Code, to amend Sections 294, 366.21, 387, 636, 740, 827, 4637.5, 4688.5, 7200.06, 11404, 11462, 14016.5, 14016.51, 14087.6, 14123.25, and 16206 of the Welfare and Institutions Code, to amend Section 15 of Chapter 656 of the Statutes of 2003, and to amend Sections 4 and 5 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the maintenance of the codes.

Bill read second time, ordered engrossed, and to Consent Calendar.



Senate Bill 218—An act to amend Section 366.26 of the Welfare and Institutions Code, relating to termination of parental rights.

Bill read second time.

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

Senate Bill 440—An act to add Title 1.81.23 (commencing with Section 1798.90.5) to Part 4 of Division 3 of the Civil Code, relating to personal information disclosures.

Bill read second time.

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

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 proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.

Senate Bill 987—An act to amend Sections 131010, 131100, 131103, 131241, and 131285 of the Public Utilities Code, relating to transportation.

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

Senate Bill 1026—An act to repeal Section 65586 of the Government Code, relating to housing elements.

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

Senate Bill 917—An act to amend Section 1339.57 of the Health and Safety Code, relating to the Payers' Bill of Rights.

Bill read second time.

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

Senate Bill 276—An act to add Section 23058 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

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



Senate Bill 648—An act to amend Section 21165 of the Public Resources Code, relating to environmental quality.

Bill read second time.

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

Senate Bill 351—An act to amend Section 36621 of the Streets and Highways Code, relating to improvement districts.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 927—An act to amend Sections 65089.6, 65302, 66484, and 66484.3 of the Government Code, to amend Section 99150 of the Public Utilities Code, to amend Section 75.9 of the Streets and Highways Code, and to amend Sections 21101 and 35701 of the Vehicle Code, relating to land use.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 983—An act to amend Sections 66452.8 and 66452.9 of the Government Code, relating to subdivided lands.

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

Senate Bill 1069—An act to amend Section 33333.6 of the Health and Safety Code, relating to redevelopment.

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

Senate Bill 176—An act to amend Section 13380 of, and to add Section 23613 to, the Vehicle Code, relating to vehicles.

Bill read second time.

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

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 proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

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

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

Senate Bill 967—An act to amend Section 65105 of the Government Code, relating to local planning.

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



Senate Bill 562—An act to amend Sections 33352, 33353, 33354, and 35179 of the Education Code, relating to physical education.

Bill read second time.

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

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 4**, **ACR 27**, **ACR 32**, and **ACR 35** were withdrawn from Committee and placed on today's Special Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Joint Resolution 2—Relative to the Armenian Genocide.

Resolution presented by Senator Speier.

The question being: Shall the Senate concur in the Assembly amendments to SJR 2?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

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

NOES (0)—None.

Above resolution ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (SCR 39)

Senator Alquist asked for, and was granted, unanimous consent that SCR 39 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Senate Concurrent Resolution 39

Senate Concurrent Resolution 39—Relative to Sexual Assault Awareness Month.

Resolution read third time and presented by Senator Alquist.

Roll Call

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

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden,



Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Request to Be Added as Co-Author

Without objection, Senators Battin and Dutton were added as co-authors to SCR 39.

Resolution ordered transmitted to the Assembly

**REQUESTS TO CONSIDER AND ACT ON BILLS
WITHIN 30 CALENDAR DAYS**

The following request was presented by Senator Kuehl:

Senate Chamber, April 21, 2005

Mr. Secretary: I request permission to introduce a resolution providing that **SB 1109** and **SB 1110** may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

SENATOR KUEHL

The following request was presented by Senator Figueroa:

Senate Chamber, April 21, 2005

Mr. Secretary: I request permission to introduce a resolution providing that **SB 1111**, **SB 1112**, and **SB 1113** may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

SENATOR FIGUEROA

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

PERATA, Chair

**RESOLUTION TO DISPENSE WITH
ARTICLE IV, SEC. 8(a) OF THE CONSTITUTION
AND SUSPEND JOINT RULE 55**

Resolved, That, pursuant to Article IV, Section 8(a) of the Constitution, the above measures may be heard in committee and acted upon by the Senate before 30 calendar days have elapsed since introduction and that Joint Rule 55 be suspended to permit such hearing and action prior to being in print for 30 days.

