

## CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED TWENTY-SIXTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, January 9, 2006

The Senate met at 2 p.m.  
Hon. Don Perata, of the 9th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary Kipchoge Randall reading.

### QUORUM CALL OF THE SENATE

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

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:  
Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, 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—38.

Quorum present.

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



**PRAYER**

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

*Gracious and Everlasting God, We give You thanks for this new day, for new possibilities, for new insights. Grant to us the wisdom we need to do our work and the heart to become the servants whom You would truly have us be.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Public Employment and Retirement**

Senate Chamber, January 9, 2006

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

SB 379

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

SOTO, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 379**—An act to add Section 21431 to the Government Code, relating to public employees' retirement.

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, January 9, 2006

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

SCA 7

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

MURRAY, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Constitutional Amendment 7**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article XIX thereof, and by amending Section 1 of Article XIX A thereof, relating to transportation.

Resolution read second time.

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



**Committee on Local Government**

Senate Chamber, January 9, 2006

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

SB 1052

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

KEHOE, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 1052**—An act to amend Section 107.4 of the Revenue and Taxation Code, relating to taxation. An act to amend Section 66452.5 of the Government Code, relating to subdivisions.

Bill read second time.

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, January 9, 2006

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

SB 551

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**

**Senate Bill 551**—An act to amend Sections 1369.510 and 1373 of, to add Section 1363.7 to, and to add Chapter 11 (commencing with Section 1380.010) to Title 6 of Part 4 of Division 2 of the Civil Code, relating to common interest developments, and making an appropriation therefor.

Bill read second time.

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

**Committee on Health**

Senate Chamber, January 9, 2006

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

SB 526

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

ORTIZ, Chair

Above measure ordered filed with the Secretary of the Senate.



**Committee on Banking, Finance and Insurance**

Senate Chamber, January 9, 2006

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

SB 778

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

SPEIER, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 778**—An act to add Article 1.5 (commencing with Section 865) to Chapter 7 of Division 1 of the Financial Code, relating to banks depository institutions.

Bill read second time.

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

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

**Assembly Bill 1129**—An act to repeal Section 88006 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

**JOINT RULE 62(a) SUSPENDED**

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SB 1026 to be heard in the Committee on Transportation on January 9, without four days notice in the file.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committees on Veterans Affairs and Energy, Utilities and Communications to meet on Thursday, January 12, without four days notice in file.

**MOTION TO TAKE MEASURE FROM THE INACTIVE FILE**

Senator Hollingsworth moved that **AB 881** be taken from the inactive file and placed on the second reading file.

Motion carried.

**MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Cox moved that **AB 392** be placed on the inactive file.

Motion carried.



**RE-REFERENCE TO COMMITTEE**

Pursuant to Senate Rule 29.10, **SB 1002** was referred to the Committee on Rules.

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

**Assembly Bill 424**—An act to amend Sections 530.5, 530.6, and 530.8 of the Penal Code, relating to crime.

Bill read third time.

**Request to Add Urgency Section**

To the Committee on Rules: I request permission to add an urgency section to AB 424 pursuant to Joint Rule 58.

ASSEMBLY MEMBER CALDERON

**Permission of Rules Committee**

Senate Chamber, January 9, 2006

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 424.

PERATA, Chair

**Amendments Adopted**

Amendments to AB 424 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

**REQUEST TO RETURN BILL TO ASSEMBLY**

On the request of Senator Battin, **SB 288** was returned to the Assembly for further action.

**REPORTS OF STANDING COMMITTEES  
Committee on Transportation and Housing**

January 9, 2006

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

SB 1026

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

LOWENTHAL, Chair

Above measure ordered to unfinished business.

**REQUEST FOR UNANIMOUS CONSENT (SB 1026)**

Senator Kuehl asked for, and was granted, unanimous consent to take up SB 1026 at this time, without reference to file.

**Consideration of Senate Bill 1026**

**Senate Bill 1026**—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

Measure presented by Senator Kuehl.



The question being: Shall the Senate concur in Assembly amendments to SB 1026?

**Roll Call**

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alquist, Cedillo, Chesbro, Ducheny, Dutton, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (8)—Senators Aanestad, Ashburn, Battin, Cox, Denham, Hollingsworth, Margett, and Morrow.

