

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SEVENTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 6, 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, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, Torlakson, and Vincent—32.

Quorum present.

(NOTE: Senators Alarcón, Battin, Escutia, Kuehl, Scott, and Simitian will be excused this day on legislative business and Senator Morrow will be excused this day on personal business.)



PRAYER

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

Almighty God, We pray that the leaders of all nations will work unceasingly for peace and reconciliation in the many troubled lands of this earth. We pray especially for peace in Iraq and Afghanistan, and we ask that all who are serving our nation in foreign lands will be protected by Your embrace and will return safely home soon.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 6, 2006

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

SB 306

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered to unfinished business file.

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

Date of Hearing, April 5, 2006

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

SB 1519 SB 1598 SB 1693 SB 1725

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

BOWEN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, April 6, 2006

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

SB 1481

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 1481—An act relating to commercial transactions.

Bill read second time.

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

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

Senate Bill 1437—An act to amend Sections 51204.5, 51500, 51501, 60040, and 60044 of the Education Code, relating to prohibited instruction.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1489—An act to repeal and add Section 1021.8 of the Code of Civil Procedure, relating to attorney's fees.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1666—An act to amend Sections 1798.80 and 1798.84 of, and to add Section 1798.83.5 to, the Civil Code, relating to personal information.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1801—An act to amend Section 54962 of, and to add Section 37606.1 to, the Government Code, relating to municipal hospitals.

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

Senate Bill 1327—An act to amend Section 48203 of the Education Code, relating to school attendance.

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

Senate Bill 1385—An act to amend Section 1 of Chapter 260 of the Statutes of 2004, relating to school employees.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1185—An act to amend Section 44940.5 of the Education Code, relating to employee compensation.

Bill read second time.

The amendments proposed by the Committee on education were read and adopted and the measure ordered printed, and ordered to third reading.

Senate Bill 1290—An act to add Section 81050.7 to the Education Code, relating to community colleges.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.



Senate Bill 1560—An act to amend Section 1363.03 of the Civil Code, relating to common interest developments, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 937—An act to amend Section 19605.8 of the Business and Professions Code, relating to horse racing.

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 106**, **SCR 110**, **SR 27**, **ACR 72**, **ACR 119**, **ACR 127**, **ACR 128**, **ACR 130**, and **ACR 135** were withdrawn from Committee and placed on today's special consent calendar.

REQUEST FOR UNANIMOUS CONSENT (SCR 104)

Senator Chesbro asked for, and was granted, unanimous consent that SCR 104 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Senate Concurrent Resolution 104

Senate Concurrent Resolution 104—Relative to Philippine immigration.

Resolution read third time and presented by Senator Chesbro.

Roll Call

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

AYES (30)—Senators Aanestad, Ackerman, Alquist, Ashburn, Bowen, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 306** was re-referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: April 6, 2006

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

AB 146

Reports the same back with the recommendation: Do pass.

MURRAY, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2006

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

SB 306

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

MURRAY, Chair

Above measure ordered to unfinished business.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill 1130—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1131—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1132—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal,



Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1133—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1134—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1135—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1136—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal,



Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1137—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1138—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1139—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1140—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal,



Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1141—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1142—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1143—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1144—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal,



Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1145—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1146—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1147—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1148—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal,



Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1149—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1150—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1151—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1152—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal,



Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1153—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1154—An act relating to the Budget Act of 2006.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (22)—Senators Ackerman, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ashburn, Cox, and McClintock.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (SB 306)

Senator Ackerman asked for, and was granted, unanimous consent to take up SB 306 at this time, without reference to file.

Consideration of Senate Bill 306

Consideration of Assembly Amendments

Senate Bill 306—An act relating to the Budget Act of 2005, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Measure presented by Senator Ackerman.

The question being: Shall the Senate concur in the Assembly amendments to SB 306?

Urgency Clause

The roll was called and the urgency clause was adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado,



Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 699—An act to amend Sections 120895, 120975, 120980, 121015, 121025, 121035, 121075, 121085, 121105, 121110, and 121125 of, and to add Section 121022 to, the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Soto.

The question being: Shall the Senate concur in the Assembly amendments to SB 699?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT (AB 146)

Senator Murray asked for, and was granted, unanimous consent to take up AB 146 at this time, without reference to file.

Consideration of Assembly Bill 146

Assembly Bill 146—An act to amend Section 19999.3 of, and to add Sections 20037.6, 20677.5, and 20683.1 to, the Government Code, relating to state employees, making an appropriation therefor, to take effect immediately, usual and current expenses.



