

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, July 5, 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, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—39.

Quorum present.

(NOTE: Senator Hollingsworth will be excused this day due to a family illness.)



PRAYER

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

Holy and Gracious God, Today we give thanks for the legislative staff, for the work they do and the hours they keep. We give thanks for the policy consultants, the secretaries, the aides, the clerks, the sergeants-at-arms, the custodians and all those whose service and dedication goes largely unnoticed by the public. May our state always be blessed with such dedicated public servants and may we always show our gratitude.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, July 5, 2005

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

ACR 50

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

Assembly Concurrent Resolution 50—Relative to Pope John Paul II. Resolution read second time.

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

Committee on Judiciary

Date of Hearing, June 28, 2005

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

AB 1459

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

DUNN, Chair

Above measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, July 5, 2005

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

AB 1309



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

Assembly Bill 1309—An act to amend Section 4001 of the Elections Code, relating to mail ballot elections.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1309 pursuant to Joint Rule 58.

ASSEMBLY MEMBER SALINAS

Permission of Rules Committee

Senate Chamber, July 5, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1309.

PERATA, Chair

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

Committee on Judiciary

Date of Hearing, June 28, 2005

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

AB 791

AB 1622

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

DUNN, Chair

Above measures ordered to second reading.

Senate Chamber, July 5, 2005

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

AB 180

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 180—An act to amend Sections 6738 and 8729 of the Business and Professions Code, and to amend Sections 16101, 16956, and 16959 of the Corporations Code, relating to limited liability partnerships.

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 28, 2005

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

AB 1278

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

DUNN, Chair

Above measure ordered to second reading.

Date of Hearing, June 28, 2005

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

AB 254

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

DUNN, Chair

Above measure ordered to second reading.

Senate Chamber, July 5, 2005

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

AB 1123

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 1123—An act to add Section 678.3 to the Insurance Code, relating to insurer liability.

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 28, 2005

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

AB 1666

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.

DUNN, Chair

Above measure ordered to second reading.

Committee on Business, Professions and Economic Development

Date of Hearing, June 27, 2005

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

AB 87

AB 1195



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

FIGUEROA, Chair

Above measures ordered to second reading.

Date of Hearing, June 27, 2005

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

AB 889

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

FIGUEROA, Chair

Above measure ordered to second reading.

Committee on Banking, Finance and Insurance

Date of Hearing, June 29, 2005

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

AB 1533

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.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

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 amending Section 12 of, and adding Sections 23 and 24 to, Article IV thereof, and by amending Section 1 of Article XXI thereof, relating to the Legislature.

Resolution read second time.

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

Senate Concurrent Resolution 51—Relative to autism spectrum disorders.

Resolution read second time.

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



SECOND READING OF ASSEMBLY BILLS

Assembly Bill 746—An act to amend Section 1748.1 of the Civil Code, and to add Section 755 to the Public Utilities Code, relating to public utilities.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1104—An act to amend Section 53088.2 of the Government Code, relating to video providers.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed and to third reading.

Assembly Concurrent Resolution 42—Relative to the Province of Jeju, Republic of Korea.

Resolution read second time.

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

Assembly Bill 610—An act to amend Section 2890.2 of the Public Utilities Code, relating to telecommunications.

Bill read second time and ordered to third reading.

Assembly Bill 1732—An act to amend Section 895 of the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 916—An act to add Section 12022.65 to the Penal Code, relating to crime.

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.

Assembly Bill 1067—An act to amend Sections 369b and 1463.12 of, and to add Section 218.1 to, the Penal Code, to amend Section 2454 of the Streets and Highways Code, and to amend Sections 22526, 42001.1, and 42001.16 of the Vehicle Code, relating to railroads.

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.



Assembly Bill 1069—An act to amend Section 483.5 of the Penal Code, relating to identification documents.

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.

Assembly Bill 477—An act to add Section 12315 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time.

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

Assembly Bill 609—An act to add Section 4474.3 to the Welfare and Institutions Code, relating to developmental services .

Bill read second time.

