

## CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED NINETY-EIGHTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, May 18, 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, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent—37.

Quorum present.

*(NOTE: Senators Dunn and Hollingsworth will be excused this day on legislative business.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Senator Scott

*God, Creator of the Universe, Yet Loving Father of Us All, We thank You for our opportunity of service to the people of California. Grant us wisdom in our decisions, particularly as we enact laws, vote on legislation, and work together to compose a state budget at this time.*

Also, grant us understanding and a forgiving spirit as we interact with one another.

Lessen our anger and reduce our tendency toward harsh judgments. May we work together for the common good rather than our own interests.

All this we ask in Your name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**REPORTS OF STANDING COMMITTEES****Committee on Banking, Finance and Insurance**

Senate Chamber, May 18, 2006

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

AB 264

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

SPEIER, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 264**—An act to amend Section 1367.06 of the Health and Safety Code, relating to health care service plans.

Bill read second time.

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

Senate Chamber, May 18, 2006

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

AB 1959

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

SPEIER, Chair



**Second Reading of Bills—Author's Amendments**

**Assembly Bill 1959**—An act to amend Sections 114, 600, 603, 1301, 1501, 8321, 12591, 15634, 17106, 28501 of the Corporations Code, relating to corporations.

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 1814**—An act to amend Section 17072.35 of the Education Code, and to amend Section 21157 of, and to add Section 21067.5 to, the Public Resources Code, relating to environmental quality, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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 1688**—An act to add and repeal Chapter 1.5 (commencing with Section 16040) of Part 4 of Division 9 of the Welfare and Institutions Code, relating to foster care, and making an appropriation therefor.

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

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 713**—An act to amend Section 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 3 and 4 of Chapter 697 of the Statutes of 2002, relating to transportation.

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 Appropriations.

**MOTION TO TAKE MEASURE FROM THE INACTIVE FILE**

Senator Margett moved that **SB 1507** be taken from the inactive file and placed on the second reading file.

Motion carried.

**RE-REFERENCE TO COMMITTEE**

Pursuant to Joint Rule 10.5, **SB 1405** was re-referred to the Committee on Appropriations.



**CONSENT CALENDAR****Objections Raised**

Senator Cox objected to **SB 1659** being on the Consent Calendar.

The President ordered the above measure placed on the third reading file.

Senator Morrow objected to **SB 1179** being on the Special Consent Calendar and requested that the measure be placed on the Inactive File.

The President ordered the above measure placed on the Inactive File.

**MEASURES WITHDRAWN FROM COMMITTEE**

Without objection, **SCR 88**, **SCR 89**, **SCR 115**, **SCR 119**, and **SR 30** were withdrawn from Committee and placed on today's Special Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS**

**Senate Bill 1273**—An act to amend Section 20057 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time and presented by Senator Soto.

**Roll Call**

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

AYES (28)—Senators Aanestad, Alarcón, Alquist, Ashburn, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ackerman, McClintock, and Poochigian.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Ducheny.

**Roll Call**

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

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator Alquist.

Bill ordered transmitted to the Assembly.

**Senate Bill 1430**—An act to amend Section 56.10 of the Civil Code, to amend Sections 101080 and 101085 of, and to add Sections 101080.2 and 120176 to, the Health and Safety Code, relating to public health.

Bill read third time and presented by Senator Alquist.



**Roll Call**

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

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

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

**Senate Bill 1523**—An act to add Section 65957.3 to the Government Code, relating to land use.

Bill read third time and presented by Senator Alarcón.

**Roll Call**

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

AYES (24)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Cox, Denham, Dutton, Maldonado, Margett, McClintock, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1539**—An act to add Section 379.9 to the Public Utilities Code, relating to energy resources.

Bill read third time and presented by Senator Kehoe.

**Roll Call**

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

AYES (27)—Senators Alarcón, Alquist, Battin, Bowen, Cedillo, Chesbro, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Cox, Margett, McClintock, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1726**—An act to add Section 25353 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Lowenthal.

**Roll Call**

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

AYES (27)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Escutia, Figueroa, Kehoe, Kuehl, Lowenthal,



Machado, Margett, Migden, Murray, Ortiz, Perata, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Ashburn, Battin, Maldonado, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

**Senate Bill 1230**—An act to add Section 14071.1 to the Corporations Code, to add Section 63040.5 to the Government Code, and to add and repeal Section 40602.5 of, and to add and repeal Chapter 5.8 (commencing with Section 40610) of Part 3 of Division 26 of, the Health and Safety Code, relating to air pollution.