Roll Call

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

AYES (28)—Senators Aanestad, Ackerman, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Ducheny, Dunn, Dutton, Figueroa, Florez, Kehoe, Lowenthal, Machado, Maldonado, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, Torlakson, and Vincent.

NOES (4)—Senators Denham, Hollingsworth, Margett, and McClintock.

Bill ordered transmitted to the Assembly.

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 106—Relative to California Chronic Kidney Disease Education Week.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 110—Relative to National Library Week.

Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

Senate Resolution 27—Relative to “Asthma Awareness Day.”

Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 72—Relative to Voter Awareness Week.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 119—Relative to the Year of the California Museum.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 127—Relative to Women’s History Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 128—Relative to wildlife conservation programs.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 130—Relative to Kidney Cancer Awareness Month.

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

(NOTE: See Consent Calendar Roll Call)



Assembly Concurrent Resolution 135—Relative to county agricultural commissioners.

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

(NOTE: See Consent Calendar Roll Call)

Consent Roll Call

The roll was called and the resolutions were adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Figueroa, Florez, Hollingsworth, Kehoe, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Soto, Speier, 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 Alarcón, Battin, Escutia, Kuehl, Scott, and Simitian.

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

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 10:05 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 17, 2006.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 6, 2006

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

SB 841

Above measure ordered enrolled.

Assembly Chamber, April 6, 2006

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

SCR 92

SCR 97

SCR 100

Above resolutions ordered enrolled.



Assembly Chamber, April 6, 2006

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

SCR 70

SCR 102

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

Above measures ordered to unfinished business file.

Assembly Chamber, April 6, 2006

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

AB 1801	AB 1809	AB 1817	AB 1825
AB 1802	AB 1810	AB 1818	AB 2075
AB 1803	AB 1811	AB 1819	AB 2181
AB 1804	AB 1812	AB 1820	AB 2240
AB 1805	AB 1813	AB 1821	AB 2301
AB 1806	AB 1814	AB 1822	AB 2423
AB 1807	AB 1815	AB 1823	AB 2455
AB 1808	AB 1816	AB 1824	AB 3046

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1801—An act relating to the Budget Act of 2006.

Assembly Bill 1802—An act relating to the Budget Act of 2006.

Assembly Bill 1803—An act relating to the Budget Act of 2006.

Assembly Bill 1804—An act relating to the Budget Act of 2006.

Assembly Bill 1805—An act relating to the Budget Act of 2006.

Assembly Bill 1806—An act relating to the Budget Act of 2006.

Assembly Bill 1807—An act relating to the Budget Act of 2006.

Assembly Bill 1808—An act relating to the Budget Act of 2006.

Assembly Bill 1809—An act relating to the Budget Act of 2006.

Assembly Bill 1810—An act relating to the Budget Act of 2006.

Assembly Bill 1811—An act relating to the Budget Act of 2006.

Assembly Bill 1812—An act relating to the Budget Act of 2006.

Assembly Bill 1813—An act relating to the Budget Act of 2006.

Assembly Bill 1814—An act relating to the Budget Act of 2006.

Assembly Bill 1815—An act relating to the Budget Act of 2006.



Assembly Bill 1816—An act relating to the Budget Act of 2006.

Assembly Bill 1817—An act relating to the Budget Act of 2006.

Assembly Bill 1818—An act relating to the Budget Act of 2006.

Assembly Bill 1819—An act relating to the Budget Act of 2006.

Assembly Bill 1820—An act relating to the Budget Act of 2006.

Assembly Bill 1821—An act relating to the Budget Act of 2006.

Assembly Bill 1822—An act relating to the Budget Act of 2006.

Assembly Bill 1823—An act relating to the Budget Act of 2006.

Assembly Bill 1824—An act relating to the Budget Act of 2006.

Assembly Bill 1825—An act relating to the Budget Act of 2006.

Assembly Bill 2075—An act to amend Section 954 of the Penal Code, relating to crime.

Assembly Bill 2181—An act to amend Section 48293 of the Education Code, relating to truants.

Assembly Bill 2240—An act to amend Sections 31485.7, 31485.8, 31486.2, and 31489, and to add Sections 31486.35 and 31490.6 to, the Government Code, relating to county employees' retirement.

Assembly Bill 2301—An act to add Section 6033 to the Business and Professions Code, relating to attorneys.