Above bill ordered enrolled.

**Senator Speier Presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS**

**Consideration of Governor's Appointment**

Senator Perata placed the following Governor's appointment before the Senate:

Stephen E. Jensen, Member, State Building Standards Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

**Consideration of Governor's Appointments**

Senator Perata placed the following Governor's appointments before the Senate:

Sally M. McKeag, Member, Public Employment Relations Board.

Karen L. Neuwald, Member, Public Employment Relations Board.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.



**Consideration of Governor's Appointment**

Senator Perata placed the following Governor's appointment before the Senate:

Richard J. Sawhill, III, Member, State Building Standards Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

**Senator Perata Presiding****FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (GOVERNOR'S APPOINTMENT)**

On the motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Stephen E. Jensen, Member, State Building Standards Commission.

**Roll Call**

The names of the absentees were called and the Governor's appointment was confirmed by the following vote:

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

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (GOVERNOR'S APPOINTMENTS)**

On the motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Sally M. McKeag, Member, Public Employment Relations Board.

Karen L. Neuwald, Member, Public Employment Relations Board.

**Roll Call**

The names of the absentees were called and the Governor's appointments were confirmed by the following vote:

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

NOES (0)—None.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (GOVERNOR'S APPOINTMENT)**

On the motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Richard J. Sawhill, III, Member, State Building Standards Commission.

**Roll Call**

The names of the absentees were called and the Governor's appointment was confirmed by the following vote:

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

NOES (0)—None.

**MOMENT OF SILENCE**

At the request of Senators Simitian and Alquist the Senate observed a moment of silence for East Palo Alto police officer Richard May.

**LEAVES OF ABSENCE FOR THE DAY**

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

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

At 3:45 p.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Perata moved that the Senate stand in recess; that the Desk remain open to receive communications and to conduct the business of the day; and that the Senate adjourn until Tuesday, January 10, 2006.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Public Employment and Retirement**

Date of Hearing, January 9, 2006

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

SB 154

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

SOTO, Chair

Above measure re-referred to the Committee on Appropriations.





**Committee on Rules**

Senate Chamber, January 9, 2006

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

SR 18

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

PERATA, Chair

**Second Reading of Bills—Author's Amendments****Senate Resolution 18**—Relative to the Baby Bill of Rights.

Resolution read second time.

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

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

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

**Senate Bill 1125:** By Senator Chesbro (Coauthor: Assembly Member Berg)—An act to amend Section 6217 of, and to repeal Sections 6217 and 6217.2 of, the Public Resources Code, relating to natural resources.

**Senate Bill 1126:** By Senator Chesbro (Coauthor: Assembly Member Berg)—An act to amend Section 3 of Chapter 1086 of the Statutes of 1970, relating to tidelands and submerged lands of the City of Eureka.

**Senate Bill 1127:** By Senator Chesbro (Coauthor: Assembly Member Berg)—An act to amend Section 37 of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to harbor districts.

**Senate Bill 1128:** By Senator Alquist—An act relating to sex offenders.

**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 585** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Appropriations; and

**SB 662** was withdrawn from the Committee on Agriculture and re-referred to the Committee on Rules.

**SENATE COMMITTEE ROLL CALLS****Committee on Business, Professions and Economic Development****SB 551**—Do pass and re-refer to Committee on Rules

AYES (4)—Senators Figueroa, Florez, Murray, and Simitian.

NOES (1)—Senator Aanestad.

Date of Hearing: 1/9/2006

Figueroa (Chair)



**Committee on Public Employment and Retirement****SB 154**—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alarcón, Ashburn, Hollingsworth, and Soto.

NOES (0)—None.

**SB 379**—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Alarcón and Soto.

NOES (2)—Senators Ashburn and Hollingsworth.

Failed Passage

**SB 379**—Reconsideration granted

AYES (3)—Senators Alarcón, Hollingsworth, and Soto.

NOES (0)—None.

