

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, March 21, 2006

The Senate met at 9 a.m.
Hon. Jeff Denham, of the 12th 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:

Ackerman, Alarcón, Alquist, Ashburn, Battin, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—32.

Quorum present.

(NOTE: Senators Aanestad, Bowen, Escutia, Florez, Morrow, and Perata will be excused this day on legislative business and Senator Kuehl will be excused this day due to illness.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
March 21, 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

Cynthia Antoinette Mitchell, President and Chief Executive Officer, Citadel Tile and Marble; President and Chief Executive Officer, GCM Business Solutions; and Chief Financial Officer, Sunset West Executive Communities. Appointed 03/15/06. Effective 03/20/06.

Member, Contractors' State License Board, Department of Consumer Affairs vice Gene Hale, term expired, term ending 06/01/09.

James Richard Davis, Consultant, Civilian Police International and Citygate Associates; and former Chief of Police, El Cajon Police Department. Appointed 02/14/06. Effective 02/14/06.

Commissioner, Board of Parole Hearings, newly created, term ending 07/01/08.

Kim Robert Blackseth, owner, Kim R. Blackseth Interests; formerly affiliated with Gensler & Associates, developing Americans with Disabilities Act capabilities; and former Vice President of Corporate Real Estate, Bank of America. Appointed 03/09/06. Effective 03/21/06.

Member, State Building Standards Commission vice Anthony P. Sauer, term expired, term ending 01/01/10.

Susan Mary Dowty, Project Manager, S.K. Ghosh Associates, Inc.; and former Senior Staff Engineer, International Conference of Building Officials. Appointed 03/09/06. Effective 03/15/06.

Member, State Building Standards Commission vice Kent K. Sasaki, term expired, term ending 01/01/10.

Christina Luisa Jamison, Fire Prevention Officer and former Senior Fire Inspector; Fire Inspector and Fire Specialist, Ventura County Fire Protection District; and former Captain, Orange County Marine Institute and Hornblower Dining Yachts. Appointed 03/09/06. Effective 03/21/06.

Member, State Building Standards Commission vice Jimmy H. Hill, term expired, term ending 01/01/10.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Business, Professions and Economic Development

Senate Chamber, March 21, 2006

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

AB 1363



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

Assembly Bill 1363—An act to add Chapter 6 (commencing with Section 6500) to Division 3 of the Business and Professions Code, to amend Sections 1822, 1826, 1829, 1850, 1851, 2250, 2253, 2321, 2340, 2342, 2343, 2620, 2620.2, 2623, 2640, 2641, 2850, 2851, 2852, 2853, 2854, 2855, and 2920 of, to add Sections 1456, 1457, 1458, 2250.1, 2250.2 and 2410 to, and to repeal Sections 2342.5, 2344, and 2640.1 of, the Probate Code, and to add Division 8.7 (commencing with Section 9800) to the Welfare and Institutions Code, relating to conservatorship and guardianship.

Bill read second time.

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

Committee on Public Safety

Date of Hearing, March 21, 2006

Mr. President: The Committee on Public Safety, to which was referred:
SB 1261

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

MIGDEN, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, March 21, 2006

Mr. President: The Committee on Public Safety, to which was referred:
SB 1241

Reports the same back with the recommendation: Do pass.

MIGDEN, Chair

Above bill ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing, March 15, 2006

Mr. President: The Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

SCA 3

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.



Committee on Rules

Senate Chamber, March 21, 2006

Mr. President: The Committee on Rules has examined:

SB 169

And reports that the same has been correctly enrolled, and presented to the Governor on the 21st day of March, 2006, at 12:30 p.m.

PERATA, Chair

Committee on Judiciary

Senate Chamber, March 21, 2006

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

SB 1206

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 Bill 1206—An act to amend Sections 33030, 33031, 33320.1, 33378, 33445, 33485, 33486, and 33501 of, and to add Sections 33444.4, 33501.1, 33501.2, 33501.3, 33501.7, and 33601.5 to, the Health and Safety Code, relating to redevelopment.

Bill read second time.

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

Committee on Rules

Senate Chamber, March 21, 2006

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

SB 1254

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 Bill 1254—An act to amend Section 511 of the Labor Code, relating to employment.

Bill read second time.

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

Senate Chamber, March 21, 2006

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

AB 326



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

Assembly Bill 326—An act to amend Sections 270 and 275 of the Public Utilities Code, relating to telecommunications.

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 21, 2006

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

SB 1311

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 Bill 1311—An act to add Article 11 (commencing with Section 7740) to Chapter 1 of Division 4 of the Public Utilities Code, relating to railroads.

Bill 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:

Senate Concurrent Resolution 107: By Senator Kehoe (Coauthor: Assembly Member Nava)—Relative to the Joint Legislative Committee on Emergency Services and Homeland Security.

Senate Resolution 27: By Senator Margett—Relative to "Asthma Awareness Day."

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 1200—An act to amend Section 3240.5 of the Fish and Game Code, relating to hunting.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.



SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1457—An act relating to state property, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed and to third reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1319** was withdrawn from the Committee on Public Safety 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 Aanestad, Bowen, Escutia, Florez, Morrow, and Perata.

The following Senator was granted leave of absence for the day due to illness: Senator Kuehl.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Max Kessler of Woodland Hills.

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Helen Barr McCormack of Rio Vista.

Senator Florez requested that when the Senate adjourns this day it do so in memory of Ricardo Barraza of Shafter, Osbaldo Orozco of Delano, Ramon Villatoro Jr. and Clayton Farr of Bakersfield.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Frank Cullen, Sr. of Brentwood.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, March 22, 2006.

PAULA K. ROSSETTO, Minute Clerk

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