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

Assembly Bill 899—An act to add Section 12303.45 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

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

Assembly Bill 1298—An act to amend Section 18905.1 of, and to add Sections 11155.6 and 14005.41 to, the Welfare and Institutions Code, relating to public social services.

Bill read second time.

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

Assembly Bill 817—An act to amend Section 1063.3 of the Insurance Code, relating to insurance.

Bill read second time.

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



Assembly Bill 723—An act to add Section 60605.4 to the Education Code, relating to public school curriculum.

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.

Assembly Bill 985—An act to amend Section 394 of, and to add and repeal Section 394.2 of, the Military and Veterans Code, relating to labor.

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 1338—An act to amend Sections 317, 366.26, and 634 of the Welfare and Institutions Code, relating to immigrant children.

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 1007—An act to add Article 6 (commencing with Section 43860) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

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.

Assembly Bill 352—An act to amend Sections 12126 and 12130 of the Penal Code, relating to firearms.

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.

Assembly Bill 373—An act to add Section 13015 to the Penal Code, relating to officer safety.

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.



Assembly Bill 971—An act to add Section 13604 to the Penal Code, relating to corrections.

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.

Assembly Bill 1446—An act to amend Section 2912 and 5028 of the Penal Code, relating to foreign prisoners.

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.

Assembly Bill 10—An act to add Division 1.75 (commencing with Section 1195) to the Health and Safety Code, relating to health and care facilities.

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.

Assembly Bill 76—An act to amend Section 12803 of, to add Part 5.4 (commencing with Section 14570) to, and to repeal Chapter 12 (commencing with Section 14977) of Part 5.5 of Division 3 of Title 1 of, the Government Code, relating to pharmaceuticals.

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.

Assembly Bill 920—An act to repeal Article 7.7 (commencing with Section 2154) of Chapter 5 of Division 2 of the Business and Professions Code, and to amend Section 128345 of, and to amend, repeal, and add Section 128335 of, and to add Article 5 (commencing with Section 128550) to Chapter 5 of Part 3 of Division 107 of, the Health and Safety Code, relating to health professions education, and making an appropriation therefor.

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.



Assembly Bill 1460—An act to amend and repeal Section 66499.7 of the Government Code, relating to subdivided lands.

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 1227—An act to amend Sections 65008 and 65858 of the Government Code, relating to housing discrimination.

Bill read second time.

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

Assembly Bill 1199—An act to add Article 1.7 (commencing with Section 230) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health care coverage.

Bill read second time.

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

Assembly Bill 749—An act to amend Sections 8280 and 12002 of, and to add Sections 8276.1 and 8280.8 to, the Fish and Game Code, relating to Dungeness crab.

Bill read second time.

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

Assembly Bill 1310—An act to add Section 2929.5 to the Labor Code, relating to employment termination agreements.

Bill read second time and ordered to third reading.

Assembly Bill 1230—An act to add Section 33200.5 to the Government Code, relating to health care.

Bill read second time and ordered to third reading.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Appropriations to meet and hear AB 1270 without two days notice in the Daily File.

CONSENT CALENDAR

Objection Raised

Senator Chesbro objected to **AB 1442** being on the Consent Calendar.

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



MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Machado moved that **AB 1179** be placed on the inactive file.
Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing, July 5, 2005

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

AB 1270

Reports the same back with the recommendation: Do pass.

MIGDEN, Chair

Above bill ordered to second reading.

RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION

The following resolution was offered by Senator Bowen:

Resolved, That AB 1270 presents a case of urgency as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read and presented by Senator Bowen.

Roll Call

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

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

NOES (1)—Senator McClintock.

Consideration of Assembly Bill 1270

Assembly Bill 1270—An act relating to school facilities.

Bill read second time.

Request for Unanimous Consent (AB 1270)

Senator Bowen asked for, and was granted, unanimous consent to take up AB 1270 at this time, without reference to file.

Bill read third time and presented by Senator Bowen.

Consideration of Assembly Bill 1270

Assembly Bill 1270—An act relating to school facilities.