Date of Hearing: 1/9/2006

Soto (Chair)

**Committee on Transportation and Housing****SB 1026**—That the Assembly amendments be concurred in

AYES (12)—Senators Cedillo, Ducheny, Kehoe, Lowenthal, Machado, Maldonado, McClintock, Murray, Runner, Simitian, Soto, and Torlakson.

NOES (2)—Senators Ashburn and Margett.

Date of Hearing: 1/9/2006

Lowenthal (Chair)

**LETTERS OF TRANSMITTAL**

The following communications were ordered printed in the Journal:

A semi-annual report dated: June 23, 2005, relating to Energy Settlements and Energy Litigation and Investigation Expenses, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: December 2, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Resources Agency and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 9, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the California Public Employment and Retirement System and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 12, 2005, relating to the American Indian Education Centers Program was received from the California Department of Education and transmitted to the Committee on Education.

A report dated: December 13, 2005, relating to the Annual Census of Employees in the State Civil Service, 2004–05, was received from the



California State Personnel Board and transmitted to the Committee on Public Employment and Retirement.

A supplemental report dated: December 13, 2005, relating to the Department of Corrections Workers' Compensation Program (FY 2003–04), was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

A report dated: December 14, 2005, relating to financial statements ending September 30, 2005, was received from the California Lottery and transmitted to the Committee on Budget and Fiscal Review.

A Title Summary report dated: December 15, 2005, relating to Initiative Title Summary. Tax on Cigarettes. Initiative Constitutional Amendment and Statute. File #: RF0113, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: December 15, 2005, relating to Initiative Title Summary. Tax on Cigarettes. Initiative Constitutional Amendment and Statute. File #: RF0114, was received from the Department of Justice and transmitted to the Committee on Rules.

An annual report dated: December 15, 2005, relating to the Loan and Grant Program for 2003–04 was received from the Department of Housing and Community Development and transmitted to the Committee on Transportation and Housing.

An annual report dated: December 15, 2005, was received from the California Transportation Commission and transmitted to the Committee on Transportation and Housing.

A report dated: December 16, 2005, relating to the 2003–04 Small Business/DVOBE's Contract Activity was received from the Department of Veterans Affairs and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A quarterly report dated: December 14, 2005, relating to the Metropolitan State Hospital was received from the Department of Mental Health and transmitted to the Committee on Health.

A report dated: December 19, 2005, relating to the Implementation of Centralized Eligibility Lists, was received from the California Department of Education and transmitted to the Committee on Education.



A report dated: December 19, 2005, relating to Reading, Writing, and Mathematics Proficiency of All First-Time Freshman, was received from the California Department of Education and transmitted to the Committee on Education.

A preliminary report dated: December 19, 2005, relating to the 2004–05 Early Assessment Program, was received from the California Department of Education and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: December 19, 2005, relating to Proof of Legal Presence was received from the Department of Motor Vehicles and transmitted to the Committee on Transportation and Housing.

A report dated: December 20, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the California Horse Racing Board and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 20, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the California Housing Finance Agency and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 20, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Department of Parks and Recreation and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A supplemental report dated: December 20, 2005, relating to 2005 Budget was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

A report dated: December, 21, 2005, relating to California's Inter Regional Partnership Program, Jobs, Housing and Mobility Strategies, was received from the Department Housing and Community Development and transmitted to the Committee on Transportation and Housing.

A report dated: December 21, 2005, relating to the Evaluation of the California Enhance Vehicle Inspection and Maintenance (Smog Check) Program was received from the Air Resources Board and transmitted to the Committee on Environmental Quality.



A report dated: December 22, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Department of Conservation Resources Agency and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 22, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Office of the Treasurer and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A annual report dated: December 22, 2005, relating to the Kapiloff Land Bank was received from the California State Lands Commission and transmitted to the Committee on Natural Resources and Water.

A report dated: December 22, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the California Lottery and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 22, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Business, Transportation and Housing Agency and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 22, 2005, relating to the Feasibility of Consolidating ABAG and MTC Functions, was received from the Joint Policy Committee and transmitted to the Committee on Transportation and Housing.

A report dated: December 22, 2005, relating to the California Sexual Predator Program, was received from the Department of Justice and transmitted to the Committee on Public Safety.

