

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, August 16, 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, Alquist, Ashburn, Battin, Bowen, 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, Torlakson, and Vincent—36.

Quorum present.

(NOTE: Senators Aanestad and Alarcón will be excused this day on legislative business and Senators Campbell and Speier will be excused this day on personal business.)

REPORTS OF STANDING COMMITTEES

Committee on Education

Senate Chamber, August 16, 2005

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

SB 767

AB 1095

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

SCOTT, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 767—An act to add Chapter 4 (commencing with Section 5500) to Part 4 of the Education Code, relating to school district governance.

Bill read second time.

Assembly Bill 1095—An act to add Section 8274 to the Education Code, relating to child care.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1095 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MULLIN

Permission of Rules Committee

Senate Chamber, August 16, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1095.

PERATA, Chair

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

Committee on Appropriations

Senate Chamber, August 16, 2005

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

SB 510	AB 300	AB 515	AB 780
SB 923	AB 304	AB 524	AB 787
SCR 52	AB 306	AB 541	AB 816
SCR 53	AB 310	AB 547	AB 817
SCR 55	AB 313	AB 561	AB 823
AB 12	AB 324	AB 574	AB 824
AB 27	AB 327	AB 582	AB 841
AB 67	AB 352	AB 604	AB 847
AB 77	AB 356	AB 609	AB 862
AB 83	AB 363	AB 635	AB 881
AB 100	AB 382	AB 646	AB 889
AB 109	AB 392	AB 682	AB 892
AB 124	AB 404	AB 690	AB 929
AB 165	AB 420	AB 702	AB 952
AB 215	AB 452	AB 715	AB 962
AB 217	AB 456	AB 716	AB 967
AB 240	AB 481	AB 729	AB 985
AB 273	AB 488	AB 765	AB 1011
AB 277	AB 490	AB 771	AB 1027
AB 296	AB 502	AB 776	AB 1039

AB 1043	AB 1235	AB 1384	AB 1662
AB 1044	AB 1249	AB 1391	AB 1669
AB 1058	AB 1261	AB 1392	AB 1676
AB 1060	AB 1272	AB 1419	AB 1698
AB 1064	AB 1278	AB 1435	AB 1718
AB 1066	AB 1311	AB 1474	AB 1723
AB 1114	AB 1323	AB 1496	AB 1725
AB 1143	AB 1329	AB 1511	AB 1738
AB 1180	AB 1333	AB 1517	AB 1746
AB 1182	AB 1346	AB 1533	AB 1749
AB 1183	AB 1348	AB 1535	AB 1752
AB 1195	AB 1356	AB 1542	AB 1753
AB 1199	AB 1358	AB 1585	AB 1767
AB 1202	AB 1359	AB 1633	ACR 58
AB 1206	AB 1362	AB 1640	AJR 2
AB 1221	AB 1378	AB 1660	AJR 12
AB 1229	AB 1380	AB 1661	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

MIGDEN, Chair

Above measures ordered to second reading.

Committee on Health

Senate Chamber, August 16, 2005

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

AB 1046

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 1046—An act to add Chapter 1 (commencing with Section 15465) to Part 7.2 of Division 3 of Title 2 of the Government Code, and to amend Section 130060 of the Health and Safety Code, relating to financing hospital seismic safety programs, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1046 pursuant to Joint Rule 58.

ASSEMBLY MEMBER FROMMER

Permission of Rules Committee

Senate Chamber, August 16, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1046.

PERATA, Chair

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

Committee on Business, Professions and Economic Development

Senate Chamber, August 16, 2005

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

AB 302

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 302—An act to add Sections 5588.1, 5588.2, 5588.3, and 5588.4 to, to repeal Section 5589 of, and to repeal and add Section 5588 of, the Business and Professions Code, relating to architecture, 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 Appropriations

Senate Chamber, August 16, 2005

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

AB 224	AB 228	AB 316
AB 451	AB 496	AB 497
AB 961	AB 1492	AB 1760

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

MIGDEN, Chair

Above measures ordered to second reading.

