

## CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FOURTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Wednesday, August 24, 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:

Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Campbell, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—40.

Quorum present.

### MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol  
August 24, 2005

*To the Senate of the State of California:*

I hereby respectfully withdraw from consideration, effective August 17, 2005, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Tim J. Swickard	Director, Toxic Substances Control California Environmental Protection Agency
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Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.



**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Senate Chamber, August 16, 2005

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

AB 287

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.

Senate Chamber, August 23, 2005

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

AB 708

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

MIGDEN, Chair

Above measure ordered to second reading.

**Committee on Judiciary**

Date of Hearing, August 23, 2005

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

AB 415

Reports the same back with the recommendation: Do pass.

DUNN, Chair

Above bill ordered to second reading.

Date of Hearing, August 23, 2005

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

SB 678

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

DUNN, Chair

Above measure re-referred to the Committee on Appropriations.

**Committee on Energy, Utilities and Communications**

Date of Hearing, August 24, 2005

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

GRP 3

Reports the same back with the recommendation: That the plan be rejected.

ESCUTIA, Chair



**Committee on Education**

Date of Hearing, August 24, 2005

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

SB 767

AB 226

AB 1095

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

SCOTT, Chair

Above measures re-referred to the Committee on Appropriations.

**Committee on Appropriations**

Senate Chamber, August 24, 2005

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

AB 740

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 740**—An act to add Sections 47634.2, 47634.25, 47634.3, and 47634.4 to, to repeal Section 47634.5 of, and to repeal and add Section 47634 of, the Education Code, relating to charter schools.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 740 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HUFF

**Permission of Rules Committee**

Senate Chamber, August 24, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 740.

PERATA, Chair

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

**Committee on Rules**

Senate Chamber, August 24, 2005

Mr. President: The Committee on Rules has examined:

SB 238

SB 322

SB 467

SB 487

SB 488

SB 744

SB 878

SB 1085

SB 1097

And reports that the same have been correctly enrolled, and presented to the Governor on the 24th day of August, 2005, at 2 p.m.

PERATA, Chair

Senate Chamber, August 24, 2005

Mr. President: The Committee on Rules has examined:

SJR 8

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 24th day of August, 2005, at 2:15 p.m.

PERATA, Chair

**Committee on Transportation and Housing**

August 23, 2005

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

SB 66

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

TORLAKSON, Chair

Above measure ordered to unfinished business.

**Committee on Rules**

State Capitol, August 24, 2005

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5–0, has referred the following bills to committee:

SB 203 (Simitian)—Revenue and Taxation

SB 861 (Speier)—Local Government

SB 894 (Dunn)—Judiciary

SB 1105 (Speier)—Banking, Finance and Insurance

AB 417 (Aghazarian)—Governmental Organization

PERATA, Chair

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Concurrent Resolution 61:** By Senators Ortiz and Perata—Relative to Ovarian Cancer Awareness Month.

The following measure was introduced, read the first time and ordered held at Desk:

**Senate Resolution 19:** By Senator Escutia—Relative to the Governor's Reorganization Plan No. 3 of 2005.



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

**Senate Bill 1011**—An act to add Section 8880.24.5 to the Government Code, relating to the California State Lottery, 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, engrossed, and to third reading.

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

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

**Senate Concurrent Resolution 57**—Relative to the Robert M. Jackson Memorial Highway.

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

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 1222**—An act to add Chapter 8 (commencing with Section 39940) to Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time and ordered to third reading.

**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 1496**—An act to add Section 33318.5 to the Education Code, relating to pupils.

Bill read second time and ordered to third reading.

**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 Appropriations were read and adopted and the measure ordered printed, and to third reading.

**Assembly Bill 330**—An act to amend Section 1265 of, and to add Section 1265.3 to, the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

**Assembly Bill 1052**—An act to add Section 34520.3 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.



**Assembly Bill 1524**—An act to amend Section 11005 of the Government Code, and to amend Section 31402.2 of the Public Resources Code, relating to coastal resources.

Bill read second time and ordered 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 Appropriations were read and adopted and the measure ordered printed and to third reading.

**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 Appropriations were read and adopted and the measure ordered printed and to third reading.

**Assembly Bill 694**—An act to amend Section 44241 of the Health and Safety Code, relating to air resources.

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 1690**—An act relating to municipal services.

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 33**—An act to amend Sections 272 and 502.01 of the Penal Code, relating to crime.

Bill read second time and ordered to third reading.

**Assembly Bill 169**—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

**Assembly Bill 354**—An act to add and repeal Section 14132.725 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.



**Assembly Bill 649**—An act to amend Sections 78611, 78627, 78632, and 78700 of, 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 and ordered to third reading.

**Assembly Bill 672**—An act to add Sections 115827 and 115828 to the Health and Safety Code, relating to reservoirs.

Bill read second time and ordered to third reading.