Roll Call

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

AYES (26)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Kehoe, Kuehl, Lowenthal,

Machado, Maldonado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Campbell, Cox, Dutton, Margett, McClintock, and Morrow.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 428—An act to amend Section 25761 of the Business and Professions Code, relating to alcoholic beverages.

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 (24)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Denham, Ducheny, Dunn, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Campbell, Cox, Dutton, Margett, McClintock, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

July 5, 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:

AB 1270—No

AB 428—No

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

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

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

At 1:12 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 upon call of the President pro Tempore, Wednesday, July 6, 2005.

Motion carried.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 5, 2005

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

SB 166	SB 184	SB 443	SB 906
SB 987	SB 1054	SB 1113	

Above measures ordered enrolled.

Assembly Chamber, July 5, 2005

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

SCR 8	SCR 12	SCR 18
SCR 22	SCR 40	SJR 12

Above resolutions ordered enrolled.

Assembly Chamber, July 5, 2005

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

SB 39	SB 119	SB 140	SB 597
SB 666	SB 754	SB 1092	

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

Above measures ordered to unfinished business file.

Assembly Chamber, July 5, 2005

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

SCR 46

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

Above measure ordered to unfinished business file.

Assembly Chamber, July 5, 2005

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 202	AB 544	AB 1489	ACR 16
AB 270	AB 571	AB 1761	ACR 68
AB 275	AB 987	AB 1769	

Assembly Chamber, July 5, 2005

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 341 and AB 627 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.

REPORTS OF STANDING COMMITTEES

Committee on Human Services

Date of Hearing, June 28, 2005

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

AB 1565

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

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 5, 2005

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

AB 1434

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

Assembly Bill 1434—An act to amend Sections 1725 and 1726 of the Health and Safety Code, relating to home health agencies.

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 28, 2005

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

AB 754

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

ALQUIST, Chair

Above measure ordered to second reading.



Committee on Banking, Finance and Insurance

Date of Hearing, June 29, 2005

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

AB 89 AB 502 AB 1183

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 measures ordered to second reading.

Committee on Public Safety

Date of Hearing, June 28, 2005

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

AB 632 AB 1323

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 measures ordered to second reading.

Committee on Health

Date of Hearing, June 29, 2005

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

AB 761 AB 1045 ACR 1

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

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Judiciary

Date of Hearing, June 28, 2005

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

AB 1435

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

DUNN, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 30, 2005

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

AB 162 AB 430



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 measure ordered to second reading.

Date of Hearing, June 30, 2005

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

AB 1070

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

SCOTT, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 27, 2005

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

AB 371

AB 841

AB 1125

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 Appropriations

Senate Chamber, July 5, 2005

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

AB 64

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

Assembly Bill 64—An act to amend Section 653w of 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 Rules

Senate Chamber, July 5, 2005

Mr. President: The Committee on Rules has examined:

SB 296

And reports that the same has been correctly enrolled, and presented to the Governor on the 5th day of July, 2005, at 2 p.m.

PERATA, Chair



INTRODUCTION AND FIRST READING OF SENATE MEASURE

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

Senate Resolution 18: By Senators Romero and Maldonado—Relative to the Baby Bill of Rights.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1497** was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Natural Resources and Water; and

AB 729 and **AB 582** were withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 1131—An act to amend, repeal, and add Section 32126 of, and to repeal, amend, and add Section 32121 of, the Health and Safety Code, relating to health care districts.

Bill read third time.

Amendments Adopted

Amendments to AB 1131 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations**

AB 1270—Do pass

AYES (7)—Senators Alarcón, Alquist, Florez, Migden, Murray, Ortiz, and Romero.

NOES (3)—Senators Aanestad, Ashburn, and Dutton.

Date of Hearing: 7/5/2005

Migden (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senators Ashburn and Machado requested that when the Senate adjourns this day it do so in memory of Joanne Mullins of Bakersfield.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Donna Louise Papini Scholz of Stockton.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Sidney L. Berlin of Calistoga.



ADJOURNMENT

At 3:30 p.m., the President declared the Senate adjourned on call of the President pro Tempore, Wednesday July 6, 2005.

PAULA K. ROSSETTO, Minute Clerk

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