

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Thursday, March 2, 2006

The Senate met at 9 a.m.

Hon. Wesley Chesbro, of the 2nd 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, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, McClintock, Migden, Murray, Ortiz, Poochigian, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—33.

Quorum present.

(NOTE: Senators Alarcón, Dunn, Maldonado, Morrow, Perata, and Romero will be excused this day on legislative business.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, March 1, 2006

The Committee on Rules has referred the following measures to committee:

Banking, Finance and Insurance—SB 1340.**Business, Professions and Economic Development**—SB 1361, SB 1397, SB 1423, SB 1424, SB 1438.**Education**—SB 1327, SB 1357, SB 1358, SB 1367, SB 1383, SB 1385, SB 1411, SB 1415, SB 1433, SB 1442.

Elections, Reapportionment and Constitutional Amendments—
SB 1348.

Environmental Quality—SB 1344, SB 1345, SB 1377, SB 1395.

Governmental Organization—SB 1362, SB 1363, SB 1370, SB 1380,
SB 1396.

Health—SB 1339, SB 1350, SB 1353, SB 1356, SB 1403, SB 1405,
SB 1430, SB 1439, SB 1440.

Human Services—SB 1335, SB 1337, SB 1376, SB 1435.

Judiciary—SB 1330, SB 1364, SB 1375, SB 1386, SB 1406, SB 1407,
SB 1410, SB 1429, SB 1437, SB 1441.

Labor and Industrial Relations—SB 1365.

Local Government—SB 1329, SB 1359, SB 1431, SB 1432.

Natural Resources and Water—SB 1342, SB 1343, SB 1360, SB 1378,
SB 1425, SB 1434.

Public Employment and Retirement—SB 1445, SB 1447.

Public Safety—SB 1328, SB 1336, SB 1346, SB 1372, SB 1373,
SB 1382, SB 1388, SB 1389, SB 1390, SB 1391, SB 1392, SB 1393,
SB 1402, SB 1408, SB 1422, SB 1444.

Revenue and Taxation—SB 1341, SB 1355, SB 1400.

Rules—SB 1331, SB 1332, SB 1333, SB 1334, SB 1349, SB 1351,
SB 1352, SB 1366, SB 1371, SB 1394, SB 1398, SB 1399, SB 1401,
SB 1409, SB 1413, SB 1417, SB 1418, SB 1419, SB 1420, SB 1426,
SB 1427, SB 1428, SB 1436, SB 1443, SB 1446.

Transportation and Housing—SB 1384, SB 1404.

The Committee on Rules has re-referred the following measures to
committee:

Environmental Quality—AB 1341.

Judiciary—AB 886, AB 1169.

Transportation and Housing—SCR 95, SCR 96.

Veterans Affairs—SJR 23.

The Committee on Rules has referred the following measures to two
committees:

**Budget and Fiscal Review and Elections, Reapportionment and
Constitutional Amendments—**SCA 23.



Education and Judiciary—SB 1412.

Education and Rules—SB 1416.

Elections, Reapportionment and Constitutional Amendments and Judiciary—SB 1354.

Energy, Utilities and Communications and Environmental Quality—SB 1368.

Governmental Organization and Elections, Reapportionment and Constitutional Amendments—SCA 25.

Governmental Organization and Judiciary—SB 1381.

Health and Business, Professions and Economic Development—SB 1369.

Health and Environmental Quality—SB 1379.

Health and Labor and Industrial Relations—SB 1414.

Health and Rules—SB 1338.

Human Services and Education—SB 1421.

Natural Resources and Water and Rules—SB 1347.

Public Safety and Judiciary—SB 1387.

Revenue and Taxation and Judiciary—SB 1374.

State Capitol, March 1, 2006

Mr. President: The Senate Rules Committee has adopted Senate Rules Committee Resolution #56 outlining the jurisdiction of the Select Committee on E-Commerce, Wireless Technology, and Consumer Driven Programming.

PERATA, Chair

State Capitol, March 1, 2006

Mr. President: The Senate Rules Committee has made the following appointments to boards and commissions:

Reappointed Ms. Celia J. Esquivel of Sacramento as a member of the California Commission on Aging to serve for a term ending March 1, 2009.

Appointed Mr. Kenneth M. Simril of Hollywood as a member of the Legislative Blue Ribbon Commission on Autism to serve at the pleasure of the Rules Committee.

Reappointed Ms. Sarah E. Tom of Berkeley as a member of the California Governor's Committee on Employment of People with Disabilities to serve for a term ending March 5, 2009.