Assembly Bill 2423—An act to add Section 51210.3 to the Education Code, relating to instruction.

Assembly Bill 2455—An act to amend Section 116.220 of the Code of Civil Procedure, relating to small claims court.

Assembly Bill 3046—An act to amend Section 23357.4 of the Business and Professions Code, relating to alcoholic beverages.

REPORTS OF STANDING COMMITTEES

Committee on Business, Professions and Economic Development

Date of Hearing, April 3, 2006

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

SB 1285

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

FIGUEROA, Chair

Above measure ordered to second reading.



Committee on Revenue and Taxation

Senate Chamber, April 6, 2006

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 1607

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

MACHADO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1607—An act to amend Sections 69.5, 214, 214.8, 218, 254.5, 254.6, and 1840 of, and to add Section 218.05 to, the Revenue and Taxation Code, and to amend Section 2 of Chapter 48 of the Statutes of 1987, relating to taxation.

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, April 6, 2006

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

AB 1072

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

Assembly Bill 1072—An act to add Article 3.5 (commencing with Section 66024.5) to Chapter 2 of Part 40 of, and to add an article heading immediately preceding Section 66025.6 of, the Education Code, relating to public postsecondary education.

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 28, 2006

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

SB 1521

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

MIGDEN, Chair

Above measure ordered to second reading.



Date of Hearing, March 28, 2006

Mr. President: The Committee on Public Safety, to which was referred:
SB 1239

Reports the same back with the recommendation: Do pass as amended.
MIGDEN, Chair

Above measure ordered to second reading.

Senate Chamber, April 6, 2006

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

SB 1382

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 1382—An act to amend Section 645 of, and to add Section 3053.1 to the Penal Code, relating to parole.

Bill 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, April 5, 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:

Paul M. Johnson, Chief, Bureau of Security and Investigative Services
(3–0)

Keven P. Star, Court Administrator, Division of Workers' Compensation
(3–0)

PERATA, Chair

State Capitol, April 5, 2006

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

Appointed Ms. Nancy J. Michel of Sacramento as a member of the California Board of Occupational Therapy to serve for a term ending December 31, 2008.

Appointed Mr. Berresford A. Bingham of Alameda as a member of the State Assistance Fund for Enterprise, Business and Industrial



Development Corporation (SAFE-BIDCO) to serve for a term ending March 1, 2009.

Appointed the following persons as members of the Medication Errors Panel to serve at the pleasure of the Rules Committee:

Senator Sam Aanestad
 Senator Jackie Speier
 Mr. John E. Gallapaga of Sacramento
 Mr. Gilbert P. Preston of Fullerton
 Susan L. Ravnan, Pharm. D., of Acampo
 Dorothy (De) E. Calvert, R.N., of Auburn
 Ms. Deborah K. Veale of Palo Verdes Estates
 Robert Friis, Ph.D., of Irvine.

PERATA, Chair

Committee on Public Safety

Senate Chamber, April 6, 2006

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

SB 1182 SB 1547

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 1182—An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

Bill read second time.

Senate Bill 1547—An act to add Sections 5040, 5041, 5042, 5043, and 5044 to the Penal Code, relating to corrections.

Bill read second time.

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

Date of Hearing, April 4, 2006

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

SB 1222

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

MIGDEN, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 6, 2006

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

SB 1612

SB 1733

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 1612**—An act relating to water.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1612 pursuant to Joint Rule 58.

SENATOR SIMITIAN

Permission of Rules Committee

Senate Chamber, April 6, 2006

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1612.

PERATA, Chair

Senate Bill 1733—An act to amend Section 13204 of the Water Code, relating to water.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, April 6, 2006

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

SB 1228

SB 1280

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 1228—An act to amend Section 351 of, and to add Chapter 4 (commencing with Section 1630) to Part 5 of Division 4 of, the Family Code, relating to marital contracts.

Bill read second time.



Senate Bill 1280—An act to add Section 2357.5 to the Probate Code, relating to incapacitated persons.

Bill read second time.

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

Committee on Health

Date of Hearing, April 5, 2006

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

SB 1500

SB 1596

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.

Senate Chamber, April 6, 2006

Mr. President: The Chair of the Committee on Health, to which were referred:

SB 1260

SB 1822

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 1260—An act to add Chapter 2 (commencing with Section 125330) to Part 5.5 of Division 106 of the Health and Safety Code, relating to reproductive health.

Bill read second time.

Senate Bill 1822—An act relating to organ, tissue, and bone marrow donors programs.