A report dated: December 23, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Commission on State Mandates and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 27, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Office of Environmental Health Hazard Assessment and transmitted to the Committee on Government Modernization, Efficiency and Accountability.



A report dated: December 27, 2005, relating to Electronic Interception for 2004, was received from the Department of Justice and transmitted to the Committee on Judiciary.

A report dated: December 27, 2005, relating to the Fiscal Year 2005–06 Seismic Safety Commission Assessment was received from the Insurance Commissioner and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: December 28, 2005, relating to Management of State School Lands, FY 2004–05, was received from the California State Lands Commission and transmitted to the Committee on Budget and Fiscal Review.

A report dated: December 28, 2005, relating to Internal Accounting and Administrative Controls, was received from the Department of Rehabilitation and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 28, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Colorado River Board of California and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 29, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Department of Alcohol and Drug Programs, and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 29, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the California Integrated Waste Management Board and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A quarterly report dated: December 29, 2005, covering the period of September 1, 2005 to December 1, 2005, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: December 29, 2005, relating to the Loan and Grant Program for 2004/05 was received from the Department of Housing and Community Development and transmitted to the Committee on Transportation and Housing.

An annual report dated: December 29, 2005, relating to Sustainable Communities Loan and Grant Program for 2004–05 was received from the



Department of Housing and Community Development and transmitted to the Committee on Transportation and Housing.

An annual report dated: December 29, 2005, was received from the Pollution Control Financing Authority and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: December 29, 2005, relating to the 2005 Budget-Sales and Use Tax Gap was received from the Board of Equalization and transmitted to the Committee on Budget and Fiscal Review.

A report dated: December 29, 2005, relating to the Employee Housing Program Statistical Summary for 2004, was received from the Housing and Community Development and transmitted to the Committee on Transportation and Housing.

A report dated: December 29, 2005, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Franchise Tax Board and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A report dated: December 30, 2005, relating to Desalination was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

An annual report dated: January 3, 2006, relating to Complaints, was received from the State Bar of California and transmitted to the Committee on Judiciary.

A report dated: January 3, 2006, relating to Use of Waste Tires, was received from the Department of Transportation, and transmitted to the Committee on Budget and Fiscal Review.

A report dated: January 3, 2006, relating to the 2004–05 Small Business/DVOBE's Contract Activity was received from the Office of Statewide Health Planning and Development and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A Title Summary report dated: January 3, 2006, relating to Transportation Funding. Initiative Constitutional Amendment and Statute, File No: RF01021, was received from the Department of Justice and transmitted to the Committee on Rules.



A Title Summary report dated: January 3, 2006, relating to Transportation Funding. Initiative Constitutional Amendment and Statute, File No: RF01022, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: January 3, 2006, relating to Transportation Funding. Initiative Constitutional Amendment and Statute, File No: RF01023, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: January 3, 2006, relating to Transportation Funding. Initiative Constitutional Amendment and Statute, File No: RF01024, was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: January 5, 2006, relating to the 2005 California Physical Fitness Test was received from the California Department of Education and transmitted to the Committee on Education.

A report dated: January 6, 2006, relating to the Victims Memorial Sign Program, was received from the Department of Transportation, and transmitted to the Committee on Budget and Fiscal Review.

#### **REQUESTS TO ADJOURN IN MEMORIAM**

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Matthew Paul Steyart of Mt. Shasta.

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Bob Andrews of Fullerton.

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Fred Zannotto and Byck Hoenselaars of Santa Rosa.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Felicitas Baker of National City.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Bob Fredrick Balzer of Upland.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Brian Kendall Padberg of Murrieta.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Lesley Devine of Calabasas and Ernani Bernardi of Van Nuys.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of Rachel M. Thornton of Tempe, Arizona.





Senator Migden requested that when the Senate adjourns this day it do so in memory of Nima Shaterian of Mill Valley.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Harold Aram Jouroyan of Fresno.

Senators Simitian, Alquist, and Maldonado requested that when the Senate adjourns this day it do so in memory of Officer Richard May of Atherton.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Robert Blazer of Pomona and Nellie P. Hader.

#### **ADJOURNMENT**

At 3:45 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, January 10, 2006.

PAULA K. ROSSETTO, Minute Clerk

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