Date of Hearing, August 15, 2005

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

SB 1040	AB 482	AB 696	AB 1296
AB 162	AB 601	AB 698	AB 1460
AB 399	AB 680	AB 754	AB 1480
AB 478	AB 693	AB 920	AB 1623

Reports the same back with the recommendation: Do pass.

MIGDEN, Chair

Above bills ordered to second reading.

Committee on Business, Professions and Economic Development

Senate Chamber, August 16, 2005

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

AB 1161

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 1161—An act to amend Sections 1206, 1209, 1209.1, 1212, 1269, and 2069 of the Business and Professions Code, and to amend Section 117995 of the Health and Safety Code, relating to clinical laboratories, 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 Appropriations

Senate Chamber, August 16, 2005

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

AB 477

AB 529

AB 760

AB 1200

AB 1636

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

Bill read second time.

Assembly Bill 529—An act to amend Section 89536.1 of, and to add Section 89546.3 to, the Education Code, relating to the California State University.

Bill read second time.

Assembly Bill 760—An act to amend Sections 851.5, 1170, 1170.3, and 1203.016 of, and to add Sections 833.2 and 13517.7 to, the Penal Code, relating to criminal procedure.

Bill read second time.



Assembly Bill 1200—An act to add Sections 139.2 and 139.4 to the Water Code, relating to water.

Bill read second time.

Assembly Bill 1636—An act to amend Sections 17301, 17302, and 19250 of, and to add Sections 19200.5 and 19223 to, the Elections Code, relating to elections.

Bill read second time.

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

Senate Chamber, August 16, 2005

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

AB 556

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

MIGDEN, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Water

Senate Chamber, August 16, 2005

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

SB 1079

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

KUEHL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1079—An act to add Section 5080.41 to the Public Resources Code, relating to parks and recreation, 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 Public Safety

Date of Hearing, August 16, 2005

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

SB 1015

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

ALQUIST, Chair

Above measure ordered to second reading.



INTRODUCTION AND FIRST READING OF SENATE MEASURE

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

Senate Concurrent Resolution 60: By Senator Simitian—Relative to the City of Santa Cruz.

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

Senate Concurrent Resolution 48—Relative to the Paramount Hay Tree in the City of Paramount.

Resolution 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.

Senate Bill 468—An act to amend Section 226.5 of the Streets and Highways Code, relating to highways.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1001—An act to amend Section 11713.1 of 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 Environmental Quality.

Assembly Bill 679—An act to add Sections 39616.5 and 43700.1 to the Health and Safety Code, relating to emissions.

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 Bill 394—An act to amend Section 12956.1 of, and to add Section 12956.2 to, the Government Code, relating to housing.

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 581—An act to amend Section 7110.5 of the Business and Professions Code, and to amend Sections 1771.2 and 1776 of, and to add Section 1726.5 to, the Labor Code, relating to public works.

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 1150—An act to amend Sections 1992 and 1994 of, to add Sections 1993.1 and 1993.2 to, and to repeal and add Section 1993 of, the Code of Civil Procedure, and to add Section 26744.5 to the Government Code, relating to civil warrants.

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 843—An act to amend Section 22251 of, and to add Section 22253.1 to, the Business and Professions Code, relating to tax preparers.

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 772—An act to amend Section 49557.2 of the Education Code, to amend Section 123290 of the Health and Safety Code, to amend Sections 12693.73, 12693.98, and 12693.981 of, to add Sections 12693.22, 12693.415, 12693.444, 12693.445, 12693.702, 12693.983, and 12693.984 to, and to add Chapter 17 (commencing with Section 12693.99) to Part 6.2 of Division 2 of, the Insurance Code, and to amend Sections 14005.23, 14005.41, and 18925 of, and to add Sections 14005.43, 14005.71, 14011.65, and 14013.5 to, the Welfare and Institutions 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 33—An act to amend Sections 272 and 502.01 of 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 1120—An act to add Section 3007 to the Penal Code, and to amend Section 6601.3 of the Welfare and Institutions Code,



relating to corrections, and declaring the urgency thereof, to take effect immediately.