Resolution read and presented by Senator Battin.

Roll Call

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

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Campbell, Cedillo, Chesbro, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, Migden, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (2)—Senators Cox and McClintock.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill 274—An act to add Section 1099 to the Government Code, relating to public service.

Bill read third time and presented by Senator Romero.

Roll Call

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

AYES (30)—Senators Aanestad, Ackerman, Alquist, Bowen, Campbell, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Soto, Speier, and Torlakson.

NOES (3)—Senators Ashburn, Hollingsworth, and Morrow.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Kehoe.

Roll Call

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator Ashburn.

Bill ordered transmitted to the Assembly.

Senate Bill 237—An act to add Section 798.19.5 to the Civil Code, relating to mobilehomes.

Bill read third time and presented by Senator Migden.

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, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.



Senate Bill 365—An act to amend Sections 65589.4 and 65589.7 of the Government Code, relating to housing.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (30)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Ortiz, Perata, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (7)—Senators Aanestad, Ackerman, Ashburn, Battin, Campbell, McClintock, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 463—An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

Bill read third time and presented by Senator Ducheny.

Roll Call

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1028—An act to add Section 3003 to the Fish and Game Code, relating to hunting.

Bill read third time and presented by Senator Bowen.

Roll Call

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

AYES (25)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Morrow, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (7)—Senators Aanestad, Ackerman, Ashburn, Hollingsworth, Margett, McClintock, and Runner.

Bill ordered transmitted to the Assembly.

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

Resolution read third time and presented by Senator Soto.



Roll Call

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

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

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Bill 210—An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications.

Bill read third time and presented by Senator Bowen.

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, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Senate Bill 119—An act to amend, repeal, and add Sections 307, 5211, 7211, 9211, and 12351 of the Corporations Code, relating to corporations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 4—Relative to Korean-American Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 27—Relative to National Engineers Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 32—Relative to West Nile Virus and Mosquito and Vector Control Awareness Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Assembly Concurrent Resolution 35—Relative to youth organizations.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 62—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 63—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 64—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 65—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 66—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 67—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 68—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 69—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 70—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 71—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 72—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 73—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 74—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 75—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 76—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 77—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 78—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 79—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 80—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 81—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 82—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 83—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 84—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



Senate Bill 85—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 86—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 87—An act relating to the Budget Act of 2005.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

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

NOES (0)—None.

Senator Speier Presiding

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Governor's Appointments

Senator Perata placed the following Governor's appointments before the Senate:

Jeffrey M. Davi, Real Estate Commissioner;

Carlton D. Moore, Oil Spill Response Administrator.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

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

NOES (0)—None.



Consideration of Governor's Appointment

Senator Perata placed the following Governor's appointment before the Senate:

Rosario Marin, Member, California Integrated Waste Management Board

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Florez, Hollingsworth, Kehoe, Lowenthal, Maldonado, Margett, McClintock, Morrow, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Torlakson, and Vincent.

NOES (1)—Senator Kuehl.

REQUEST TO BE ADDED TO ROLL CALL

April 21, 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 1028—No SB 210—Aye

Gov. Appt. Rosario Marin—Aye

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Dunn and Murray.

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

At 10:33 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 Monday, April 25, 2005.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 21, 2005

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

SCR 5

SCR 21

Above resolutions ordered enrolled.



Assembly Chamber, April 21, 2005

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

ACR 5 ACR 20 ACR 33 AJR 17

Assembly Chamber, April 21, 2005

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

AB 56	AB 1234	AB 297	AB 785
AB 85	AB 1322	AB 382	AB 947
AB 100	AB 1426	AB 392	AB 987
AB 107	AB 1527	AB 429	AB 988
AB 242	AB 70	AB 465	AB 1340
AB 249	AB 118	AB 489	AB 1341
AB 609	AB 175	AB 541	AB 1391
AB 769	AB 204	AB 591	AB 1528
AB 1133	AB 248	AB 780	AB 1566

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 Concurrent Resolution 5—Relative to the Abiel Barron Memorial Highway.

