

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, July 13, 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.

ROLL CALL

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

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, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—39.

Quorum present.

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 13, 2005

The Honorable Greg Schmidt

Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 203, AB 865, AB 879, AB 1104, and AB 1772 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.



REPORTS OF STANDING COMMITTEES**Committee on Education**

Date of Hearing, July 13, 2005

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

AB 23

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, June 30, 2005

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

AB 1297

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 473

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.

Committee on Appropriations

Senate Chamber, July 13, 2005

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

AB 360

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 360—An act to amend Sections 1324.20 and 1324.27 of the Health and Safety Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to skilled nursing facilities.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 360 pursuant to Joint Rule 58.

ASSEMBLY MEMBER FROMMER



Permission of Rules Committee

Senate Chamber, July 13, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 360.

PERATA, Chair

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

Date of Hearing, July 11, 2005

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

SB 997

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

MIGDEN, Chair

Above measure ordered to second reading.

Date of Hearing, July 11, 2005

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

AB 1594

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

MIGDEN, Chair

Above measure ordered to second reading.

Senate Chamber, July 13, 2005

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

AB 741

AB 1110

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 741—An act to add Section 51207 to the Education Code, relating to courses of study.

Bill read second time.

Assembly Bill 1110—An act to add Article 8 (commencing with Section 41580) to Chapter 3.2 of Part 24 of the Education Code, relating to school finance.

Bill read second time.

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



Committee on Judiciary

Date of Hearing, July 12, 2005

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

AB 1676

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

DUNN, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, July 12, 2005

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

AB 529

AB 849

AB 1412

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

DUNN, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, July 12, 2005

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

AB 78

AB 176

AB 664

AB 758

AB 1123

AB 1322

Reports the same back with the recommendation: Do pass.

DUNN, Chair

Above bills ordered to second reading.

Committee on Rules

Senate Chamber, July 12, 2005

Mr. President: The Committee on Rules has examined:

SCR 8

SCR 12

SCR 18

SCR 22

SCR 40

SCR 46

SJR 12

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 12th day of July, 2005, at 4:30 p.m.

PERATA, Chair

Committee on Local Government

Date of Hearing, July 13, 2005

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

AB 109

AB 797

AB 1329

AB 1511

AB 1746



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

KEHOE, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, July 13, 2005

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

AB 259

AB 1318

AB 1467

AB 1712

AB 1747

Reports the same back with the recommendation: Do pass.

KEHOE, Chair

Above bills ordered to second reading.

Date of Hearing, July 13, 2005

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

AB 1155

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

KEHOE, 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 was referred:

AB 1221

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 measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing, July 13, 2005

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

AB 738

Reports the same back with the recommendation: Do pass.

BOWEN, Chair

Above bill ordered to second reading.



Date of Hearing, July 13, 2005

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

SCA 10

Reports the same back with the recommendation: Be adopted.

BOWEN, Chair

Above resolution ordered to second reading.

Date of Hearing, July 13, 2005

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

AB 215

AB 216

AB 739

AB 783

AB 938

AB 1391

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

BOWEN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Date of Hearing, June 27, 2005

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

AB 399

AB 672

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.

Date of Hearing, June 27, 2005

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

AB 405

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

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 30, 2005

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

AB 67

AB 1380



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

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Business, Professions and Economic Development

Date of Hearing, June 11, 2005

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

AB 226

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

FIGUEROA, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Constitutional Amendment 15: By Senators McClintock and Florez (Principal coauthor: Senator Hollingsworth) (Principal coauthor: Assembly Member La Malfa) (Coauthors: Senators Aanestad, Ackerman, Ashburn, Battin, Campbell, Cox, Denham, Dutton, Maldonado, Margett, Morrow, and Poochigian) (Coauthors: Assembly Members Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, DeVore, Emmerson, Garcia, Haynes, Shirley Horton, Houston, Huff, Keene, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Negrete McLeod, Parra, Plescia, Sharon Runner, Spitzer, Strickland, Tran, Umberg, Villines, Walters, and Wyland)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to eminent domain.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1060—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 11108, 11108.3, 12001, 12021, 12021.3, 12026.2, 12028.5, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12086, 12131, 12132, and 12305 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, to repeal Section 12084 of, and to repeal and add Section 12071 of, the Penal Code, and to amend Section 26 of Chapter 23 of the Statutes of 1994, 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 1625—An act to add Section 7550.7 to the Government Code, relating to state reports.

