

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Thursday, March 30, 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.

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, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent—34.

Quorum present.

(NOTE: Senators Florez and Morrow will be excused this day on legislative business, Senator Alquist will be excused this day due to a death in the family, Senator Speier will be excused this day on personal business, and Senator Ortiz will be excused this day due to illness.)



PRAYER

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

Holy and Everliving God, We give thanks today for the people of our state and for the richness they bring from every corner of this earth. Help us to find clarity in the many voices who seek to be heard, and give us the perspective we need to be faithful servants to all.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Elections, Reapportionment and Constitutional Amendments**

Senate Chamber, March 30, 2006

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

SB 1725

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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1725—An act to amend Section 3017 of the Elections Code, relating to absentee ballots.

Bill read second time.

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

Committee on Education

Senate Chamber, March 30, 2006

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

SB 1324

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

SCOTT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1324—An act to amend Section 17292 of the Education Code, relating to school facilities.

Bill read second time.

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



Committee on Energy, Utilities and Communications

Senate Chamber, March 30, 2006

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

SB 1669

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

Senate Bill 1669—An act to add Section 380.5 to the Public Utilities Code, relating to public utilities.

Bill read second time.

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

MOMENT OF SILENCE

Senator Hollingsworth requested a moment of silence in honor of the late Caspar Weinberger, former Assembly Member and former Secretary of Defense.

REQUEST FOR UNANIMOUS CONSENT (ACR 115)

Senator Escutia asked for, and was granted, unanimous consent that ACR 115 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Assembly Concurrent Resolution 115

Assembly Concurrent Resolution 115—Relative to Cesar Chavez Day.

Resolution read.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SR 26**, **ACR 121**, and **ACR 125** were withdrawn from Committee and placed on today's special consent calendar.



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

Assembly Bill 601—An act to amend Sections 7863, 8276.2, 8276.3, 8279.1, 8280.1, 8280.2, 8280.3, 8280.4, 8280.5, and 8280.6 of the Fish and Game Code, relating to fish and game, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Chesbro.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Perata, Poochigian, Romero, Scott, Simitian, Torlakson, and Vincent.

NOES (2)—Senators Hollingsworth and McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Perata, Poochigian, Romero, Scott, Simitian, Torlakson, and Vincent.

NOES (2)—Senators Hollingsworth and McClintock.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS**Consideration of Governor's Appointments**

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

John Gilbert Cruz, Member, California Gambling Control Commission; Alexandra Vuksich, Member, California Gambling Control Commission.

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

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado,

Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.

Consideration of Governor's Appointments

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

Bridgett Luther, Director of Conservation;

Cindy M. Gustafson, Member, Fish and Game Commission;

Lai Lai Y. Bui, Member, Commission on Peace Officer Standards and Training;

Ronald E. Lowenberg, Member, Commission on Peace Officer Standards and Training;

Henry T. Perea, Member, Commission on Peace Officer Standards and Training.

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

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.

Consideration of Governor's Appointments

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

Gary M. Petersen, Member, California Integrated Waste Management Board;

Robert F. Sawyer, Ph.D., Member, Air Resources Board.

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

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.



Consideration of Governor's Appointment

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

John A. Bohn, Member, Public Utilities Commission.

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

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.

Consideration of Governor's Appointments

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

Sidney M. Greathouse, Member, California Law Revision Commission;
Pamela L. Hemminger, Member, California Law Revision Commission;
David Huebner, Member, California Law Revision Commission;
Susan D. Lee, Member, California Law Revision Commission;

Richard D. Fantozzi, M.D., Member, Medical Board of California, Division of Licensing;

Kristina Vukasin Brouhard, Member, California Regional Water Quality Control Board, San Francisco Bay Region;

Margaret Valda Bruce, Member, California Regional Water Quality Control Board, San Francisco Bay Region;

Shalom Eliahu, Member, California Regional Water Quality Control Board, San Francisco Bay Region;

Gary Wolff, Ph.D., Member, California Regional Water Quality Control Board, San Francisco Bay Region.

