

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

EIGHTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 13, 2005

The Senate met at 12 p.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

QUORUM CALL OF THE SENATE

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

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

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

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

Quorum present.

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



PRAYER

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

Eternal God, Your word is a lantern to our feet and a light upon our path. Fill us this day with the strength we need for the work before us; give us patience to listen to the many voices that surround us; and may we have the wisdom to act rightly in all that we undertake. In Your Holy Name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

Senate Chamber, June 13, 2005

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

AB 421

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

Assembly Bill 421—An act to add Section 530.2 to the Penal Code, relating to crime.

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, June 8, 2005

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

AB 544

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

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 8, 2005

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

AB 1123

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

SPEIER, Chair

Above measure ordered to second reading.



Committee on Rules

Senate Chamber, June 10, 2005

Mr. President: The Committee on Rules has examined:

SB 88

And reports that the same has been correctly enrolled, and presented to the Governor on the 10th day of June, 2005, at 10:45 a.m.

PERATA, Chair

Committee on Judiciary

Date of Hearing, June 7, 2005

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

AB 662

Reports the same back with the recommendation: Do pass as amended, and be placed on the Consent Calendar.

DUNN, Chair

Above measure ordered to second reading.

Committee on Human Services

Senate Chamber, June 13, 2005

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

AB 880

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

Assembly Bill 880—An act to amend Section 300.2 of 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 Appropriations

Senate Chamber, June 13, 2005

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

SB 353

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

Bill read second time.

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

Committee on Judiciary

Senate Chamber, June 13, 2005

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

AB 459

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

Assembly Bill 459—An act to amend Section 11010 of the Business and Professions Code, and to add Section 1102.6c to the Civil Code, relating to transfer of real property.

Bill read second time.

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

Committee on Natural Resources and Water

Senate Chamber, June 13, 2005

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

AB 1471

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

Assembly Bill 1471—An act to add Article 4.3 (commencing with Section 3260) to Chapter 1 of Division 3 of the Public Resources Code, relating to oil and gas.

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, June 13, 2005

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

AB 1126



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

Assembly Bill 1126—An act to amend Section 23095 of the Business and Professions Code, relating to alcoholic beverages.

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

Date of Hearing, June 7, 2005

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

AB 1267

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

ALQUIST, Chair

Above measure ordered to second reading.

Senate Chamber, June 13, 2005

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

AB 376

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

Assembly Bill 376—An act to add Section 148.8 to the Penal Code, relating to false reports.

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, June 8, 2005

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

SJR 9

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

ORTIZ, Chair

Above measure ordered to second reading.



Committee on Business, Professions and Economic Development

Senate Chamber, June 13, 2005

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

AB 1516

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

Assembly Bill 1516—An act to amend Section 15570 of the Government Code, relating to economic development.

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, June 8, 2005

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

AB 493

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

SPEIER, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, June 8, 2005

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

AB 909

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

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 13, 2005

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

SCA 3

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

Resolution 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 ASSEMBLY BILLS**

Assembly Bill 279—An act to amend Section 17002 of the Corporations Code, and to amend Section 16430 of the Government Code, relating to limited liability companies, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Assembly Bill 1051—An act to add Sections 473, 9955, 21720, and 21721 to the Vehicle Code, relating to vehicles.

Bill read second time.

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

Assembly Joint Resolution 16—Relative to fair and equitable treatment for truck and bus drivers.

Resolution read second time.

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

Assembly Joint Resolution 18—Relative to passenger rail service.

Resolution read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 467—An act to add Section 5775.5 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 591—An act to add Section 6535 to the Government Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.



Assembly Bill 1075—An act to amend Sections 101680, 101685, 101750, 101755, and 101765 of, and to repeal Section 101785 of, the Health and Safety Code, relating to health care.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1630—An act to amend Sections 18622 and 19057 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 1628—An act to amend Sections 18662, 18666, and 18668 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Assembly Bill 434—An act to amend Section 14860 of the Financial Code, relating to credit unions.

Bill read second time and ordered to third reading.

Assembly Bill 641—An act to amend Section 11226 of the Business and Professions Code, relating to real estate, and declaring the urgency thereof, to take effect immediately.