Bill read second time.

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

Senate Chamber, April 6, 2006

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

SB 1672

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 1672—An act to add Section 15438.9 to the Government Code, and to add and repeal Sections 17053.87 and 23687 of the Revenue and Taxation Code, relating to public health.

Bill read second time.

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

Senate Chamber, April 6, 2006

Mr. President: The Chair of the Committee on Health, to which were referred:

SB 1323 SB 1471 SB 1755 SB 1772

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 1323—An act relating to mental health, and making an appropriation therefor.

Bill read second time.

Senate Bill 1471—An act to add Division 120 (commencing with Section 151000) to the Health and Safety Code, relating to sex education funding.

Bill read second time.

Senate Bill 1755—An act to amend Sections 1572 and 1576.2 of, and to repeal Sections 1575.45 and 1575.5 of, the Health and Safety Code, and to amend Sections 14043.46, 14105.395, 14520, and 14573 of, and to repeal and add Section 14521 of, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Senate Bill 1772—An act to amend Sections 111115 and 111170 of the Health and Safety Code, relating to drinking water.

Bill read second time.

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

Date of Hearing, April 5, 2006

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

SB 1430

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

ORTIZ, Chair

Above measure ordered to second reading.



Date of Hearing, March 29, 2006

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

SB 1369

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

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, March 29, 2006

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

SB 1661

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

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Banking, Finance and Insurance

Date of Hearing, April 5, 2006

Mr. President: The Committee on Banking, Finance and Insurance, to which was referred:

SB 1622

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

SPEIER, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, April 6, 2006

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

SB 1178

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

Senate Bill 1178—An act to amend Sections 1202.8 and 3004 of the Penal Code relating to sex offenders.

Bill read second time.

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



Committee on Transportation and Housing

Senate Chamber, April 6, 2006

Mr. President: The Chair of the Committee on Transportation and Housing, to which were referred:

SB 1522

SB 1593

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

LOWENTHAL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1522—An act to amend Section 60101 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Senate Bill 1593—An act to amend Section 22658 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Committee on Rules

Senate Chamber, April 6, 2006

Mr. President: The Committee on Rules has examined:

SB 699

And reports that the same has been correctly enrolled, and presented to the Governor on the 6th day of April, 2006, at 1:30 p.m.

PERATA, Chair

Committee on Business, Professions and Economic Development

Senate Chamber, April 6, 2006

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

SB 1472

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 1472—An act to amend Sections 1601.1, 1616.5, and 1742 of the Business and Professions Code, relating to dentistry.

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, April 6, 2006

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

SB 1374

SB 1650

SB 1758

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 1374—An act to amend Section 19551.1 of, and to add Section 19551.2 to, the Revenue and Taxation Code, relating to tax administration.

Bill read second time.

Senate Bill 1650—An act to add Section 1263.630 to the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Senate Bill 1758—An act to amend Sections 8623, 8625, 8636, and 8638 of, to repeal Section 8635 of, and to add Section 8632.5 to, the Family Code, relating to adoption.

Bill read second time.

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

Committee on Business, Professions and Economic Development

Senate Chamber, April 6, 2006

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

SB 1473

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 1473—An act to amend Section 473.3 of the Business and Professions Code, and to amend Section 94999 of the Education Code, relating to education, and making an appropriation therefor.

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, April 6, 2006

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

SB 1712

SB 1752

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 1712—An act to add Section 16124 to the Welfare and Institutions Code, relating to adoption, and making an appropriation therefor.

Bill read second time.

Senate Bill 1752—An act to amend Section 1564 of, and to add Sections 1531.5 and 1564.5 to, the Code of Civil Procedure, relating to unclaimed property, and making an appropriation therefor.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, April 6, 2006

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

SB 1320

SB 1626

SB 1806

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 1320—An act to add Section 1203.077 to the Penal Code, relating to probation.

Bill read second time.

Senate Bill 1626—An act to amend Section 790 of the Welfare and Institutions Code, relating to juvenile crime.

Bill read second time.

Senate Bill 1806—An act to add Section 597.7 to the Penal Code, and to amend Section 23117 of the Vehicle Code, relating to animals.

Bill read second time.

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



Committee on Local Government

Date of Hearing, April 5, 2006

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

SB 1627

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

KEHOE, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, April 6, 2006

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

SB 1814

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 1814—An act to add Section 21081.8 to the Public Resources Code, relating to environmental quality, 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.