**Assembly Bill 706**—An act to add Article 4 (commencing with Section 89570) to Chapter 5 of Part 55 of the Education Code, relating to the California State University.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

**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 and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 971**—An act to amend Section 6126.6 of the Penal Code, relating to corrections.

Bill read second time and ordered to third reading.

**Assembly Bill 1001**—An act to amend Section 11713.1 of the Vehicle Code relating to vehicles.

Bill read second time and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 1086**—An act to amend Sections 1803, 1807, and 12810 of, and to add Section 38301.3 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.



**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 and ordered to third reading.

**Assembly Bill 1125**—An act to add Chapter 8.4 (commencing with Section 42451) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

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

Bill read second time and ordered to third reading.

**Assembly Bill 1625**—An act to add Section 7550.7 to the Government Code, relating to state reports.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

**Assembly Concurrent Resolution 24**—Relative to the California Council on Science and Technology.

Resolution read second time and ordered to third reading.

**Assembly Concurrent Resolution 63**—Relative to the CYA Counselor Ineasie M. Baker Memorial Freeway.

Resolution read second time and ordered to third reading.

**Assembly Bill 1158**—An act to amend Section 425.16 of, and to add Section 425.18 to, the Code of Civil Procedure, relating to civil actions, 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 585**—An act to amend Sections 22900, 22901, 22902, 22903, 22904, 22905, 22906, 22907, 22908, 22909, 22910, 22911, 22913, 22915, 22920, 22922, 22924, 22925, 22926, and 22927 of, to amend the heading of Chapter 28 (commencing with Section 22900) of Division 8 of, and to add Sections 22903.1, 22903.2, and 22903.3 to, the Business and





Professions Code, relating to dealers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**Assembly Bill 356**—An act to amend Section 1366.24 of, and to add Sections 1389.25 and 1389.3 to, the Health and Safety Code, to amend Section 10128.54 of, to add Sections 10113.9 and 10113.95 to, the Insurance Code, and to amend Section 2800.2 of the Labor Code, relating to health care coverage.

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 153**—An act to repeal and add Section 1021.8 of the Code of Civil Procedure, relating to courts.

Bill read second time and ordered to third reading.

**Assembly Bill 1718**—An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to forestry and fire protection.

Bill read second time and ordered to third reading.

**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 and ordered to third reading.

**Assembly Bill 561**—An act to amend Sections 2053, 2053.1, and 2053.4 of the Penal Code, relating to prisons.

Bill read second time and ordered to third reading.

**Assembly Bill 1179**—An act to add Section 1507.25 to the Health and Safety Code, relating to community care facilities.

Bill read second time and ordered to third reading.

**Assembly Bill 203**—An act to amend Sections 19440.5, 19540, 19590, and 19602 of, and to add Sections 19411.1 and 19618.2 to, the Business and Professions Code, relating to horse racing.

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 193**—An act to add Sections 1120.5 and 1122.5 to the Fish and Game Code, relating to fish and game.

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

Bill read second time and ordered to third reading.

**Assembly Bill 1011**—An act to amend Sections 12400, 12401, 12406, and 12811.5 of, to add Section 12836.5 to, and to repeal Section 12404 of the Food and Agricultural Code, relating to pesticides.

Bill read second time and ordered to third reading.

**Assembly Bill 465**—An act to amend Sections 11100, 11100.05, 11100.1, 11104, 11104.5, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

Bill read second time and ordered to third reading.

**Assembly Bill 627**—An act to amend Section 5009 of the Penal Code, relating to parolees.

Bill read second time and ordered to third reading.

#### **RE-REFERENCE TO COMMITTEE**

Pursuant to Joint Rule 10.5, **AB 1179** was re-referred to the Committee on Appropriations.

#### **SPECIAL CONSENT CALENDAR SET**

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, August 25:

SB 49	SB 975	AB 1043	AB 1495
SB 197	AB 873	AB 1235	AB 1462
SB 338	AB 619	AB 519	AB 620
SB 731	AB 1756	AB 300	AB 333
SB 594	AB 1317	AB 917	
SB 14	AB 361	AB 1280	
SB 127	AB 392	AB 1044	

#### **JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Appropriations to hear AB 22, AB 119, AB 267, AB 338, AB 383, AB 581, AB 679, AB 772, AB 884, and AB 1742 on August 25 without two days notice in the Daily File.



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

**Assembly Bill 1318**—An act to amend Sections 24011 and 24300 of, and to add Sections 24304.2 and 27550.2 to, the Government Code, relating to county officers.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1318 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 67**—An act to add Section 747 to the Public Utilities Code, relating to energy.

Bill read third time.

**Amendments Adopted**

Amendments to AB 67 proposed by Senator Escutia were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1346**—An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1346 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 819**—An act to add and repeal Article 13.52 (commencing with Section 18847) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 819 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 671**—An act to amend Section 6487.06 of, and to add and repeal Section 18511 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time.

