

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, March 8, 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, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent—36.

Quorum present.

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

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
March 8, 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

Alan D. Bersin, Secretary of Education for Governor Schwarzenegger; Member, State Board of Education since 2005; and former Superintendent of Public Education, San Diego Unified School District. Reappointed 02/22/06. Effective 03/07/06.

Member, State Board of Education, term ending 01/15/10.

Carol O. Biondi, Member, Los Angeles County Commission for Children and Families, Loyola Law School's Center for Juvenile Law and Policy, and the Children's Defense Fund. Appointed 02/17/06. Effective 03/07/06.

Member, Corrections Standards Authority, newly created, term ending 07/01/08.

Deborah Allayne Botts, Chief Probation Officer, San Benito County Probation Department; and former member of the Shasta County Probation Department. Appointed 02/16/06. Effective 03/06/06.

Member, Corrections Standards Authority, newly created, term ending 07/01/08.

Marie Giovanna Moretti, former Executive Director of the California Service Corps; former Deputy Appointments Secretary for Governor Schwarzenegger; and a Member of the Board since 1999. Reappointed 02/23/06. Effective 03/06/06.

Member, California Horse Racing Board, term ending 01/01/10.

John T. Kehoe, Principal at The Kehoe Group; former Executive Director, Commission on Aging; and Member and designed Chair of the Board since 2005. Reappointed 02/22/06. Effective 03/07/06.

Member and designed Chair, Rehabilitation Appeals Board, term ending 01/01/10.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol
March 8, 2006

To the Senate of the State of California:

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

Roosevelt Johnson

Member, Commission on Peace Officer
Standards and Training.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.



REPORTS OF STANDING COMMITTEES
Committee on Energy, Utilities and Communications

Senate Chamber, March 8, 2006

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

AB 158

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

ESCUTIA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 158—An act to add and repeal Section 7711.5 of the Public Utilities Code, relating to railroads, 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 Judiciary

Senate Chamber, March 8, 2006

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

SCA 12

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

DUNN, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to eminent domain.

Resolution read second time.

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

Committee on Rules

State Capitol, March 8, 2006

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5–0, has referred SB 288 (Battin) to the Senate Committee on Governmental Organization.

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:

Senate Joint Resolution 26: By Senator Morrow—Relative to ports and harbors.

Senate Joint Resolution 27: By Senators Bowen and Speier (Coauthors: Assembly Members Bass, Berg, Cohn, Goldberg, Karnette, Liu, Pavley, and Saldana)—Relative to Equal Pay Day.

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

Assembly Bill 1333—An act to add Section 374.5 to the Penal Code, and to add Division 12.4 (commencing with Section 16050) to the Public Resources Code, relating to grease waste haulers.

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 525** was withdrawn from the Committee on Health and re-referred to the Committee on Rules; and

AB 1634 was withdrawn from the Committee on Banking, Finance and Insurance and re-referred to the Committee on Rules.

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 Speier.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Russell C. Paris and Bob Reber.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Lemuel F. Bradley and Dolores A. Moran of Lancaster and Amy Sweany of Vacaville.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 4 p.m., Thursday, March 9, 2006.

PAULA K. ROSSETTO, Minute Clerk

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