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

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.



CONSENT CALENDAR

Senate Bill 1296—An act to amend Sections 132351.1 and 132351.2 of the Public Utilities Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Resolution 26—Relative to the National Biological Foundry. Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 121—Relative to the 1906 San Francisco earthquake.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 125—Relative to Agriculture Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (0)—None.

LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day due to a death in the family: Senator Alquist.

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

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

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:35 a.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 until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, April 3, 2006.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
March 30, 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

Adam Burke, Ph.D., Associate Professor in Health Education and Co-Director, Institute for Holistic Healing Studies, California State University, San Francisco; and an acupuncturist in private clinical practice since 1987. Appointed 03/16/06. Effective 03/17/06.

Member, Acupuncture Board vice Joan C. Chang, term expired, term ending 06/01/09.

James W. Kellogg, International Representative, United Association of Journeyman and Apprentices, Plumbing and Pipe Fitting Industry; and a member of the Board since 2002. Reappointed 03/14/06. Effective 03/28/06.

Member, Fish and Game Commission, term ending 01/15/12.

Cary Allan Nosler, Health and Fitness Consultant, Broadcaster and Host, The Wide World of Health, KSTE-AM since 1994. Appointed 03/17/06. Effective 03/17/06.

Member, Acupuncture Board vice Justin I. Tin, term expired, term ending 06/01/09.

Joe Nunez, Associate Executive Director of Governmental Relations, and former Assistant Executive Director, Region 2, California Teachers Association. Reappointed 03/14/06. Effective 03/28/06.

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

Linda Lee Shelton, former Chief Probation Officer, Glenn County; and former Division Director, Shasta County Juvenile Hall, Shasta County Probation Department. Appointed 03/27/06. Effective 03/27/06.

Commissioner, Board of Parole Hearings vice Margarita Perez, resigned, term ending 07/01/08.

Above appointments referred to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, March 30, 2006

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 699

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, March 30, 2006

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1787

AB 1968

AB 1996

Assembly Chamber, March 30, 2006

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 98

ACR 128

Assembly Chamber, March 30, 2006

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 245

AB 601

AB 1758

ACR 115

Assembly Chamber, March 30, 2006

The Honorable Greg Schmidt

Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1388 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1787—An act to add Section 6250.3 to the Family Code, relating to protective orders.

Assembly Bill 1968—An act to amend Section 76361 of the Education Code, relating to community colleges.

Assembly Bill 1996—An act to amend Section 782 of the Evidence Code, relating to testimony.



Assembly Concurrent Resolution 98—Relative to World Languages and Cultures Month.

Assembly Concurrent Resolution 128—Relative to wildlife conservation programs.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, March 30, 2006

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

Business, Professions and Economic Development—SB 1848.

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

Banking, Finance and Insurance and Health—SB 1394.

Business, Professions and Economic Development—SB 1436.

Business, Professions and Economic Development and Public Safety—SB 1806.

Education—SB 1649.

Energy, Utilities and Communications—SB 1539, SB 1788.

Governmental Organization—SB 1253.

Health—SB 1371; ACR 112.

Judiciary—SB 1758; AB 1102.

Labor and Industrial Relations—SB 1428.

Local Government—SB 1618.

Public Employment and Retirement—AB 146.

Public Safety—SB 1257, SB 1297, SB 1455, SB 1538, SB 1735; AB 211.

Transportation and Housing and Health—SB 1329.

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

Business, Professions and Economic Development and Judiciary—SB 1849.

Health and Judiciary—SB 1850, SB 1851.



Committee on Health

Date of Hearing, March 29, 2006

Madam President: The Committee on Health, to which were referred:

SB 1220	SB 1353	SB 1356	SB 1461
SB 1520	SB 1528	SB 1748	

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

ORTIZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, March 29, 2006

Madam President: The Committee on Health, to which was referred:

SB 1838

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, March 29, 2006

Madam President: The Committee on Health, to which was referred:

SB 1379

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

ORTIZ, Chair

Above measure re-referred to the Committee on Environmental Quality.