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 1383—An act to add and repeal Chapter 5.6 (commencing with Section 25460) of Division 15 of the Public Resources Code, relating to energy, and making an appropriation therefor.

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 re-referred to the Committee on Appropriations.

Assembly Bill 51—An act to amend Section 8152 of the Education Code, relating to apprenticeships.

Bill read second time and ordered to third reading.

Assembly Bill 57—An act to amend Section 1773.1 of the Labor Code, relating to public works.

Bill read second time and ordered to third reading.

Assembly Bill 186—An act to add Section 6434.5 to the Labor Code, relating to occupational safety and health.

Bill read second time and ordered to third reading.

Assembly Bill 190—An act to add and repeal Article 13.51 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 223—An act to amend Section 10170.5 of the Business and Professions Code, relating to real estate.

Bill read second time and ordered to third reading.

Assembly Bill 241—An act to amend Section 1107.5 of, and to add Sections 6020.5, 8020.5, 12550.5, 15678.10, 16915.5, and 17554.5 to, the Corporations Code, relating to business entities.

Bill read second time and ordered to third reading.

Assembly Bill 268—An act to amend Sections 802.1, 802.5, 803, 803.5, and 803.6 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 280—An act to amend Sections 171.5 and 602 of the Penal Code, relating to harbors.

Bill read second time and ordered to third reading.



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

Bill read second time and ordered to third reading.

Assembly Bill 322—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Bill read second time and ordered to third reading.

Assembly Bill 348—An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

Bill read second time and ordered to third reading.

Assembly Bill 357—An act to amend Section 1048 of, and to add Section 1051 to, the Military and Veterans Code, and to add and repeal Article 11.5 (commencing with Section 18825) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans.

Bill read second time and ordered to third reading.

Assembly Bill 361—An act to amend Section 1189 of the Civil Code, to amend Section 8225 of, and to add Sections 8214.8 and 8228.1 to, the Government Code, and to amend Section 470 of the Penal Code, relating to notaries public.

Bill read second time and ordered to third reading.

Assembly Bill 367—An act to amend Section 2083 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time and ordered to third reading.

Assembly Bill 370—An act to add Section 3137 to the Business and Professions Code, relating to optometry.

Bill read second time and ordered to third reading.

Assembly Bill 403—An act to amend Section 25513 of the Health and Safety Code, relating to hazardous materials.

Bill read second time and ordered to third reading.

Assembly Bill 414—An act to amend Section 1771.7 of the Labor Code, relating to labor compliance programs.

Bill read second time and ordered to third reading.

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.

Bill read second time and ordered to third reading.

Assembly Bill 446—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read second time and ordered to third reading.



Assembly Bill 483—An act to amend Sections 18804 and 18808 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 492—An act to amend Section 25504.1 of to the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 495—An act to amend Section 13385.1 of the Water Code, relating to water.

Bill read second time and ordered to third reading.

Assembly Bill 512—An act to amend Sections 1310 and 1320 of the Business and Professions Code, relating to clinical laboratories.

Bill read second time and ordered to third reading.

Assembly Bill 520—An act to amend Section 43003 of, and to add Section 885 to, the Food and Agricultural Code, relating to civil administrative penalties.

Bill read second time and ordered to third reading.

Assembly Bill 522—An act to amend Section 1261.6 of the Health and Safety Code, to add Section 290.02 to the Penal Code, and to add Section 14133.225 to the Welfare and Institutions Code, relating to prescription drugs and other therapies, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 551—An act to amend Section 1812.5095 of the Civil Code, relating to employment agencies.

Bill read second time and ordered to third reading.