Assembly Concurrent Resolution 20—Relative to CHP Officer Merle L. Andrews Memorial Interchange.

Assembly Concurrent Resolution 33—Relative to the Joint Committee on Human Trafficking in California.

Assembly Joint Resolution 17—Relative to child support penalties.

Assembly Bill 56—An act to amend Sections 21456.2 and 21456.3 of, and to amend and repeal Section 21450 of, the Vehicle Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 85—An act to amend Sections 48000, 48001, and 48002 of, and to repeal and add Section 48002.5 of, the Food and Agricultural Code, relating to citrus fruit crops, and making an appropriation therefor.

Assembly Bill 100—An act to amend Section 977.2 of the Penal Code, relating to crimes.

Assembly Bill 107—An act to amend Section 11202 of the Vehicle Code, relating to vehicles.



Assembly Bill 242—An act to amend Sections 826, 12340.5, 12389, and 12389.1 of, and to add Sections 12389.7 and 12389.8 to, the Insurance Code, relating to underwritten title companies.

Assembly Bill 249—An act to amend Section 19582.5 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 609—An act to amend Sections 2951 and 2952 of the Probate Code, relating to guardianships.

Assembly Bill 769—An act to amend Section 17980.7 of the Health and Safety Code, relating to residential real property.

Assembly Bill 1133—An act to amend Section 2028.050 of the Code of Civil Procedure, and to amend, repeal, and add Section 912 of the Evidence Code, relating to evidentiary privileges.

Assembly Bill 1234—An act to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

Assembly Bill 1322—An act to amend Section 170.1 of the Code of Civil Procedure, relating to judges.

Assembly Bill 1426—An act to amend Section 597u of, and to repeal Section 597w of, the Penal Code, relating to animals.

Assembly Bill 1527—An act to add Chapter 6 (commencing with Section 4965) to Division 1.5 of the Financial Code, relating to financial institutions.

Assembly Bill 70—An act to amend Section 4467 of the Vehicle Code, relating to vehicles.

Assembly Bill 118—An act to amend Section 3100 of the Family Code, and to amend Section 136.2 of the Penal Code, relating to protective orders.

Assembly Bill 175—An act to add Title 1.4C (commencing with Section 1749.75) to Part 4 of Division 3 of the Civil Code, relating to gift cards.

Assembly Bill 204—An act to amend Sections 249.5 and 294.7 of the Probate Code, relating to decedents' estates.

Assembly Bill 248—An act to amend Sections 3439.08 and 3439.09 of the Civil Code, relating to fraudulent transfers, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 297—An act to amend Sections 19583.5 and 19583.51 of the Government Code, relating to state employees.



Assembly Bill 382—An act to repeal Section 91521.3 of the Government Code, relating to industrial development financing.

Assembly Bill 392—An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to county integrated health and human services.

Assembly Bill 429—An act to amend Section 527.8 of the Code of Civil Procedure, to amend Section 6383 of the Family Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to temporary restraining orders and protective orders.

Assembly Bill 465—An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

Assembly Bill 489—An act to amend Section 2196.1 of the Streets and Highways Code, relating to transportation.

Assembly Bill 541—An act to amend Section 3041.5 of the Family Code, and to amend Sections 2341 and 2854 of the Probate Code, relating to guardians.

Assembly Bill 591—An act to add Section 6535 to the Government Code, relating to Medi-Cal.

Assembly Bill 780—An act to amend Section 11125.1 of the Government Code, relating to public meetings.

Assembly Bill 785—An act to amend Sections 505.2, 11400, 11405, and 11406 of the Vehicle Code, relating to vehicles.