Date of Hearing, March 29, 2006

Madam President: The Committee on Health, to which was referred:

SB 1248

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

ORTIZ, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Judiciary

Senate Chamber, March 30, 2006

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

SB 1386

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 1386—An act to amend Section 631 of the Code of Civil Procedure, relating to jury trials.

Bill read second time.

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

Senate Chamber, March 30, 2006

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

SB 1205

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 1205—An act to amend Sections 39674, 42400, and 42402 of, and to add Section 42407.5 to, the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, March 30, 2006

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

SB 1194

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 1194—An act to add Section 19816.13 to the Government Code, relating to state employees.

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 30, 2006

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

SB 1124



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 1124—An act relating to teacher development.

Bill read second time.

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

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, March 30, 2006

Madam President: The Chair of the Committee on Elections, Reapportionment and Constitutional Amendments, to which was referred:

SB 1276

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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1276—An act to amend Section 15101 of the Elections Code, relating to absentee ballots.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, March 30, 2006

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

SB 1506

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

Senate Bill 1506—An act to add and repeal Section 11456 of the Water Code, relating to water.

Bill read second time.

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



Committee on Public Employment and Retirement

Senate Chamber, March 30, 2006

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

AB 1568

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

Assembly Bill 1568—An act to amend Section 31528 of, and to add Section 31528.5 to, the Government Code, relating to county 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 Rules

Senate Chamber, March 30, 2006

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 1448

SB 1763

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 1448—An act to add Article 6 (commencing with Section 14690) to Chapter 8.8 of Part 3 of Division 9 of, and to add Part 3.5 (commencing with Section 15900) to Division 9 of, the Welfare and Institutions Code, relating to health care.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1448 pursuant to Joint Rule 58.

SENATOR KUEHL

Permission of Rules Committee

Senate Chamber, March 30, 2006

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1448.

PERATA, Chair

Senate Bill 1763—An act relating to pharmaceuticals.

Bill read second time.

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



Committee on Health

Senate Chamber, March 30, 2006

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

SB 1469

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

ORTIZ, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1469—An act to add Section 14029.5 to the Welfare and Institutions Code, relating to Medi-Cal eligibility.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, March 30, 2006

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 1829

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

SIMITIAN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1829—An act to amend Section 25534.1 of, and to add Section 25536.6 to, the Health and Safety Code, relating to hazardous materials.

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, March 30, 2006

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

SB 1670

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 1670—An act to amend Section 114870 of the Health and Safety Code, relating to radiologic technology.

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 30, 2006

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

SB 1690

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 1690—An act to amend Section 10209 of the Unemployment Insurance Code, relating to employment training panel.

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 30, 2006

Madam President: The Chair of the Committee on Judiciary, to which were referred:

SB 1491

SB 1496

AB 1293

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 1491—An act to add Title 1.807 (commencing with Section 1798.79.8) to Part 4 of Division 3 of the Civil Code, relating to domestic violence.

Bill read second time.

Senate Bill 1496—An act to amend Section 798.72 of the Civil Code, relating to mobilehome parks.

Bill read second time.



Assembly Bill 1293—An act to amend Sections 8030.2, 8030.4, 8030.6, and 8030.8 of, and to amend, repeal, and add Section 8008 of, the Business and Professions Code, relating to shorthand reporters.

Bill read second time.

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

Committee on Education

Senate Chamber, March 30, 2006

Madam President: The Chair of the Committee on Education, to which was referred:

SB 1442

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

SCOTT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1442—An act to amend Section 52244 of the Education Code, relating to pupil instruction.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, March 28, 2006

Madam President: The Committee on Natural Resources and Water, to which was referred:

SB 1535

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

KUEHL, Chair

Above measure ordered to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1846** was withdrawn from the Committee on Natural Resources and Water and re-referred to the Committee on Rules; and

SB 1806 was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Public Safety.



SENATE COMMITTEE ROLL CALLS**Committee on Health**

SB 1220—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1248—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Chesbro, Cox, Figueroa, Kuehl, and Ortiz.