PERATA, Chair



State Capitol, March 1, 2006

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation that they be confirmed:

Russell S. Gould, Member University of California, Board of Regents
(5-0)

Eddie R. Island, Member University of California, Board of Regents
(5-0)

Leslie T. Schilling, Member, University of California, Board of Regents
(5-0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

Committee on Public Safety

Senate Chamber, March 2, 2006

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

SB 1128

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

Senate Bill 1128—An act to amend Section 68152 of the Government Code, to amend Sections 290, 290.46, 311.4, 311.11, 626.8, 800, 1192.7, 1202.8, 1203, 1203c, 3000, 3005, 13887, and 13887.1 of, to add Sections 288.3, 288.7, 290.03, 290.04, 290.05, 290.06, 290.07, 290.08, 290.09, 311.12, 626.83, 13015, and 13105 to, to add a heading to Chapter 5.5 (commencing with Section 290) to Title 9 of Part 2 of, and to add Chapter 1.5 (commencing with Section 5040) to Title 7 of Part 3 of, the Penal Code, and to amend Sections 6600 and 6601 of the Welfare and Institutions Code, relating to sex offenders.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1128 pursuant to Joint Rule 58.

SENATOR ALQUIST

Permission of Rules Committee

Senate Chamber, March 2, 2006

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1128.

PERATA, Chair

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



REQUESTS TO INTRODUCE BILLS AFTER THE DEADLINE

Senate Chamber, March 2, 2006

The following request was presented by Senator Migden:

To the Committee on Rules: In accordance with the provisions of Joint Rule 54(a), I request permission to introduce a bill (Legislative Counsel Request 0604478) after the deadline.

SENATOR MIGDEN

Permission of Rules Committee

The Committee on Rules grants permission to introduce a bill as requested.

PERATA, Chair

Senate Chamber, March 2, 2006

The following request was presented by Senator Migden:

To the Committee on Rules: In accordance with the provisions of Joint Rule 54(a), I request permission to introduce a bill (Legislative Counsel Request 0603585) after the deadline.

SENATOR MIGDEN

Permission of Rules Committee

The Committee on Rules grants permission to introduce a bill as requested.

PERATA, Chair

REQUESTS TO INTRODUCE BILLS WHICH EXCEED BILL INTRODUCTION LIMITATION

Senate Chamber, March 2, 2006

The following request was presented by Senator Migden:

To the Committee on Rules: In accordance with the provisions of Senate Rule 22.5(b), I request permission to introduce a bill which exceeds the bill introduction limitation (Legislative Counsel Request 0604478): SB 1841.

SENATOR MIGDEN

Permission of Rules Committee

The Committee on Rules grants permission to introduce a bill as requested.

PERATA, Chair

Senate Chamber, March 2, 2006

The following request was presented by Senator Migden:

To the Committee on Rules: In accordance with the provisions of Senate Rule 22.5(b), I request permission to introduce a bill which exceeds the bill introduction limitation (Legislative Counsel Request 0603585): SB 1842.

SENATOR MIGDEN

Permission of Rules Committee

The Committee on Rules grants permission to introduce a bill as requested.

PERATA, Chair



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 1841: By Senator Migden—An act to add Sections 380.1 and 380.2 to the Streets and Highways Code, relating to transportation.

Senate Bill 1842: By Senator Migden—An act to add Section 25351.05 to the Government Code, relating to local government.

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

Senate Bill 1121—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1122—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1123—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1196—An act to amend Sections 53234, 54984.4, 54984.7, 54984.8, 58950, 61107, 65457, 66016, and 66499.7 of, and to repeal Sections 54984.5 and 54984.6 of, the Government Code, to amend Section 2051 of the Health and Safety Code, to amend Sections 22032 and 22034 of the Public Contract Code, to repeal Chapter 5 (commencing with Section 5790) of Division 5 of the Public Resources Code, and to amend Section 2215 of the Revenue and Taxation Code, relating to local government.

Bill read second time, ordered engrossed, and to Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 245—An act to add Section 32100.3 to the Health and Safety Code, relating to health care districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.



REQUEST FOR UNANIMOUS CONSENT (AB 1333)

Senator Morrow asked for, and was granted, unanimous consent that AB 1333 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1333

Assembly Bill 1333—An act to add Section 374.5 to the Penal Code, and to add Division 12.4 (commencing with Section 16000) to the Public Resources Code, relating to grease waste haulers.

Bill read second time.

Motion to Amend

Amendments to AB 1333 proposed by Senator Morrow were read and adopted and the measure ordered printed and to second reading.

LEAVES OF ABSENCE FOR THE DAY

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Machado requested that when the Senate adjourns this day it do so in memory of Jack Eugene Clayton of Stockton.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Robert Terrance Landrum of Temecula.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Tammy Estrada of Palmdale.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 6, 2006.

PAULA K. ROSSETTO, Minute Clerk

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