Assembly Bill 587—An act to amend Section 22844 of the Government Code, relating to public employees' health benefits.

Bill read second time and ordered to third reading.

Assembly Bill 588—An act to add Section 11093.4 to the Government Code, relating to statistical districts.

Bill read second time and ordered to third reading.

Assembly Bill 595—An act to amend Section 4051 of, to add Section 4019.5 to, to repeal Section 4033 of, and to repeal and add Section 4123 of, the Business and Professions Code, relating to pharmacy.

Bill read second time and ordered to third reading.

Assembly Bill 621—An act to amend Sections 32734 and 33452 of the Food and Agricultural Code, relating to milk.

Bill read second time and ordered to third reading.



Assembly Bill 643—An act to amend Section 3533 of the Government Code, relating to state employees.

Bill read second time and ordered to third reading.

Assembly Bill 648—An act to amend Section 65940 of the Government Code, relating to development projects.

Bill read second time and ordered to third reading.

Assembly Bill 720—An act to add Section 89005.7 to the Education Code, relating to the California State University.

Bill read second time and ordered to third reading.

Assembly Bill 747—An act to add Section 19991.12 to the Government Code, relating to public employment.

Bill read second time and ordered to third reading.

Assembly Bill 752—An act to amend and repeal Section 8670.37.58 of the Government Code, relating to oil spills.

Bill read second time and ordered to third reading.

Assembly Bill 755—An act to amend Section 226.7 of the Labor Code, relating to compensation.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 853—An act to amend Section 706.074 of the Code of Civil Procedure, relating to tax liens.

Bill read second time and ordered to third reading.

Assembly Bill 856—An act to amend Sections 32556, 32557, and 32560 of, and to repeal Section 32562 of, the Public Resources Code, relating to land conservation.

Bill read second time and ordered to third reading.

Assembly Bill 927—An act to amend Sections 8208, 8235, 8236, 8237, and 8263 of, to amend the heading of Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of, and to add Article 7.5 (commencing with Section 8237.1) to Chapter 2 of Part 6 of, the Education Code, relating to early education, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 978—An act to add Section 527.10 to the Code of Civil Procedure, to add Sections 6252.5 and 6322.7 to the Family Code, to add Sections 136.3 and 646.91A to the Penal Code, and to add



Sections 213.7 and 15657.04 to the Welfare and Institutions Code, relating to protective orders.

Bill read second time and ordered to third reading.

Assembly Bill 1031—An act to amend Section 7232 of the Revenue and Taxation Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1048—An act to amend Section 15242 of the Vehicle Code, relating to motor carriers.

Bill read second time and ordered to third reading.

Assembly Bill 1093—An act to amend Sections 213 and 515.5 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 1099—An act to amend Section 73 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 1194—An act to add Section 13113.6 to the Health and Safety Code, relating to public safety.

Bill read second time and ordered to third reading.

Assembly Bill 1238—An act to amend Sections 125000, 125001, 125002, 125050, 125052, 125105, 125200, 125201, 125202, 125220, 125222, 125226, 125227, 125240, 125241, 125260, 125350, 125351, 125352, 125400, 125522, 125524, 125525, 125526, 125527, 125540, 125541, 125550, 125551, 125552, 125560, 125561, 125600, 125700, 125701, 125702, 125703, 125705, 125707, 125708, 125709, 125710, 125711, 125712, 125713, 125714, 125715, and 125716 of, and to amend the heading of Division 11.5 (commencing with Section 125000) of, to add Sections 125450, and 125500 to, and to repeal Sections 125300 and 125301 of, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 1252—An act to add Section 154.2 to the Streets and Highways Code, relating to highways.

Bill read second time and ordered to third reading.

Assembly Bill 1317—An act to add and repeal Sections 100854 and 100855 of, and to repeal and add Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of, the Health and Safety Code, relating to environmental laboratories.

Bill read second time and ordered to third reading.

Assembly Bill 1339—An act to add Section 1409 to the Labor Code, relating to employment.

Bill read second time and ordered to third reading.