Assembly Bill 947—An act to amend Section 94110 of the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 987—An act to repeal Section 22325 of the Business and Professions Code, and to amend and repeal Section 1936 of the Civil Code, relating to vehicle rental agreements.

Assembly Bill 988—An act to amend Section 186.2 of the Penal Code, relating to criminal profiteering.

Assembly Bill 1340—An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

Assembly Bill 1341—An act to amend Sections 25211.3, 25211.4, and 25404 of the Health and Safety Code, relating to hazardous waste.

Assembly Bill 1391—An act to amend Sections 82027.5 and 82048.7 of the Government Code, relating to the Political Reform Act of 1974.

Assembly Bill 1528—An act to add Section 1940.05 to the Civil Code, relating to tenancy.



Assembly Bill 1566—An act to amend Section 530.5 of the Penal Code, relating to crime.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources and Water

Senate Chamber, April 21, 2005

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

SB 1033

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 1033—An act to amend Sections 458 and 459 of the Fish and Game Code, relating to fish and game.

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, April 21, 2005

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

SB 1080

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 1080—An act to amend, repeal, and add Sections 52517 and 78401 of the Education Code, relating to adult education.

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

Senate Chamber, April 21, 2005

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

SB 929

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 929—An act to add Section 30329.1 to the Public Resources Code, relating to coastal resources.

Bill read second time.

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

Committee on Education

Date of Hearing, April 20, 2005

Madam President: The Committee on Education, to which was referred:
SB 854

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

SCOTT, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 13, 2005

Madam President: The Committee on Education, to which were referred:

SB 319

SB 462

SB 707

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

SCOTT, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, April 21, 2005

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

SB 154

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 154—An act to amend Section 22857 of the Government Code, relating to public employees' health benefits.

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 21, 2005

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

SB 620

SB 719

SB 814



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 620—An act to add Section 5012 to the Penal Code, and to add Section 1710.5 to the Welfare and Institutions Code, relating to correctional facilities.

Bill read second time.

Senate Bill 719—An act to amend Section 13955 of the Government Code, relating to crime victims, and making an appropriation therefor.

Bill read second time.

Senate Bill 814—An act to add Section 5072 to the Penal Code, relating to prisons.

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 21, 2005

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

SB 926

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 926—An act to add Section 40065 to the Public Resources Code, relating to sewage sludge.

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 21, 2005

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

SB 288

SB 594

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 288—An act to amend Section 1942.3 of the Civil Code, to amend Sections 568.2 and 568.3 of the Code of Civil Procedure, and to amend Section 50710.1 of the Health and Safety Code, relating to tenancy.

Bill read second time.

Senate Bill 594—An act to amend Section 3030 of, and to add Section 3030.5 to, the Family Code, relating to support obligations.

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

Date of Hearing, April 18, 2005

Madam President: The Committee on Environmental Quality, to which were referred:

SB 935

SB 999

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

LOWENTHAL, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, April 21, 2005

Madam President: The Committee on Rules has examined:

SB 424

And reports that the same has been correctly enrolled, and presented to the Governor on the 21st day of April, 2005, at 10:30 a.m.

PERATA, Chair

Senate Chamber, April 21, 2005

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

SB 901

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 901—An act 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.



State Capitol, April 20, 2005

Madam President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

Dale T. Geldert, Director Forestry and Fire Protection (5–0)

Ruben D. Grijalva, State Fire Marshal (5–0)

Susan H. Hildreth, State Librarian (5–0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, April 20, 2005

Madam President: The Senate Rules Committee has appointed Senators Alquist and Margett as members of the Select Committee on School Safety to fill the two existing vacancies.

PERATA, Chair

Committee on Human Services

Senate Chamber, April 21, 2005

Madam 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 Health

Date of Hearing, April 20, 2005

Madam President: The Committee on Health, to which was referred:

SB 945

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

ORTIZ, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, April 20, 2005

Madam President: The Committee on Health, to which were referred:

SB 23

SB 131

SB 642

SB 791

SB 985



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

ORTIZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2005

Madam President: The Committee on Health, to which was referred:

SB 630

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

ORTIZ, Chair

Above measure ordered to second reading.