Date of Hearing, April 3, 2006

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 1458

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

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Senate Chamber, April 6, 2006

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 1012

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

ALARCÓN, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1012—An act to amend Section 515.5 of the Labor Code, relating to overtime.

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, April 6, 2006

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

SB 1710

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 1710—An act to amend Section 62000.14 of the Education Code, relating to education.

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, April 6, 2006

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

SB 1295

SB 1420

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 1295—An act to amend Section 190 of the Penal Code, relating to murder.

Bill read second time.

Senate Bill 1420—An act relating to probation.

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, April 6, 2006

Mr. President: The Chair of the Committee on Health, to which were referred:

SB 1301

AB 1745



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 1301—An act to amend Sections 1266 and 1280.1 of, to add Sections 1279.1, 1279.2, and 1279.3 to, and to repeal and add Section 1279 of, the Health and Safety Code, relating to health facilities.

Bill read second time.

Assembly Bill 1745—An act to amend Section 14100.5 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Committee on Environmental Quality

Date of Hearing, April 3, 2006

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 1515

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

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 6, 2006

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

SB 1210

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 1210—An act to amend Sections 1240.010, 1255.430, 1263.310, and 1268.620 of, and to add Section 1263.025 to, the Code of Civil Procedure, to add Section 1091.6 to, and to repeal Section 7274 of, the Government Code, and to amend Section 33333.2 of the Health and Safety Code, relating to eminent domain.

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, April 6, 2006

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

SB 1490

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 1490—An act to add Section 9611 to the Business and Professions Code, relating to cemeteries.

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 for assignment:

Senate Bill 1852: By the Committee on Judiciary (Senators Dunn (Chair), Ackerman, Escutia, and Kuehl)—An act to amend Sections 690, 801, 809, 853, 2435.1, 2571, 3078, 4052, 4507, 6126.3, 6156, 6157, 7161, 7302, 7582.20, 7591.19, 7830.1, 9855.6, 11004.5, 12606.2, 14492, 17086, 17206.1, 17508, 17539.3, 18625, 18720, 18830, 19613.2, 21669.1, 22701, 22901, 22915, 23426.5, and 25660 of the Business and Professions Code, to amend Sections 43.97, 51.4, 54.6, 56.21, 799.2.5, 846.1, 1363.04, 1363.07, 1761, 1786.10, 1788.2, 1789.37, 1812.85, 1812.106, 1812.306, 1812.501, 1834.8, 2945.3, 2945.9, 2954.7, 3052.5, 3262, and 3415 of, and to amend and renumber Section 1812.97 of, the Civil Code, to amend Sections 77, 94, 338, 417.10, 460.7, 1021.8, 1141.21, 1245.320, 1345, 1346, 1370, 1371, 1375, 1379, 1775.14, 1800, and 1985.6 of the Code of Civil Procedure, to amend Section 16101 of the Commercial Code, to amend Sections 118, 7312, 8724, 12663, 17104, and 25100.1 of the Corporations Code, to amend Sections 1753, 1762, 7002.5, 8275, 8363.5, 8484.75, 8498, 8669, 8825, 12117, 17625, 19980, 22121, 24618, 32255, 32255.1, 33551, 35105, 41500, 42238.4, 44210, 44929.23, 44944, 45127, 45168.5, 47610, 47610.5, 47660, 49030, 49434, 49561, 49565.2, 49565.4, 52052, 52055.57, 52055.605, 52055.625, 52124, 52165, 52295.35, 52740, 56441, 58407, 58520, 60200, 66070, 66406, 66609, 69539, 69640, 76234, 81383, 81450, 81645, 88167.5, 89241, 89503, 89750.5, 92300, 92611.7, 94985, 94990, 99156, and 100603 of the Education Code, to amend Sections 7154, 7854, 9086, 9096, 10225, and 15375 of the Elections Code, to amend Section 1560 of the Evidence Code, to amend Sections 274, 3046, 3121, 4905, 7605, and 9201 of the Family Code, to amend Sections 687, 1800, 5303, 6503, 7263, 7273, 7274, 7509, 7600, 12100, 14402, 18062, 18415.3, 21050, and 22304 of the Financial Code, to amend Sections 854, 1122, 2120, 2125, 2127, 2150.4, 2765, 4190, 5653, 8277, 8278, 8494,