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.

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.

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.

MOTION TO TAKE MEASURE FROM INACTIVE FILE

Senator Hollingsworth moved that **SB 1075** be taken from the inactive file and placed on the second reading file.

Motion carried.

CONSENT CALENDAR

Objections Raised

Objection was raised to **AB 519** being on the Consent Calendar.

Senator Lowenthal objected to **AB 1342** being on the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.



MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 44**, **ACR 66**, and **ACR 71** were withdrawn from Committee and placed on today's Special Consent Calendar.

REQUEST FOR UNANIMOUS CONSENT (AB 279)

Senator Cedillo asked for, and was granted, unanimous consent to take up AB 279 at this time.

Consideration of Assembly Bill 279

Assembly Bill 279—An act to amend Section 17002 of the Corporations Code, and to amend Section 16430 of the Government Code, relating to limited liability companies, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read and adopted by the following vote:

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

NOES (0)—None.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
CONSENT CALENDAR**

Senate Bill 822—An act to add Section 601.2 to the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)



SPECIAL CONSENT CALENDAR

Assembly Bill 557—An act to amend Section 872 of the Penal Code, relating to criminal procedure.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1305—An act to amend Section 629.51 of the Penal Code, relating to wiretaps.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 44—Relative to Minority Health Awareness Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 66—Relative to California Wetlands Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 71—Relative to Yellow Ribbon Day.

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

NOES (0)—None.

LEAVES OF ABSENCE FOR THE DAY

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

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

At 1:50 p.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Perata moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to



conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, June 14, 2005.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
June 13, 2005

The Honorable Don Perata
President pro Tempore

Governor's Reorganization Plan Number 3, June 2005

Pursuant to Government Code Section 12080.2, enclosed please find my Reorganization Plan No. 3 of 2005 to establish the Department of Energy.

Sincerely,

ARNOLD SCHWARZENEGGER

Above Plan ordered to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 13, 2005

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

SB 130

SB 1108

Above measures ordered enrolled.

Assembly Chamber, June 13, 2005

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

SCR 43

Above resolution ordered enrolled.

Assembly Chamber, June 13, 2005

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

AJR 24

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Joint Resolution 24—Relative to Ryan White CARE Act.

REPORTS OF STANDING COMMITTEES

Committee on Health

Senate Chamber, June 13, 2005

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

AB 929



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

Assembly Bill 929—An act to add Article 5 (commencing with Section 114897) to Chapter 6 of Part 9 of Division 104 of the Health and Safety Code, relating to radiation technology.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, June 13, 2005

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

AB 1206

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

SOTO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1206—An act to add Section 1227 to the Government Code, relating to public employment relations.

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, June 13, 2005

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

AB 416

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

Assembly Bill 416—An act to amend Sections 38131, 38133, and 38134 of the Education Code, relating to schools.

Bill read second time.

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

Date of Hearing, June 8, 2005

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

AB 1492



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

Above measure ordered to second reading.

Committee on Business, Professions and Economic Development

Senate Chamber, June 13, 2005

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

AB 777

AB 1386

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

Assembly Bill 777—An act relating to economic development.

Bill read second time.

Assembly Bill 1386—An act to amend Sections 1646.4, 1646.5, 1647, 1647.1, 1647.2, 1647.3, 1647.10, 1647.11, 1647.12, and 1647.14 of, to add Article 2.86 (commencing with Section 1647.18) to Chapter 4 of Division 2 of, and to repeal Section 1647.4 of, 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 Agriculture

Senate Chamber, June 13, 2005

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

AB 924

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

DENHAM, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 924—An act to amend Sections 14502, 14504, 14581, 14583, 14585, 14586, 14591, 14601, 14611, 14612, 14613, 14621, 14622, 14623, 14631, 14641, 14642, 14643, 14644, 14645, 14646, 14647, 14648, 14651, 14653, 14654, 14655, 14656, 14657, 14658, 14659, 14660, and 14672 of, and to add Sections 14502.1, 14512.5, 14559.5, and 14612.5 to, the Food and Agricultural Code, relating to fertilizer.

Bill read second time.