Bill read third time and presented by Senator Florez.

#### Roll Call

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

AYES (32)—Senators Ackerman, Alarcón, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (4)—Senators Aanestad, Battin, Dutton, and McClintock.

Bill ordered transmitted to the Assembly.

**Senate Bill 1509**—An act to add Section 65863.14 to the Government Code, relating to zoning.

Bill read third time and presented by Senator Soto.

#### Roll Call

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

AYES (25)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Denham, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Margett, McClintock, Morrow, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1541**—An act to amend Sections 1750.2 and 1752.5 of, and to add Section 1750.4 to, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

Bill read third time and presented by Senator Ducheny.

#### Roll Call

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz,



Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1611**—An act to add Section 9250.6 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Simitian.

#### Roll Call

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

AYES (21)—Senators Alarcón, Alquist, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Denham, Dutton, Machado, Maldonado, McClintock, Morrow, Poochigian, Runner, and Speier.

Bill ordered transmitted to the Assembly.

**Senate Bill 1661**—An act to amend Section 130060 of the Health and Safety Code, relating to health facilities.

Bill read third time and presented by Senator Cox.

#### Roll Call

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

AYES (30)—Senators Aanestad, Ackerman, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Poochigian, Runner, Scott, Speier, Torlakson, and Vincent.

NOES (3)—Senators Alarcón, Alquist, and Romero.

Bill ordered transmitted to the Assembly.

**Senate Bill 1126**—An act to amend Section 3 of Chapter 1086 of the Statutes of 1970, relating to tidelands and submerged lands of the City of Eureka.

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 (23)—Senators Alquist, Bowen, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, Maldonado, Margett, McClintock, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.



**Senate Bill 1253**—An act to add Section 422.3 to the Government Code, relating to wine.

Bill read third time and presented by Senator Migden.

The roll was called.

#### **CALL OF THE SENATE**

Pending the announcement of the vote, Senator Migden moved a call of the Senate.

Motion carried.

#### **REQUEST FOR UNANIMOUS CONSENT (ACR 139)**

Senator Dutton asked for, and was granted, unanimous consent that ACR 139 be withdrawn from committee and taken up at this time, without reference to file.

#### **Consideration of Assembly Concurrent Resolution 139**

**Assembly Concurrent Resolution 139**—Relative to NASCAR.

Resolution read.

#### **Roll Call**

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

#### **CONSIDERATION OF DAILY FILE (RESUMED)**

#### **THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1543**—An act to add Section 66205.7 to the Education Code, relating to the high school curriculum.

Bill read third time and presented by Senator Alarcón.

#### **Roll Call**

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

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.





**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 1253)**

On motion of Senator Migden, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SB 1253 was passed by the following vote:

AYES (21)—Senators Alarcón, Alquist, Bowen, Cedillo, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Margett, Migden, Murray, Perata, Romero, Scott, Simitian, Soto, Torlakson, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Chesbro, Cox, Denham, Dutton, Machado, Maldonado, McClintock, Morrow, and Runner.

Above bill ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT (SCR 116)**

Senator Cedillo asked for, and was granted, unanimous consent that SCR 116 be withdrawn from committee and taken up at this time, without reference to file.

**Consideration of Senate Concurrent Resolution 116**

**Senate Concurrent Resolution 116**—Relative to foster care.

Resolution read third time and presented by Senator Cedillo.

**Roll Call**

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1546**—An act to add Section 78010 to the Education Code, relating to community colleges.

Bill read third time and presented by Senator Alarcón.

**Roll Call**

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

AYES (25)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal,

Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, and Torlakson.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

**Senate Bill 1769**—An act to amend Section 54693 of the Education Code, relating to partnership academies.

Bill read third time and presented by Senator Escutia.

#### Roll Call

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

AYES (26)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, Margett, McClintock, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1749**—An act to amend Section 640 of the Penal Code, and to add Chapter 8 (commencing with Section 99580) to Part 11 of Division 10 of the Public Utilities Code, relating to transit.

Bill read third time and presented by Senator Migden.

#### Roll Call

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

AYES (23)—Senators Alquist, Ashburn, Bowen, Cedillo, Chesbro, Ducheny, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Battin, Cox, Denham, Maldonado, Margett, McClintock, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1402**—An act to amend Section 262 of the Penal Code, relating to spousal rape.