8495, 8610.7, 8615, 8841, 9023, 13007, and 15512 of the Fish and Game Code, and to amend Sections 3955, 4054, 5774.5, 13127.92, 14978.2, 19314, 30801, 36805, 39901, 42684, 52295, 52891.1, 62069, 73053, 73202, 75022, 77373, 77375, 77554, and 77941 of the Food and Agriculture Code, to amend Sections 800, 850.6, 905.3, 920, 925, 926.19, 965.1, 997.1, 998.2, 1151, 3515.7, 3539.5, 3543.1, 3549.1, 3572, 5906, 6254, 6254.26, 6577, 7072, 7509, 7520, 7901, 7907, 8902, 8652, 8894.1, 11007.6, 11014, 11030.1, 11030.2, 11031, 11125.7, 11125.8, 11270, 11275, 12467, 12807.5, 12838.1, 13300, 13332.09, 13905, 13972, 13973, 13974, 13974.1, 14084, 14670.4, 14682, 15202, 15492, 15815, 15952, 16302.1, 16304.6, 16366.3, 16383, 16431, 16585, 17051.5, 17201, 17520, 17553, 17556, 18708, 19583.5, 19583.51, 19792.5, 19815.4, 19816, 19816.4, 19816.6, 19879.1, 19999.2, 20035.6, 20094, 20163, 20462, 20805, 20808, 21095, 21223, 21265, 21752, 22100, 26749, 29965, 31461.1, 31469, 31470.25, 31485.12, 31585.1, 31691, 31691.1, 45002, 54957.1, 54999.5, 65050, 65852.9, 65971, 65973, 65974, 65979, 66000, 66017, 67401, 68058, 68059.15, 68503, 68506, 68511.3, 68543, 68543.5, 68543.8, 68565, 70622, 75560.4, 77202, 87102.6, 89513, 92201, 92251, 92268, and 92309 of, and to repeal Section 87104 of, the Government Code, to amend Sections 72.4, 303, 444, 504, 508, 773.2, 1176, and 6037.4 of the Harbors and Navigation Code, to amend Sections 1250.3, 1267.19, 1276.8, 1312, 1357.09, 1399.811, 1418.8, 1451, 1531.1, 1558, 1568.09, 1568.092, 1569.58, 1596.816, 1596.847, 1596.8865, 1596.8897, 1765.145, 4730.8, 11162.1, 11502, 11571.1, 12701, 13052, 17021.6, 18080.5, 19161, 19165, 19982, 25159.12, 25200.6, 25205.1, 25208.2, 25208.8, 25208.17, 25215.4, 25283.1, 25370, 33080.7, 33320.4, 33333.6, 33334.2, 33334.22, 33446, 33476, 33492.78, 33492.86, 35816, 38012, 39941, 40440.2, 40717.6, 42840, 43200.1, 43812, 43867, 44037, 44090, 44366, 50660.5, 50896, 50896.1, 50896.2, 51504, 52020, 53533, 101630, 105195, 105215, 105280, 107040, 107065, 107080, 108310, 109350, 109360, 111080, 112025, 112030, 113844, 113955, 114400, 115040, 115061, 115255, 116050, 116660, 117100, 120425, 120830, 120875, 121110, 121270, 121275, 121520, 122070, 127575, 129890, and 150204 of, and to repeal Section 113843 of, the Health and Safety Code, to amend Sections 134, 481.5, 676.2, 750.4, 1063.145, 1140.5, 1734.5, 1735, 1763.2, 1781.7, 1802.5, 1842, 1874.2, 1903, 10123.141, 10133.56, 10136, 10203.4, 10203.5, 10203.8, 10209, 10350.2, 11580.1, 11872, 12640.02, 12698.50, 12698.54, and 15039 of the Insurance Code, to amend Sections 98, 142.4, 226.4, 243, 270.6, 1182.6, 1289, 1301, 1302, 2686, 2855, 3364, 4753.5, 5277, 5307.1, 5907, 6315.3, 7384, and 7994 of the Labor Code, to amend Section 340 of the Military and Veterans Code, to amend Sections 171d, 186.2, 273.7, 290, 290.6, 652, 987.9, 1037.1, 1191.2, 1203.066, 1524, 1557, 2786, 2800, 3003, 4017.1, 4900, 4901, 4902, 4904, 4905, 4906, 5001, 5009, 5071, 5076.1, 6024, 11163, 11172, 12021, 12280, 13603, 13810, 13826.7, 13835.2, and 14030 of, and to repeal Section 13300.1 of, the Penal Code, to amend Sections 6108, 10240.5, 10329, 12183, 20105, 20118.4, 20133, 20407, 20448, 20450, 20451, 20452,