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



Committee on Environmental Quality

Senate Chamber, June 13, 2005

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

AB 1065

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

Assembly Bill 1065—An act to add Section 19316.5 to the Food and Agricultural Code, relating to kitchen grease.

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, June 13, 2005

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

AB 1631

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

Assembly Bill 1631—An act to amend Sections 19136 and 19142 of, to add Section 19136.12 to, and to repeal Sections 19136.3, 19136.4, 19136.6, 19136.8, and 19136.11 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Committee on Transportation and Housing

Senate Chamber, June 13, 2005

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

AB 304

AB 1461

AB 1563

AB 1623

AB 1754

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

Assembly Bill 304—An act to amend Sections 19160, 19161, 19162, 19163, 19163.5, 19165, and 19166 of the Health and Safety Code, relating to building standards.

Bill read second time.

Assembly Bill 1461—An act to amend Sections 50825 and 50826 of, and to amend, repeal, and add Sections 50832 and 50833 of, the Health and Safety Code, relating to community development.

Bill read second time.

Assembly Bill 1563—An act to amend Section 7085 of the Government Code, relating to enterprise zones.

Bill read second time.

Assembly Bill 1623—An act to add Chapter 2.66 (commencing with Section 65089.20) to Division 1 of Title 7 of the Government Code, and to add Section 9250.4 to the Vehicle Code, relating to transportation.

Bill read second time.

Assembly Bill 1754—An act to amend Section 1365 of the Civil Code, to amend Sections 1091 and 1091.5 of the Government Code, and to amend Sections 50905 and 51350 of the Health and Safety Code, relating to housing.

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, June 13, 2005

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

AB 609

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

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

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, June 13, 2005

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

AB 1752

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

Assembly Bill 1752—An act to amend Sections 23356.2 and 23357 of the Business and Professions Code, relating to alcoholic beverages.

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, June 7, 2005

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

AB 14

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

TORLAKSON, Chair

Above measure ordered to second reading.

Date of Hearing, June 7, 2005

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

AJR 21

Reports the same back with the recommendation: Be adopted as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 52: By Senator Margett (Coauthor: Assembly Member Huff)—Relative to the Mayor James Thalman and Mayor Michael Wickman Memorial Highway.

Senate Concurrent Resolution 53: By Senator Ashburn—Relative to the Mark C. Salvaggio Interchange.



MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 224** was withdrawn from the Committee on Education and re-referred to the Committee on Public Employment and Retirement;

AB 117 was withdrawn from the Committee on Health and re-referred to the Committee on Rules;

AB 211 was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules;

AB 1736 was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules;

AB 804 was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committees on Labor and Industrial Relations and Public Employment and Retirement;

AB 970 was withdrawn from the Committee on Education and re-referred to the Committee on Rules; and

AB 1126 was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 127, AB 128, AB 129, AB 130, AB 131, AB 132, AB 133, AB 134, AB 135, AB 136, AB 137, AB 138, AB 139, AB 140, AB 141, AB 142, AB 143, AB 144, AB 145, AB 146, AB 147, AB 148, AB 149, AB 150, AB 151, AB 152, and AB 153** were withdrawn from Committee and placed on second reading.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

An annual report dated: January 2005, relating to the County Administrative Costs Associated with Medi-Cal Eligibility Determinations, was received from the Department of Health Services and transmitted to the Committee on Budget and Fiscal Review.

A report dated: January, 2005, relating to the Safely Surrendered Baby Law (SSB), was received from the Department of Social Services and transmitted to the Committee on Judiciary.

An annual report dated: March 2005, relating to the Annual Lottery Education Funds Report, FY 2003–2004 was received from the Department of Developmental Services and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: May 10, 2005, relating to Hazardous Waste Fee Revenue was received from the Board of Equalization and transmitted to the Committee on Environmental Quality.

A qualified initiative dated: May 16, 2005, relating to the Termination of Minor's Pregnancy. Waiting Period and Parental Notification. Initiative Constitutional Amendment. was received from the California Secretary of State and transmitted to the Committee on Rules.



A report dated: May 17, 2005, relating to the Consulting Services Contracting for FY 2003–04, was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review.