Senate Chamber, April 21, 2005

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

SB 941

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 941—An act to amend and repeal Section 1797.98e of the Welfare and Institutions Code, relating to emergency medical services.

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, April 21, 2005

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

SB 310

SB 322

SB 960

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 310—An act to amend Section 23770 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Senate Bill 322—An act to amend Section 23952 of the Business and Professions Code, relating to alcoholic beverages.

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 Environmental Quality

Senate Chamber, April 21, 2005

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

SB 369

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.

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

Committee on Appropriations

Senate Chamber, April 21, 2005

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

SB 658

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 658—An act to amend Section 31012 of, and to add and repeal Chapter 10 (commencing with Section 31500) of Division 21 of, the Public Resources Code, and to add and repeal Section 9250.20 of the Vehicle Code, relating to coastal resources, 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 21, 2005

Madam 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 add Section 120290.5 to 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 Elections, Reapportionment and Constitutional Amendments

Senate Chamber, April 21, 2005

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

SB 787

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 787—An act to add Section 3210 to the Government Code, relating to state government.

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

Date of Hearing, April 20, 2005

Madam President: The Committee on Banking, Finance and Insurance, to which was referred:

SB 192

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

SPEIER, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, April 20, 2005

Madam President: The Committee on Banking, Finance and Insurance, to which was referred:

SB 634

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

SPEIER, Chair

Above measure re-referred to the Committee on Appropriations.



Date of Hearing, April 20, 2005

Madam President: The Committee on Banking, Finance and Insurance, to which was referred:

SB 2

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

SPEIER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2005

Madam President: The Committee on Banking, Finance and Insurance, to which were referred:

SB 38

SB 364

SB 417

SB 576

SB 913

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

SPEIER, Chair

Above measures re-referred to the Committee on Health.

Committee on Government Modernization, Efficiency, and Accountability

Date of Hearing, April 20, 2005

Madam President: The Committee on Government Modernization, Efficiency, and Accountability, to which was referred:

SCA 6

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

FIGUEROA, Chair

Above measure re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

Date of Hearing, April 20, 2005

Madam President: The Committee on Government Modernization, Efficiency, and Accountability, to which were referred:

SB 115

SB 1095

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

FIGUEROA, Chair

Above measures re-referred to the Committee on Appropriations.



Committee on Public Safety

Senate Chamber, April 21, 2005

Madam 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 Governmental Organization

Senate Chamber, April 21, 2005

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

SB 667

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 667—An act to amend Section 10501 of the Public Contract Code, relating to public contracts.

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 21, 2005

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

SB 13

SB 894

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 13—An act to amend Section 1798.24 of the Civil Code, and Section 10850 of the Welfare and Institutions Code, relating to personal information.

Bill read second time.



Senate Bill 894—An act to amend Section 3484 of the Civil Code, relating to nuisance.

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 21, 2005

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

SB 328

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 328—An act to amend Section 14085.6 of the Welfare and Institutions 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 Revenue and Taxation

Senate Chamber, April 21, 2005

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

SB 747

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 747—An act to amend Sections 11316 and 11336 of the Revenue and Taxation Code, relating to taxation.

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, April 21, 2005

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

SB 1072

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 1072—An act to amend, repeal, and add Sections 406, 44305, 44308, 44383, 44386, 44393, 44395, 44396, 44503, 44507, 52272, 99220, 99221, 99222, 99223, 99224, 99225, and 99226 of, to amend, renumber, and repeal Section 44731 of, to add Chapter 3.8 (commencing with Section 44790) to Part 25 of, to add and repeal Section 44730 of, and to repeal Sections 44384, 44505, 44506, and 99227 of, the Education Code, relating to teacher development.

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, April 19, 2005

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

SB 468

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, April 21, 2005

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

SB 391

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 391—An act to amend Section 186.22 of the Penal Code, relating to gangs.