Assembly Bill 1353—An act to amend Section 11837 of the Health and Safety Code, and to amend Sections 23538 and 23556 of the Vehicle Code, relating to driving under the influence.

Bill read second time and ordered to third reading.

Assembly Bill 1365—An act to amend Section 65041.1 of the Government Code, relating to state planning.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 1415—An act to amend Section 25214.8.1 of, to amend the heading of Article 10.2.1 (commencing with Section 25214.8.1) of Chapter 6.5 of Division 20 of, and to add Sections 25214.8.3 and 25214.8.4 to, the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 1424—An act to amend Section 1775.9 of the Insurance Code, and to amend Sections 12491, 12493, 12494, 12495, and 12636.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

Assembly Bill 1431—An act to amend Sections 8494, 8495, and 8841 of the Fish and Game Code, relating to fishing.

Bill read second time and ordered to third reading.

Assembly Bill 1437—An act to add Section 14998.13 to the Government Code, relating to the California Film Commission.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 1462—An act to amend Section 14528.5 of the Government Code, relating to transportation.

Bill read second time and ordered to third reading.



Assembly Bill 1523—An act to amend Section 19771 of the Government Code, relating to public employment.

Bill read second time and ordered to third reading.

Assembly Bill 1577—An act to amend Sections 605, 634.5, 682, 684, 708, 708.5, 828, 1025, 1222, 1256.3, 1451, 2051, 2061, 2781, 3254.5, 9003, 9604, 9605, 9608, 9615, 9616.1, 10212.2, 11000, 11001, 11002, 11003, 11004, 13002, 13021, 15001, and 15005 of, to amend and renumber Sections 1256.5 and 1256.7 of, to repeal Sections 301.5, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 9106, 10521, 10523, 10524, 10525, and 10527 of, to repeal Article 8.5 (commencing with Section 1150) of Chapter 4 of Part 1 of Division 1 of, to repeal Chapter 3 (commencing with Section 10000) and Chapter 6 (commencing with Section 11010) of Part 1 of Division 3 of, and to repeal Division 2 (commencing with Section 5000) and Division 4 (commencing with Section 12000) of, the Unemployment Insurance Code, relating to unemployment compensation.

Bill read second time and ordered to third reading.

Assembly Bill 1646—An act to amend Sections 70901.1, 71028, 71040, 72104, 72401, 72675, 72682, 76067, 76141, 76142, 76240, 76300, 76360, 76375, 78020, 78021, 78032, 78103, 78271, 84751, 85235, 85236, 85237, 85237.5, 85238, 85239, 85240, 85243, 85244, 85265.5, 85280, 85281, 85282, 85284, 85288, 85301, 85302, 87061, and 87781 of, to amend and renumber Section 72425 of, and to repeal Sections 66010.8 and 78275.5 of, the Education Code, relating to public postsecondary education.

Bill read second time and ordered to third reading.

Assembly Bill 1721—An act to amend Section 60041 of the Education Code, to amend Sections 71301, 71302, 71303, 71304, and 71305 of the Public Resources Code, and to add Section 13383.6 to the Water Code, relating to environmental education, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1729—An act to amend Sections 10232.4, 10233, and 10238 of the Business and Professions Code, relating to real estate.

Bill read second time and ordered to third reading.

Assembly Bill 1737—An act relating to workers' compensation, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1743—An act to amend Section 17552 of the Family Code, relating to child support.

Bill read second time and ordered to third reading.



Assembly Bill 1748—An act to amend Sections 12804.9 and 15275.1 of, and to repeal and amend Section 12517 of, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1754—An act to amend Section 1365 of the Civil Code, to amend Section 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 and ordered to third reading.