**Amendments Adopted**

Amendments to AB 671 proposed by Senator Machado were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1143**—An act to amend Sections 1640, 1640.2, 1642, and 1724 of, to add Section 1640.3 to, and to repeal Section 1641 of, the Business and Professions Code, relating to dentistry.

Bill read third time.



**Amendments Adopted**

Amendments to AB 1143 proposed by Senator Aanestad were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 635**—An act to amend Section 19961 of, and to add Section 19961.05 to, the Business and Professions Code, relating to gambling.

Bill read third time.

**Amendments Adopted**

Amendments to AB 635 proposed by Senator Vincent were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 83**—An act to add and repeal Section 116030.5 of the Health and Safety Code, relating to swimming pools, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Amendments Adopted**

Amendments to AB 83 proposed by Senator Cox were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1698**—An act to amend Section 1373 of the Health and Safety Code, and to amend Section 10277 of the Insurance Code, relating to health care.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1698 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1474**—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1474 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 776**—An act to amend Sections 11165.9 and 11166 of the Penal Code, relating to child abuse reporting.

Bill read third time.

**Amendments Adopted**

Amendments to AB 776 proposed by Senator Runner were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.



**Amendments Adopted**

Amendments to AB 280 proposed by Senator Soto were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1278**—An act to amend Sections 102425, 102426, 102430, 102440, and 103025 of the Health and Safety Code, relating to vital records.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1278 proposed by Senator Dutton were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 310**—An act to add Chapter 11 (commencing with Section 19999.8) to Part 2.6 of Division 5 of Title 2 of the Government Code, relating to investments.

Bill read third time.

**Amendments Adopted**

Amendments to AB 310 proposed by Senator Dunn were read and adopted and the measure ordered printed and to second reading.

**Assembly Bill 1435**—An act to amend Sections 70312, 70325, 70375, 70403, and 76100 of the Government Code, relating to courts.

Bill read third time.

**Amendments Adopted**

Amendments to AB 1435 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to second reading.

**REQUEST FOR UNANIMOUS CONSENT (AB 1734)**

Senator Murray asked for, and was granted, unanimous consent that AB 1734 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 1734**

**Assembly Bill 1734**—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 1734 pursuant to Joint Rule 58.

ASSEMBLY MEMBER JUAN VARGAS

**Permission of Rules Committee**

Senate Chamber, August 24, 2005

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1734.

PERATA, Chair



**Motion to Amend**

Amendments to AB 1734 proposed by Senator Murray were read and adopted and the measure ordered printed and to second reading.

**REQUEST FOR UNANIMOUS CONSENT (AB 778)**

Senator Speier asked for, and was granted, unanimous consent that AB 778 be taken from the inactive file and taken up at this time.

**Consideration of Assembly Bill 778**

**Assembly Bill 778**—An act to amend Section 11580.1 of the Insurance Code, relating to auto insurance.

Bill read second time.

**Motion to Amend**

Amendments to AB 778 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS****Committee on Education**

**SB 767**—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Dutton, Maldonado, Morrow, Romero, Scott, Simitian, Soto, and Torlakson.

NOES (2)—Senators Denham and Lowenthal.

**AB 226**—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alquist, Denham, Dutton, Lowenthal, Maldonado, Romero, Scott, Simitian, Soto, and Torlakson.

NOES (1)—Senator Morrow.

**AB 1095**—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Lowenthal, Maldonado, Romero, Scott, Simitian, Soto, and Torlakson.

NOES (2)—Senators Dutton and Morrow.

**ACR 57**—Be adopted as amended, to Consent Calendar

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

NOES (0)—None.

Date of Hearing: 8/24/2005

Scott (Chair)

**Committee on Energy, Utilities and Communications**

GRP 3—The plan be rejected

AYES (6)—Senators Bowen, Cox, Dunn, Escutia, Murray, and Simitian.

NOES (3)—Senators Battin, Campbell, and Morrow.

Date of Hearing: 8/24/2005

Escutia (Chair)

**Committee on Judiciary**

**SB 678**—Do pass and re-refer to Committee on Appropriations

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

NOES (1)—Senator Ackerman.



**AB 415—Do pass**

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

NOES (0)—None.

**AB 712—Do pass as amended**

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

NOES (1)—Senator Ackerman.

Date of Hearing: 8/23/2005

Dunn (Chair)

**Committee on Transportation and Housing****SB 66—That the Assembly amendments be concurred in**

AYES (8)—Senators Cedillo, Ducheny, Lowenthal, Machado, Murray, Simitian, Soto, and Torlakson.

NOES (2)—Senators Ashburn and McClintock.

Date of Hearing: 8/23/2005

Torlakson (Chair)

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Benjamin Foster of Las Vegas, NV.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Sgt. Joe Nurre of Elk Grove.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of John William Vander Schaaf of Chino.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, August 25, 2005.

PAULA K. ROSSETTO, Minute Clerk



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