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 21, 2005

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

SB 167

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 167—An act to add Section 130030 to the Health and Safety Code, relating to seismic safety.

Bill read second time.

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

Committee on Rules

State Capitol, April 20, 2005

The Committee on Rules has re-referred the following measures to committees:

Appropriations—SB 91.

Business, Professions and Economic Development—SB 412.

Education—SB 142, SB 604, SB 925.

Elections, Reapportionment and Constitutional Amendments—SB 904.

Government Modernization, Efficiency, and Accountability—SB 503, SB 577, SB 796, SB 834, SB 837, SB 954.

Health—SB 849.

Judiciary—SB 56, SB 395, SB 433, SB 740, SB 756, SB 878, SB 1088; SCR 42.

Labor and Industrial Relations—SB 179, SB 1023.

Local Government—SB 511.

Natural Resources and Water—SB 775, SB 1086.

Public Safety—SB 357.

Revenue and Taxation—SB 58.

Transportation and Housing—SB 651, SB 953.

The Committee on Rules has referred the following measure to two committees:

Banking, Finance and Insurance and Rules—AB 279.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 44: By Senator Maldonado—Relative to community residential care.

Senate Concurrent Resolution 45: By Senator Denham—Relative to International Building Safety Week.



Senate Joint Resolution 11: By Senators Kehoe, Kuehl, Migden, and Romero (Coauthors: Assembly Members Goldberg, Jones, Laird, and Leno)—Relative to the “Don’t Ask, Don’t Tell” military policy.

Senate Resolution 13: By Senator Escutia—Relative to Educational Options Month.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday, April 25, 2005

SB 253	SB 496	SB 742
SB 784	SB 979	SB 982
SB 1047	SCR 19	SCR 28

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 393** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

SENATE COMMITTEE ROLL CALLS

Committee on Banking, Finance and Insurance

SB 2—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (3)—Senators Cox, Denham, and Hollingsworth.

SB 38—Do pass and re-refer to Committee on Health

AYES (7)—Senators Cox, Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (1)—Senator Hollingsworth.

SB 192—Do pass and re-refer to Committee on Judiciary

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (4)—Senators Cox, Denham, Hollingsworth, and Maldonado.

SB 360—Do pass as amended and re-refer to Committee on Judiciary

AYES (7)—Senators Cox, Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (3)—Senators Denham, Hollingsworth, and Maldonado.

SB 364—Do pass and re-refer to Committee on Health

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (4)—Senators Cox, Denham, Hollingsworth, and Maldonado.

SB 417—Do pass and re-refer to Committee on Health

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (4)—Senators Cox, Denham, Hollingsworth, and Maldonado.

SB 437—Do pass as amended and re-refer to Committee on Appropriations.

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (3)—Senators Cox, Denham, and Hollingsworth.



SB 576—Do pass and re-refer to Committee on Health

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (3)—Senators Cox, Denham, and Hollingsworth.

SB 634—Do pass and re-refer to Committee on Appropriations.

AYES (9)—Senators Cox, Denham, Figueroa, Lowenthal, Machado, Maldonado, Ortiz, Scott, and Speier.

NOES (1)—Senator Hollingsworth.

SB 728—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (5)—Senators Cox, Denham, Figueroa, Hollingsworth, and Maldonado.

Failed passage

SB 728—Reconsideration granted

AYES (10)—Senators Cox, Denham, Figueroa, Hollingsworth, Lowenthal, Machado, Maldonado, Ortiz, Scott, and Speier.

NOES (0)—None.

SB 913—Do pass and re-refer to Committee on Health

AYES (6)—Senators Figueroa, Lowenthal, Machado, Ortiz, Scott, and Speier.

NOES (4)—Senators Cox, Denham, Hollingsworth, and Maldonado.

Date of Hearing: 4/20/2005

Speier (Chair)

Committee on Budget and Fiscal Review

GRP 1—Allowed to take effect.

AYES (14)—Senators Campbell, Chesbro, Ducheny, Dutton, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, Romero, Runner, Scott, and Torlakson.