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 119—An act to amend Section 16531.1 of the Government Code, relating to human services, 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 Concurrent Resolution 24—Relative to the California Council on Science and Technology.

Resolution 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 1495—An act to amend Section 6254 of the Government Code, relating to public records, 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 to third reading.

Assembly Bill 178—An act to add Part 8 (commencing with Section 14950) to Division 12 of the Health and Safety Code, relating to cigarettes.

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 728—An act to amend Section 2827.9 of the Public Utilities Code, relating to electricity.

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 736—An act to amend Sections 851 and 853 of the Public Utilities Code, relating to the regulation of 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 re-referred to the Committee on Appropriations.

Assembly Bill 1142—An act to add Chapter 13.7 (commencing with Section 121290) to Part 4 of Division 105 of the Health and Safety Code, relating to HIV.

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 1648—An act to add Chapter 5.5 (commencing with Section 104307) to Part 1 of Division 103 of the Health and Safety Code, relating to 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 880—An act to amend Section 16500.1 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 1065—An act to amend Sections 19303, 19310, 19310.5, 19310.7, 19311, 19312, 19313.8, 19314, 19315, and 19316 of, and to add Sections 19305.5, 19313.1, and 19316.5 to, the Food and Agricultural Code, relating to kitchen grease.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

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

Bill read second time and ordered to third reading.



Assembly Bill 453—An act to amend Sections 2456 and 2458 of the Streets and Highways Code, relating to transportation.

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 383—An act to amend Section 44062.1 of the Health and Safety Code, relating to air pollution.

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 Bill 846—An act to repeal and add Section 51220.6 of the Education Code, relating to driver education.

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 Bill 708—An act to amend Section 8547.12 of the Government Code, relating to the California State University.

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 1690—An act to add Article 4.3 (commencing with Section 92043) to Chapter 1 of Part 57 of the Education Code, relating to municipal services.

Bill read second time.

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

Assembly Bill 1595—An act to amend Section 6254.21 of the Government Code, relating to public officials.

Bill read second time.

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

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

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 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

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 380—An act to add Sections 380 and 9620 to the Public Utilities Code, relating to electricity.

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 820—An act to amend Sections 2117, 2125, 2150, 2150.4, and 2150.5 of, and to add Sections 2157, 2193, and 2195 to, the Fish and Game Code, relating to captive wild animals.

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 Joint Resolution 24—Relative to Ryan White CARE Act.

Resolution read second time.

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

Assembly Bill 1742—An act to amend Sections 467.1, 6322.1, 6324, 6325, and 6326 of, to add Sections 470.5 and 470.6 to, to repeal Sections 470.3 and 6323 of, and to repeal and add Sections 6321 and 6322 of, the Business and Professions Code, to amend Sections 43.55 and 2924j of the Civil Code, to amend Sections 116.330, 116.340, 116.390, 116.745, 116.760, 116.780, 116.820, 116.860, 128.7, 177.5, 209, 396b, 403.060, 411.20, 415.21, 425.10, 425.115, 491.150, 683.150, 704.750, 708.160, 724.100, 998, 1134, 1161.2, 1174.25, 1174.3, and 1218 of, to add Sections 116.232 and 411.21 to, to repeal Section 116.910 of, and to repeal and add Sections 116.230, 116.725, and 573 of, the Code of Civil Procedure, to amend Section 1852 of the Family Code, to amend Section 31622 of the Food and Agricultural Code, to amend Sections 811.9, 905, 910.4, 24353, 26820, 26831, 26837, 26840.3, 26837, 26840.3, 26857, 27293, 54985, 68084, 68085, 68086, 68090.8, 68101, 68511.3, 68926.1, 69953.5, 70375, 70402, 71386, 77009, 77200, 77205, and 77209 of, to amend the headings of Chapter 6 (commencing with Section 71002) and Chapter 8 (commencing with Section 72004) of Title 8 of, to amend and renumber Sections 26820.4, 26823, 26824, 26826, 26826.1, 26826.3, 26826.4, 26827.5, 26827.6, 26827.7, 26832.1, 26833.5, 26835.1, 26838, 26857.5, 26862, 76236, and 76238 of, to amend, renumber, and repeal Sections