Assembly Bill 1755—An act to amend Sections 82048.7, 84203, 84204, 87205, and 87500 of, and to repeal Sections 84200.3 and 84200.4 of, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

Assembly Bill 1757—An act to amend Sections 12105, 12106, 12107, and 12108 of, and to add Section 12105.5 to, the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 1765—An act to amend Sections 6479.3, 7659.9, 8760, 9405, 9407, 9411, 9420, 9432, 30180, 30190, 30283, 32260, 40067, 41060, 43170, 45160, 46160, 50112.7, 55050, 60043, 60250, and 60603 of, and to repeal Sections 38203.5 and 38907 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Concurrent Resolution 11—Relative to the Public Employees' Retirement System.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 23—Relative to commercial truck traffic.

Resolution read second time and ordered to third reading.

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, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 346—An act to amend Sections 905.2, 910.8, 911, and 911.2 of the Government Code, relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.



Assembly Bill 979—An act to amend Sections 13352 and 14602.6 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1113—An act to amend Sections 4927 and 4937 of the Business and Professions Code, relating to acupuncture.

Bill read second time and ordered to third reading.

Assembly Bill 1208—An act to add Section 9250.20 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1736—An act to amend Section 14132.100 of, and to add Section 14132.27a to, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 857—An act to amend Section 9250.19 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

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 1081—An act to amend Sections 110050, 110466, 110485, 111825, and 111855 of, and to add Section 110471 to, the Health and Safety Code, relating to public health.

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 114—An act to amend Section 1109 of the Evidence Code, and to amend Section 124250 of the Health and Safety Code, relating to child and domestic abuse.

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 193—An act relating to fish and game.

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 249—An act relating to taxation.

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 462—An act to amend Section 4454 of the Government Code, relating to disability access, 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 940—An act to amend Section 14251 of the Penal Code, relating to missing persons.

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 996—An act to add Section 12317 to the Penal Code, relating to ammunition.

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 1188—An act to amend Section 11166.01 of the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to abuse.

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 1234—An act to amend Sections 25008 and 36514.5 of, and 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, to amend Sections 6060 and 7047 of the Harbors and Navigation Code, to amend Sections 2030, 2851, 4733, 4733.5, 6489, 9031, 13857, 13866, and 32103 of the Health and Safety Code, to amend Section 1197 of the Military and Veterans Code, to amend Sections 5536, 5536.5, 5784.15, and 9303 of the Public Resources Code, to amend Sections 11908, 11908.1, 11908.2, 16002, and 22407 of the Public Utilities Code, and to amend Sections 20201, 21166, 30507, 30507.1, 34741, 40355, 50605, 55305, 56031, 60143, 70078, 71255, and 74208 of, and to add Section 20201.5 to, the Water Code, relating to local agencies.

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 1328—An act to amend Sections 5093.54 and 5093.545 of the Public Resources Code, relating to rivers.

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

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 1642—An act to amend Sections 5019, 5020, 35555, 35566, 35710, 35710.5, 35722, 35753, and 35756, of, and to add Sections 35517 and 35710.1 to, the Education Code, relating to school districts.

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 574—An act to add Division 12.3 (commencing with Section 16000) to the Public Resources Code, relating to recycled concrete.

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.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 316** was referred to the Committee on Appropriations.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 569** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations; and

AB 1116 was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Education

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

AYES (11)—Senators Alquist, Denham, Dutton, Lowenthal, Maldonado, Morrow, Scott, Simitian, Soto, Speier, and Torlakson.

NOES (0)—None.

Date of Hearing: 7/13/2005

Scott (Chair)

Committee on Elections, Reapportionment and Constitutional Amendments

SCA 10—Be adopted

AYES (4)—Senators Battin, Bowen, Dunn, and Poochigian.

NOES (0)—None.



AB 215—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Bowen, Dunn, Murray, and Romero.

NOES (2)—Senators Battin and Poochigian.

AB 216—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 432—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Bowen, Dunn, and Murray.

NOES (2)—Senators Battin and Poochigian.

Failed passage

AB 432—Reconsideration granted

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 709—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Bowen.

NOES (3)—Senators Battin, Poochigian, and Romero.

Failed passage

AB 709—Reconsideration granted

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 738—Do pass

AYES (4)—Senators Bowen, Dunn, Murray, and Romero.

NOES (2)—Senators Battin and Poochigian.