20456, 20487, 20522, 20563, 20582, 20688.2, 20853, 20894, 21020.8, 21040, 21071, 21471, and 21601 of, and to repeal the heading of Article 3 (commencing with Section 9201) of Chapter 9 of Part 1 of Division 2 of, the Public Contract Code, to amend Sections 2776, 4116, 4144, 4516.6, 4602.6, 5006.48, 5080.06, 5080.36, 5096.514, 5141.1, 5366, 5671, 6314, 6925.2, 8710, 9084, 21080.24, 21151.1, 21167.1, 25135, 25302.5, 26032, 26569.5, 29305, 29735, 30118.5, 30166, 30170, 30171.2, 30222.5, 30315.1, 30608, 30610.4, 30610.6, 30716, 31163, 31258, 32103, 33201, 33207.5, 42463, 42888, 42891, 43500, 44820, 49161, and 71081 of the Public Resources Code, to amend Sections 95.2, 531.7, 862, 2188.5, 2700, 4676, 4703.3, 6067, 6201.2, 6376.1, 6902.3, 9270, 11317, 11923, 13153, 17052.6, 19191, 20621, 23060, 23202, 23305b, 32364, 32475, 41120, 41176, 45304, 45451, 45872, 46442, 50124, and 50145 of the Revenue and Taxation Code, to amend Sections 156.3, 188.6, 2117, 6491.5, and 30162 of the Streets and Highways Code, to amend Sections 1222, 1256.5, 1262, 1855, 3254.5, 4701, 9608, 10200, 13002, and 13021 of the Unemployment Insurance Code, to amend Sections 1671, 2423, 11713.1, 12509, 12811, 14602.6, 15242, 17155, 23109, 24011.3, 27360, 29008, 35106, 40512, and 42001 of the Vehicle Code, to amend Sections 359, 5003, 8617.5, 10631, 12625, 12879.2, 12899.6, 12899.7, 12929.12, 13385.1, 13465, 13611, 13999.8, 20527.11, 23178, and 41027 of the Water Code, to amend Sections 241.1, 319, 1752.81, 1773, 1800, 1800.5, 2017, 3150, 3151, 4127, 4242, 4461, 4839, 5723.5, 7328, 7515, 10053, 11212, 11450.019, 11495.25, 14092.35, 14125.9, 14148.9, 14166.18, 14171.5, 14171.6, 14504, 15634, 15655.5, 16500.1, 16583, 16800.7, 17800, 18325.5, and 18906.5 of the Welfare and Institutions Code, and to amend Section 1 of Chapter 260 of the Statutes of 2004, Section 31.5 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), Section 12 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), Section 87 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), Section 26.9 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), Section 8 of the San Mateo County Flood Control District Act (Chapter 2108 of the Statutes of 1959), Section 26.7 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), Section 45 of the Monterey County Water Resources Agency Act (Chapter 1159 of the Statutes of 1990), Section 510 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984), Section 408 of Chapter 688 of, and Section 408 of Chapter 689 of, the Statutes of 1984, Section 602 of Chapter 1023 of the Statutes of 1982, Section 87 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), Section 5.5 of the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057 of the Statutes of 1955), and Sections 13 and 16 of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to the maintenance of the codes.



Senate Constitutional Amendment 30: By Senator Maldonado—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Section 9 to Article II thereof, by amending, repealing, and adding Sections 3, 8, 10, and 12 to Article IV thereof, by amending Sections 6 and 10.5 of, by adding Section 14 to, and by amending, repealing, and adding Sections 1, 2, 3, and 8 to, Article XIII B thereof, and by amending Sections 8, 8.5, and 20 of Article XVI thereof, relating to the state budget.

Senate Constitutional Amendment 31: By Senator Simitian—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article X C thereto, relating to resources.

Senate Joint Resolution 30: By Senator Chesbro—Relative to alcoholic beverages.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 358)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 358 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 358

Assembly Bill 358—An act to amend Section 69435 of, and to add Section 69432.3 to, the Education Code, relating to student financial aid.

Bill read.

Motion to Amend

Amendments to AB 358 proposed by Senator Scott were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1697** was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules; and

SB 1705 was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Environmental Quality.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

SB 306—That the Assembly amendments be concurred in

AYES (8)—Senators Aanestad, Alquist, Ashburn, Dutton, Murray, Poochigian, Romero, and Torlakson.