NOES (1)—Senator Aanestad.

SB 1339—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (1)—Senator Aanestad.

SB 1353—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1356—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1369—Do pass as amended and re-refer to Committee on Business, Professions and Economic Development

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1379—Do pass and re-refer to Committee on Environmental Quality

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (2)—Senators Aanestad and Cox.

SB 1461—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1487—Do pass and re-refer to Committee on Judiciary

AYES (3)—Senators Aanestad, Cox, and Maldonado.

NOES (4)—Senators Chesbro, Figueroa, Kuehl, and Ortiz.

Failed passage

SB 1487—Reconsideration granted

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.



SB 1520—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1528—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1661—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Chesbro, Cox, Kuehl, and Maldonado.

NOES (1)—Senator Figueroa.

SB 1748—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

SB 1838—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, and Ortiz.

NOES (0)—None.

Date of Hearing: 3/29/2006

Ortiz (Chair)

LETTERS OF TRANSMITTAL

The following letters of transmittal were ordered printed in the Journal:

An annual report was received from the Seismic Safety Commission and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

An annual report dated: December 1, 2005, relating to the Status Report on the California Case Management System and the Court Accounting and Reporting System, was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

A report dated: February 17, 2006, relating to the Medical Staff Membership and Privileges for Clinical Psychologists, was received from the Department of Developmental Services and transmitted to the Committee on Health.

An annual report dated: March 8, 2006, relating to the San Bernardino County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the San Bernardino County Board of Supervisors and transmitted to the Committee on Governmental Organization.

An annual report dated: March 9, 2006, relating to the Butte County DNA Fund, for year 2005, was received from the County of Butte and



transmitted to the Committee on Public Safety.

Website: <http://www.dof.ca.gov>.

A report dated: March 10, 2006, relating to the 2005–06 Expenditures, was received from the Department of Finance and transmitted to the Committee on Budget and Fiscal Review.

A report dated: March 13, 2006, relating to citations issued for years 2003, 2004 and 2005, was received from the Santa Clara Valley Transportation Authority and transmitted to the Committee on Transportation and Housing.

An annual report dated: March 13, 2006, relating to the San Diego County Indian Gaming Local Community Benefit Committee (IGLCBC) Special Distribution Fund, was received from the County of San Diego and transmitted to the Committee on Governmental Organization.

A report dated: March 13, 2006, relating to the Jenkins Act Compliance and Enforcement, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 14, 2006, relating to the Siskiyou County DNA Fund, for year 2005, was received from the County of Siskiyou and transmitted to the Committee on Public Safety.

A report dated: March 13, 2006, relating to the California Witness Protection Program, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: March 15, 2006, relating to Incompetent to Stand Trial Commitments Exceeding the 10-day Limit, was received from the Department of Mental Health and transmitted to the Committee on Health.

A report dated: March 15, 2006, relating to the 2005 Ten-Year State Highway Operation and Protection Program Plan, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

A report dated: March 14, 2006, relating to financial statements for six months ending December 31, 2005, was received from the California Lottery and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 15, 2006, relating to Railroad Local Safety Hazard, was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

An annual report dated: March 16, 2006, relating to the Annual Fees for 2004–05, was received from the State Water Resources Control Board and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 16, 2006, relating to Vendor Services for Fiscal Year 2004–05, was received from the Department of Developmental Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 17, 2006, relating to the El Dorado County DNA Fund, for year 2005, was received from the County of El Dorado and transmitted to the Committee on Public Safety.



A third quarterly report dated: March 17, 2006, relating to the Metropolitan State Hospital, was received from the Department of Mental Health and transmitted to the Committee on Health.

A second quarterly report dated: March 17, 2006, relating to the Metropolitan State Hospital, was received from the Department of Mental Health and transmitted to the Committee on Health.

A supplemental annual report dated: March 17, 2006, was received from the Office of Environmental Health Hazard Assessment and transmitted to the Committee on Environmental Quality.