NOES (1)—Senator McClintock.

Date of Hearing: 4/21/2005

Chesbro (Chair)

Committee on Government Modernization, Efficiency, and Accountability**SB 115**—Do pass and re-refer to Committee on Appropriations.

AYES (9)—Senators Ashburn, Bowen, Campbell, Ducheny, Dutton, Figueroa, Florez, Kuehl, and McClintock.

NOES (0)—None.

SB 920—Do pass as amended and re-refer to Committee on Appropriations.

AYES (9)—Senators Ashburn, Bowen, Campbell, Ducheny, Dutton, Figueroa, Florez, Kuehl, and McClintock.

NOES (0)—None.

SB 1095—Do pass and re-refer to Committee on Appropriations.

AYES (9)—Senators Ashburn, Bowen, Campbell, Ducheny, Dutton, Figueroa, Florez, Kuehl, and McClintock.

NOES (0)—None.



SCA 6—Do pass and re-refer to Committee on Elections, Reapportionment and Constitutional Amendments

AYES (6)—Senators Ashburn, Campbell, Dutton, Figueroa, Florez, and McClintock.

NOES (0)—None.

Date of Hearing: 4/20/2005

Figueroa (Chair)

Committee on Health

SB 18—Do pass as amended and re-refer to Committee on Rules

AYES (10)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (0)—None.

SB 23—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alquist, Chesbro, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (1)—Senator Cox.

SB 131—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (0)—None.

SB 484—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Chesbro, Figueroa, Kuehl, Ortiz, and Vincent.

NOES (4)—Senators Aanestad, Cox, Maldonado, and Runner.

SB 499—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alquist, Chesbro, Figueroa, Kuehl, Ortiz, and Vincent.

NOES (4)—Senators Aanestad, Cox, Maldonado, and Runner.

SB 630—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (0)—None.

SB 642—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alquist, Chesbro, Figueroa, Kuehl, Maldonado, Ortiz, and Vincent.

NOES (2)—Senators Cox and Runner.

SB 780—Do pass as amended and re-refer to Committee on Education

AYES (6)—Senators Alquist, Chesbro, Figueroa, Kuehl, Ortiz, and Vincent.

NOES (4)—Senators Aanestad, Cox, Maldonado, and Runner.



SB 791—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Vincent.

NOES (0)—None.

SB 869—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (0)—None.

SB 923—Do pass as amended and re-refer to Committee on Revenue and Taxation

AYES (10)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (0)—None.

SB 945—Do pass and re-refer to Committee on Judiciary

AYES (6)—Senators Aanestad, Cox, Maldonado, Ortiz, Runner, and Vincent.

NOES (4)—Senators Alquist, Chesbro, Figueroa, and Kuehl.

SB 985—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alquist, Chesbro, Figueroa, Kuehl, Maldonado, Ortiz, and Vincent.

NOES (3)—Senators Aanestad, Cox, and Runner.

SCA 13—Do pass as amended and re-refer to Committee on Elections, Reapportionment and Constitutional Amendments

AYES (10)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, Runner, and Vincent.

NOES (0)—None.

Date of Hearing: 4/20/2005

Ortiz (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Battin requested that when the Senate adjourns this day it do so in memory of Cpl. William D. Richardson of Moreno Valley.

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Muff Singer of Mar Vista.

Senator Escutia requested that when the Senate adjourns this day it do so in memory of John Quentin Jones of Los Angeles.

Senator Figueroa requested that when the Senate adjourns this day it do so in memory of Jock Elliott of Fremont.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of Russell Haskell Clagg of Nipomo and Mary Ferrante Coniglio of Monterey.



Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Kathleen Elizabeth Rose of Sacramento, Sydney Ames, M.D., Diana Cubre, Thomas Flynn and Peggy A. Menchinella of Fresno.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Leona Frieder of Lancaster.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Melva Lenox of Palo Alto.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 12 p.m., Monday, April 25, 2005.

PAULA K. ROSSETTO, Minute Clerk



└