NOES (0)—None.



AB 146—Do pass

AYES (9)—Senators Aanestad, Alquist, Ashburn, Dutton, Florez, Murray, Poochigian, Romero, and Torlakson.

NOES (0)—None.

Date of Hearing: 4/6/2006

Murray (Chair)

Committee on Banking, Finance and Insurance**SB 1207—Do pass as amended and re-refer to Committee on Judiciary**

AYES (7)—Senators Florez, Lowenthal, Machado, Murray, Romero, Scott, and Speier.

NOES (1)—Senator Cox.

SB 1492—Do pass as amended and re-refer to Committee on Rules

AYES (8)—Senators Cox, Florez, Lowenthal, Machado, Murray, Romero, Scott, and Speier.

NOES (0)—None.

SB 1622—Do pass as amended and re-refer to Committee on Health

AYES (7)—Senators Florez, Lowenthal, Machado, Murray, Romero, Scott, and Speier.

NOES (1)—Senator Cox.

SB 1699—Do pass as amended and re-refer to Committee on Judiciary

AYES (8)—Senators Cox, Florez, Lowenthal, Machado, Murray, Romero, Scott, and Speier.

NOES (0)—None.

SB 1704—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Cox, Florez, Lowenthal, Machado, Maldonado, Murray, Romero, Scott, and Speier.

NOES (0)—None.

SB 1823—Reconsideration granted

AYES (5)—Senators Lowenthal, Murray, Romero, Scott, and Speier.

NOES (2)—Senators Cox and Florez.

Failed passage

Date of Hearing: 4/5/2006

Speier (Chair)

Committee on Elections, Reapportionment and Constitutional Amendments**SB 1120—Do pass and re-refer to Committee on Appropriations**

AYES (2)—Senators Bowen and Murray.

NOES (0)—None.

Failed passage

SB 1120—Reconsideration granted

AYES (4)—Senators Bowen, Murray, Poochigian, and Romero.

NOES (0)—None.



SB 1354—Do pass as amended and re-refer to Committee on Judiciary

AYES (2)—Senators Bowen and Romero.

NOES (0)—None.

Failed passage

SB 1354—Reconsideration granted

AYES (4)—Senators Bowen, Murray, Poochigian, and Romero.

NOES (0)—None.

SB 1519—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Bowen, Murray, Poochigian, and Romero.

NOES (0)—None.

SB 1598—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Bowen, Murray, and Romero.

NOES (1)—Senator Poochigian.

SB 1654—Do pass as amended

AYES (3)—Senators Bowen, Murray, and Romero.

NOES (0)—None.

SB 1693—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Murray, Poochigian, and Romero.

NOES (0)—None.

SB 1725—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Bowen, Murray, Poochigian, and Romero.

NOES (0)—None.

SB 1747—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Bowen, Murray, Poochigian, and Romero.

NOES (0)—None.

SCA 4—Committee amendments

AYES (2)—Senators Bowen and Murray.

NOES (0)—None.

SCA 4—Be adopted as amended and re-refer to Committee on Appropriations.

AYES (1)—Senator Bowen.

NOES (2)—Senators Murray and Romero.

Failed passage

Date of Hearing: 4/5/2006

Bowen (Chair)

Committee on Health

SB 1430—Do pass as amended and re-refer to Committee on Rules

AYES (8)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.



SB 1500—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

SB 1532—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Chesbro, Figueroa, and Ortiz.

NOES (1)—Senator Maldonado.

Failed passage

SB 1555—Do pass as amended and re-refer to Committee on Judiciary

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

NOES (3)—Senators Aanestad, Cox, and Runner.

SB 1596—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

Date of Hearing: 4/5/2006

Ortiz (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Cox requested that when the Senate adjourns this day it do so in memory of Jeanne Wilensky of Glencoe.

Senators Hollingsworth and Ducheny requested that when the Senate adjourns this day it do so in memory of Harold Soens of Santee.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Jimmy Dolan of Los Angeles.

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Bernard H. Siegan of San Diego-La Jolla.

Senator Migden requested that when the Senate adjourns this day it do so in memory of Robin Hacker of Costa Mesa.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Leonard Stephen Perry, Myrlee “Molly” Buchanan, Jeannette Mamigonian and Macon L. Steele of Fresno.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Rose Pierce of Brentwood.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators’ requests until 2 p.m., Monday, April 17, 2006.

PAULA K. ROSSETTO, Minute Clerk