26827, 72055, and 72056 of, to add Sections 905.7, 68084.1, 68085.1, 68085.2, 68085.3, 68085.4, 68086.1, and 77207.5 to, to add Chapter 5.8 (commencing with Section 70600) to Title 8 of, and to repeal Sections 24350.5, 26820.6, 26820.7, 26822.3, 26826.2, 26827.1, 26827.4, 26828, 26829, 26830, 26832, 26833.1, 26834, 26836.1, 26837.1, 26840.4, 26841, 26850.1, 26851.1, 26852.1, 26853.1, 26855.4, 26856, 26859, 26863, 68087, 68087.1, 68090.7, 69926.5, 70373, 70373.5, 72054, 72056.01, 72056.1, 72059, 72060, 72061, and 72073 of, the Government Code, to amend Sections 100430, 103470, and 103730 of the Health and Safety Code, to amend Sections 98.2 and 123.6 of the Labor Code, to amend Sections 1835, 2343, 7660, and 13201 of the Probate Code, and to amend Sections 14607.6, 16020, 16058.1, and 40230 of the Vehicle Code, relating to courts.

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 1507—An act to add Section 104113 to the Health and Safety Code, relating to public health.

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 22—An act to add Section 52.5 to the Civil Code, to add Article 8.8 (commencing with Section 1038) to Chapter 4 of Division 8 of the Evidence Code, to amend Sections 13955 and 13956 of the Government Code, and to amend Sections 186.2, 273.7, and 14023 of, to add Sections 236.1 and 236.2 to, and to add and repeal Section 13823.18 of the Penal Code, relating to human trafficking.

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 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 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 107—An act to amend Sections 11202 and 42005 of 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 Bill 1512—An act to amend Sections 50911 and 51504 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

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 Bill 381—An act to amend Section 1708.8 of the Civil Code, relating to legal obligations.

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 1342—An act to amend Section 25360.2 of the Health and Safety Code relating to hazardous substance releases.

Bill read second time and ordered to third reading.

Assembly Bill 1536—An act to amend Section 830.7 of the Penal Code, relating to peace officer powers.

Bill read second time and ordered to third reading.

Assembly Bill 649—An act to amend Sections 78611, 78627, 78632, 78700 of, to add Section 78637 to, and to add Article 8 (commencing with Section 78750) to Chapter 24 of Part 2 of Division 22 of, the Food and Agricultural Code, relating to agriculture.

Bill read second time.

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

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 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 1772—An act to amend Sections 45240, 45262, 45272.5, 45277.5, 45278, and 45387 of the Education Code, relating to classified school employees.

Bill read second time and ordered to third reading.



Assembly Bill 18—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.95, 195.96, and 195.97 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 982—An act to amend Section 76355 of the Education Code, relating to community colleges.

Bill read second time and ordered to third reading.

Assembly Bill 1136—An act to amend Sections 37252.8, 37253, 41505, 41506, 42239, and 52890 of, to add Section 33134 to, and to repeal Sections 41505.5, 42239, 42239.15, and 52891 of, the Education Code, relating to instruction, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 767—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages.

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

THIRD READING OF ASSEMBLY BILLS

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.

THIRD READING OF SENATE BILLS

Senate Joint Resolution 10—Relative to the U.S.A. PATRIOT Act.

Resolution read third time.



Amendments Adopted

Amendments to SJR 10 proposed by Senator Figueroa were read and adopted and the measure ordered printed, engrossed, and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

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 third time.

Amendments Adopted

Amendments to AB 1386 proposed by Senator Battin were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1342—An act to amend Section 25360.2 of the Health and Safety Code relating to hazardous substance releases.

Bill read third time.

Amendments Adopted

Amendments to AB 1342 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 341)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 341 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 341

Assembly Bill 341—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 341 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DAUCHER

Permission of Rules Committee

Senate Chamber, August 16, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 341.