AB 739—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Bowen, Dunn, Murray, and Romero.

NOES (2)—Senators Battin and Poochigian.

AB 783—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Battin, Bowen, Dunn, Poochigian, and Romero.

NOES (1)—Senator Murray.

AB 821—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Dunn, Murray, and Romero.

NOES (2)—Senators Battin and Poochigian.

Failed passage

AB 821—Reconsideration granted

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 938—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Bowen, Dunn, Murray, and Romero.

NOES (2)—Senators Battin and Poochigian.



AB 1129—Do pass

AYES (2)—Senators Battin and Poochigian.

NOES (4)—Senators Bowen, Dunn, Murray, and Romero.

Failed passage

AB 1129—Reconsideration granted

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 1391—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 1636—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Battin, Bowen, Dunn, Murray, Poochigian, and Romero.

NOES (0)—None.

Date of Hearing: 7/13/2005

Bowen (Chair)

Committee on Human Services**AB 1601—Do pass and re-refer to Committee on Appropriations**

AYES (3)—Senators Alarcón, Alquist, and Simitian.

NOES (2)—Senators Aanestad and Florez.

Failed passage

AB 1601—Reconsideration granted

AYES (6)—Senators Aanestad, Alarcón, Alquist, Chesbro, Florez, and Simitian.

NOES (0)—None.

Date of Hearing: 7/12/2005

Simitian (Chair)

Committee on Judiciary**AB 22—Do pass as amended and re-refer to Committee on Appropriations**

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 78—Do pass

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 169—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 176—Do pass

AYES (4)—Senators Cedillo, Dunn, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.



AB 178—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 180—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Dunn, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 381—Do pass as amended

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 394—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 529—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 581—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 664—Do pass

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 706—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 708—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 758—Do pass

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.



AB 820—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 843—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 849—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 1123—Do pass

AYES (6)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, and Morrow.

NOES (0)—None.

AB 1150—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 1322—Do pass

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 1412—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 1495—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 1507—Do pass as amended

AYES (5)—Senators Cedillo, Dunn, Escutia, Figueroa, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 1574—Do pass as amended and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (2)—Senators Ackerman and Morrow.

Failed passage



AB 1574—Reconsideration granted

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 1676—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

AB 1742—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Dunn, Escutia, Figueroa, Kuehl, and Morrow.

NOES (0)—None.

Date of Hearing: 7/12/2005

Dunn (Chair)

Committee on Local Government**AB 109—Do pass and re-refer to Committee on Appropriations**

AYES (9)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, McClintock, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 259—Do pass

AYES (7)—Senators Ackerman, Kehoe, Kuehl, Machado, Perata, Soto, and Torlakson.

NOES (2)—Senators Cox and McClintock.

AB 797—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Kehoe, Kuehl, Machado, Perata, Soto, and Torlakson.

NOES (3)—Senators Ackerman, Cox, and McClintock.

AB 1155—Do pass, to Consent Calendar

AYES (9)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, McClintock, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1318—Do pass

AYES (9)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, McClintock, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1329—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, Perata, Soto, and Torlakson.

NOES (0)—None.



AB 1467—Do pass

AYES (9)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, McClintock, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1511—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, McClintock, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1690—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Kehoe, Machado, Perata, Soto, and Torlakson.

NOES (3)—Senators Ackerman, Cox, and McClintock.

AB 1712—Do pass

AYES (6)—Senators Kehoe, Kuehl, Machado, Perata, Soto, and Torlakson.

NOES (3)—Senators Ackerman, Cox, and McClintock.

AB 1746—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Ackerman, Cox, Kehoe, Kuehl, Machado, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1747—Do pass

AYES (6)—Senators Kehoe, Kuehl, Machado, Perata, Soto, and Torlakson.

NOES (3)—Senators Ackerman, Cox, and McClintock.

Date of Hearing: 7/13/2005

Kehoe (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Daniel D. Broeske of Willits.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Chris Bade of Arcadia.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, July 14, 2005.

PAULA K. ROSSETTO, Minute Clerk