A report dated: May 17, 2005, relating to Broadband Deployment was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: May, 18, 2005, relating to the Toll Bridge Seismic Retrofit Program, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An annual report dated: May 20, 2005, relating to the Ventura County EMS Fund, FY 2003–04, was received from the Ventura County Department of Public Health and transmitted to the Committee on Health.

An annual report dated: May 23, 2005, relating to the Tehama County Indian Gaming Local Community Benefit Committee (IGLCBC) was received from the County of Tehama and transmitted to the Committee on Governmental Organization.

An annual report dated: May 23, 2005, relating to the Colusa County Indian Gaming Local Community Benefit Committee (IGLCBC) was received from the County of Colusa and transmitted to the Committee on Governmental Organization.

A report dated: May 24, 2005, relating to the County Law Library Task Force, was received from the Judicial Council of California and transmitted to the Committee on Judiciary.

A report dated: May 25, 2005, relating to the Identified Project Savings Progress Report, 2004–05, was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

A report dated: May 26, 2005, relating to Housing Assistance, was received from the California State Controller and transmitted to the Committee on Transportation and Housing.

A report dated: May 26, 2005, relating to the impact of permanent absentee voting on voter registration and participation was received from the California Secretary of State and transmitted to the Committee on Elections, Reapportionment and Constitutional Amendments.

An audit report dated: May 26, 2005, relating to the State's Procurement and Reimbursement Practices, was received from the California State Auditor and transmitted to the Committee on Rules.

A report dated: May 27, 2005, relating to the Land Transfer Agreement was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.



A notice of a delayed report dated: May 31, 2005, relating to Juvenile Justice in California, 2004, was received from the Department of Justice and transmitted to the Committee on Public Safety.

A report dated: June 1, 2005, relating to the Online Disclosure Act of 1997, was received from the California Secretary of State and transmitted to the Committee on Elections, Reapportionment and Constitutional Amendments.

A report dated: June 1, 2005, relating to the 2004–05 Recommendations was received from the California Law Revision Commission and transmitted to the Committee on Judiciary.

A report dated: June 4, 2005, relating to Firearms Used in the Commission of Crimes, 2004, was received from the Department of Justice and transmitted to the Committee on Public Safety.

A Title Summary report dated: June 6, 2005, relating to the Initiative Title and Summary. Elections. Electronic Voting Machines. Initiative Constitutional Amendment. was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: June 6, 2005, relating to the Court Assistance Programs and Traffic Violator Fees, was received from the Judicial Council of California and transmitted to the Committee on Judiciary.

A qualified initiative dated: June 6, 2005, relating to the Public Employee Union Dues. Required Employee Consent for Political Contributions. Initiative Statute. was received from the California Secretary of State and transmitted to the Committee on Rules.

A qualified initiative dated: June 6, 2005, relating to Public School Teachers. Waiting Period for Permanent Status. Dismissal. Statute. was received from the California Secretary of State and transmitted to the Committee on Rules.

An audit report dated: June 9, 2005, relating to the Missing Persons DNA Program, was received from the California State Auditor and transmitted to the Committee on Rules.

A report dated: June 7, 2005, relating to the Unemployment Insurance Fund Forecast, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

A report dated: June 7, 2005, relating to the Disability Insurance Fund Forecast, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

A report dated: June 7, 2005, relating to the Motion Picture Industry in California, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.



A qualified initiative dated: June 10, 2005, relating to School Funding. State Spending. Initiative Constitutional Amendment. was received from the California Secretary of State and transmitted to the Committee on Rules.

A qualified initiative dated: June 6, 2005, relating to Public School Teachers. Reapportionment. Initiative Constitutional Amendment. was received from the California Secretary of State and transmitted to the Committee on Rules.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Cox requested that when the Senate adjourns this day it do so in memory of Ruth Frishman of Truckee and Alice Kile of Gold River.

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Phu Ngoc Nguyen.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Simon Waronker of Pacific Palisades.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Sgt. Victor H. Cervantes and Thomas G. Liddicoat of Stockton.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Layne J. Broad of Palmdale.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Ronald Nori Nakamura of San Mateo.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, June 14, 2005.

PAULA K. ROSSETTO, Minute Clerk