PERATA, Chair



Motion to Amend

Amendments to AB 341 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations****SB 1040—Do pass**

AYES (11)—Senators Alarcón, Alquist, Battin, Dutton, Escutia, Florez, Migden, Murray, Ortiz, Poochigian, and Romero.

NOES (2)—Senators Aanestad and Ashburn.

AB 162—Do pass

AYES (9)—Senators Aanestad, Alarcón, Alquist, Battin, Dutton, Migden, Ortiz, Poochigian, and Romero.

NOES (1)—Senator Ashburn.

AB 399—Do pass

AYES (8)—Senators Alarcón, Alquist, Escutia, Florez, Migden, Murray, Ortiz, and Romero.

NOES (5)—Senators Aanestad, Ashburn, Battin, Dutton, and Poochigian.

AB 478—Do pass

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

NOES (5)—Senators Aanestad, Ashburn, Battin, Dutton, and Poochigian.

AB 482—Do pass

AYES (8)—Senators Alarcón, Alquist, Escutia, Florez, Migden, Murray, Ortiz, and Romero.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Dutton.

AB 564—Do pass as amended

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

NOES (5)—Senators Aanestad, Ashburn, Battin, Dutton, and Poochigian.

AB 601—Do pass

AYES (13)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Dutton, Escutia, Florez, Migden, Murray, Ortiz, Poochigian, and Romero.

NOES (0)—None.

AB 680—Do pass

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

NOES (5)—Senators Aanestad, Ashburn, Battin, Dutton, and Poochigian.

AB 693—Do pass

AYES (8)—Senators Alarcón, Alquist, Escutia, Florez, Migden, Murray, Ortiz, and Romero.

NOES (5)—Senators Aanestad, Ashburn, Battin, Dutton, and Poochigian.



AB 696—Do pass

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

NOES (5)—Senators Aanestad, Ashburn, Battin, Dutton, and Poochigian.

AB 698—Do pass

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

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

AB 754—Do pass

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

NOES (4)—Senators Aanestad, Ashburn, Battin, and Dutton.

AB 917—Do pass as amended

AYES (13)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Dutton, Escutia, Florez, Migden, Murray, Ortiz, Poochigian, and Romero.

NOES (0)—None.

AB 920—Do pass

AYES (13)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Dutton, Escutia, Florez, Migden, Murray, Ortiz, Poochigian, and Romero.

NOES (0)—None.

AB 1296—Do pass

AYES (12)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Dutton, Escutia, Florez, Migden, Murray, Poochigian, and Romero.

NOES (0)—None.

AB 1460—Do pass

AYES (13)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Dutton, Escutia, Florez, Migden, Murray, Ortiz, Poochigian, and Romero.

NOES (0)—None.

AB 1480—Do pass

AYES (13)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Dutton, Escutia, Florez, Migden, Murray, Ortiz, Poochigian, and Romero.

NOES (0)—None.

AB 1548—Do pass as amended

AYES (9)—Senators Alarcón, Ashburn, Battin, Escutia, Florez, Migden, Murray, Ortiz, and Romero.

NOES (1)—Senator Aanestad.

AB 1623—Do pass

AYES (8)—Senators Alarcón, Alquist, Escutia, Florez, Migden, Murray, Ortiz, and Romero.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

Date of Hearing: 8/15/2005

Migden (Chair)



Committee on Public Safety

SB 1015—Do pass as amended and re-refer to Committee on Rules

AYES (4)—Senators Alquist, Migden, Poochigian, and Romero.

NOES (0)—None.

Date of Hearing: 8/16/2005

Alquist (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

The following Senators were granted leaves of absence for the day due to personal business (per diem waived): Senators Campbell and Speier.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Florez requested that when the Senate adjourns this day it do so in memory of Pfc. Ramon Villatoro of Bakersfield.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Judith Gelb Marks of Los Angeles.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Katy Rzonca of Walnut.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, August 17, 2005.

PAULA K. ROSSETTO, Minute Clerk



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