

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Wednesday, March 1, 2006

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, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Runner, Scott, Simitian, Soto, Torlakson, and Vincent—35.

Quorum present.

(NOTE: Senators Alarcón, Morrow, and Romero will be excused this day on legislative business and Senator Speier will be excused this day on personal business.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

March 1, 2006

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and



consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Maureen F. Gorsen, former Deputy Secretary for Law Enforcement and Counsel, California Environmental Protection Agency; and former Partner with Weston, Benshof, Rochefort, Rubacalva, MacCuish, LLP. Appointed 01/09/06. Effective 01/09/06.

Director, Toxic Substances Control, California Environmental Protection Agency vice Tim J. Swickard, resigned, term ending at the Pleasure of the Governor.

Joseph D. Compton, former Correctional Officer, Santa Cruz County Sheriff's Office. Appointed 02/16/06. Effective 02/24/06.

Commissioner, Board of Parole Hearings, newly created, term ending 07/01/07.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, March 1, 2006

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

AB 569

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

Assembly Bill 569—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Bill read second time.

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

Committee on Local Government

Date of Hearing, March 1, 2006

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

SB 1121

SB 1122

SB 1123

SB 1196

AB 245

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

KEHOE, Chair

Above measures ordered to second reading.



Date of Hearing, March 1, 2006

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

SB 1206

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

KEHOE, Chair

Above measure re-referred to the Committee on Judiciary.

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 100: By Senator Cox—Relative to Prostate Cancer Awareness Month.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 264** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Governmental Organization

SR 20—Committee amendments

AYES (5)—Senators Florez, McClintock, Romero, Soto, and Vincent.

NOES (3)—Senators Chesbro, Denham, and Margett.

SR 20—Be adopted as amended

AYES (3)—Senators Florez, Romero, and Soto.

NOES (5)—Senators Chesbro, Denham, Margett, McClintock, and Vincent.

Failed passage

SR 20—Reconsideration granted

AYES (8)—Senators Chesbro, Denham, Florez, Margett, McClintock, Romero, Soto, and Vincent.

NOES (0)—None.

Date of Hearing: 2/28/2006

Florez (Chair)

Committee on Local Government

SB 1121—Do pass, to Consent Calendar

AYES (5)—Senators Ackerman, Cox, Kehoe, Machado, and Torlakson.

NOES (0)—None.

SB 1122—Do pass, to Consent Calendar

AYES (5)—Senators Ackerman, Cox, Kehoe, Machado, and Torlakson.

NOES (0)—None.

SB 1123—Do pass, to Consent Calendar

AYES (5)—Senators Ackerman, Cox, Kehoe, Machado, and Torlakson.

NOES (0)—None.



SB 1196—Do pass, to Consent Calendar

AYES (5)—Senators Ackerman, Cox, Kehoe, Machado, and Torlakson.

NOES (0)—None.

SB 1206—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Ackerman, Cox, Kehoe, Machado, and Torlakson.

NOES (0)—None.

AB 245—Do pass, to Consent Calendar

AYES (5)—Senators Ackerman, Cox, Kehoe, Machado, and Torlakson.

NOES (0)—None.

Date of Hearing: 3/1/2006

Kehoe (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Rita Teller.

Senator Perata requested that when the Senate adjourns this day it do so in memory of John C. Hall of Los Angeles.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Margorie Sinnott of Fairhaven, NJ.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, March 2, 2006.

PAULA K. ROSSETTO, Minute Clerk

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