An annual report dated: March 17, 2006, relating to the Tuolumne County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the Tuolumne County Administrator's Office and transmitted to the Committee on Governmental Organization.

A report dated: March 20, 2006, relating to the United States Highway 101 Over-Length Vehicle Study, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An annual report dated: March 20, 2006, relating to the Humboldt County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the County of Humboldt and transmitted to the Committee on Governmental Organization.

A report dated: March 20, 2006, relating to mandatory reporting requirements, was received from the Judicial Council of California and transmitted to the Committee on Judiciary.

A report dated: March 21, 2006, relating to the Review of the Uniform Statewide Child Support Guideline 2005 (Family Code Section 5054), was received from the Judicial Council of California and transmitted to the Committee on Judiciary.

An annual report dated: March 21, relating to the Butte County Indian Gaming Local Community Benefit Committee (IGLCBC) 2004–05, was received from the Butte County Chief Administrative Office and transmitted to the Committee on Governmental Organization.

An audit report dated: March 22, 2006, relating to the California Whistleblower Protection Act, was received from the California State Auditor and transmitted to the Committee on Rules.

A Title Summary report dated: March 23, 2006, relating to "Three Strikes" Law. Sentences For Repeat Felony Offenders. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: March 23, 2006, relating to Contracting Activity July 1, 2005 through December 31, 2005, was received from the Commission on Peace Officer Standards and Training and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A Title Summary report dated: March 23, 2006, relating to Invalidation of Domestic Partnerships. Marriage. Initiative Constitutional



Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: March 23, 2006, relating to Recommendations on Options for Evaluation Condition of School Facilities, was received from the Department of General Services and transmitted to the Committee on Education.

Website:<http://www.legi.dgs.ca.gov/publications/2005/legislativeReport.htm>

An annual report dated: March 23, 2006, relating to Comprehensive Annual Financial Report for Fiscal Year ending June 30, 2005, was received from the California Lottery and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 24, 2006, relating to the Lake County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the Lake County Administrative Office and transmitted to the Committee on Governmental Organization.

A quarterly report dated: March 24, 2006, relating to the Juvenile Justice Status Report (December 1, 2005 through March 1, 2006), was received from the Department of Corrections and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 27, 2006, relating to the 2005 Report of Activities, was received from the California Urban Waterfront Area Restoration Finance Authority, and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 27, 2006, relating to the Santa Clara County DNA Fund, for year 2005, was received from the County of Santa Clara and transmitted to the Committee on Public Safety.

An annual report dated: March 27, 2006, relating to the Placer County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the County of Placer and transmitted to the Committee on Governmental Organization.

An annual report dated: March 28, 2006, relating to the Substance Abuse and Crime Prevention Act of 2000, was received from the Department of Alcohol and Drug Programs and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: March 30, 2006, relating to Mendocino County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the Mendocino County Executive Office and transmitted to the Committee on Governmental Organization.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Mimi Craven of Oceanside.

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Buck Owens, of Bakersfield.

Senators Ashburn and McClintock requested that when the Senate adjourns this day it do so in memory of Lyn Nofziger of Falls Church, VA.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Maria Guadalupe Oropeza-Reyes of Woodland.

Senator Florez requested that when the Senate adjourns this day it do so in memory of Antonio T. Vazquez of Shafter.

Senators Hollingsworth and Migden requested that when the Senate adjourns this day it do so in memory of Caspar W. Weinberger of San Francisco.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of Harold Hatley and Frank Velasquez of Grover Beach.

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Olive Heller of Phoenix Az. and Ann Means of North Tustin.

Senator Perata requested that when the Senate adjourns this day it do so in memory of Candi Baker of Sacramento.

Senator Runner requested that when the Senate adjourns this day it do so in memory of Officer Pierre Bain of Lancaster.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Don Zabinski and Delbert Wong of Glendale and Officer Kyle Ballard of Pasadena.

Senator Simitian requested that when the Senate adjourns this day it do so in memory of Alfred F. Kenrick of Palo Alto.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Monday, April 3, 2006.

PAULA K. ROSSETTO, Minute Clerk