Bill read third time and presented by Senator Kuehl.

#### Roll Call

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

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Chesbro, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.



**Senate Bill 1384**—An act to amend Sections 132610, 132625, 132645, and 132650 of the Public Utilities Code, relating to transportation.  
Bill read third time and presented by Senator Kuehl.

**Roll Call**

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

AYES (30)—Senators Aanestad, Alarcón, Alquist, Ashburn, Bowen, Chesbro, Cox, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Ackerman, Denham, and McClintock.

Bill ordered transmitted to the Assembly.

**Senate Bill 1397**—An act to add Chapter 5.8 (commencing with Section 2697) to Division 2 of the Business and Professions Code, relating to athletic trainers.

Bill read third time and presented by Senator Lowenthal.

**Roll Call**

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

AYES (28)—Senators Alarcón, Alquist, Battin, Bowen, Chesbro, Denham, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (6)—Senators Aanestad, Ackerman, Ashburn, Cox, McClintock, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1432**—An act to amend Sections 53312.7, 53313, 53313.4, 53313.5, 53313.6, 53313.9, 53314.6, 53316.2, 53317, 53318, 53319, 53320, 53321.5, 53322.4, 53323, 53324, 53325, 53325.1, 53326, 53327, 53328, 53328.3, 53329, 53330.5, 53332, 53336, 53339, 53339.2, 53339.3, 53339.5, 53339.6, 53339.7, 53339.8, 53340, 53340.2, 53341.5, 53343, 53343.1, 53344, 53345, 53352, 53354, 53355, 53356, 53356.1, 53356.3, 53356.9, 53359.5, 53360, 53362.5, 53363.7, 53364.2, 53364.5, and 53753 of, to add Sections 53340.25 and 53356.15 to, and to repeal Sections 53313.85 and 53344.2 of, the Government Code, to amend Sections 3704 and 3712 of the Revenue and Taxation Code, and to amend Sections 3114.5, 3115.5, and 3117.5 of the Streets and Highways Code, relating to community facilities districts.

Bill read third time and presented by Senator Lowenthal.

The roll was called.



**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Lowenthal moved a call of the Senate.

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1403**—An act to amend Section 14132.88 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Scott.

**Roll Call**

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

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 1432)**

On motion of Senator Lowenthal, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SB 1432 was passed by the following vote:

AYES (21)—Senators Alarcón, Alquist, Cedillo, Chesbro, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Bowen, Cox, Denham, Dutton, Maldonado, McClintock, Poochigian, and Runner.

Above bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1207**—An act to amend Section 708 of, and to add Section 708.5 to, the Corporations Code, relating to corporations.

Bill read third time and presented by Senator Alarcón.

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Alarcón moved a call of the Senate.

Motion carried.



**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Concurrent Resolution 85**—Relative to American Stroke Month.

Resolution presented by Senator Alquist.

The question being: Shall the Senate concur in the Assembly amendments to SCR 85?

**Roll Call**

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Above resolution ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill 1699**—An act to amend Section 1747.09 of the Civil Code, relating to financial transactions.

Bill read third time and presented by Senator Bowen.

**Roll Call**

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

AYES (32)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, McClintock, Migden, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator Ackerman.

Bill ordered transmitted to the Assembly.

**Senate Bill 1677**—An act to amend Sections 17077.40 and 17077.42 of the Education Code, relating to school facilities.

Bill read third time and presented by Senator Torlakson.

**Roll Call**

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

AYES (22)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Murray, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Denham, Dutton, Maldonado, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.



**Senate Bill 1223**—An act to add Section 1367.195 to the Health and Safety Code, and to add Section 10123.75 to the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Scott.

**Roll Call**

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

AYES (29)—Senators Alarcón, Alquist, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (6)—Senators Aanestad, Ackerman, Ashburn, McClintock, Morrow, and Runner.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Lowenthal.

**Roll Call**

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**Senate Bill 1398**—An act relating to Medi-Cal.

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 (33)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (2)—Senators McClintock and Morrow.

Bill ordered transmitted to the Assembly.

**Senate Bill 1542**—An act to add Section 9954 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Migden.



**Roll Call**

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

AYES (26)—Senators Aanestad, Alarcón, Alquist, Ashburn, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Morrow, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (5)—Senators Ackerman, Cox, Dutton, Margett, and McClintock.

Bill ordered transmitted to the Assembly.

**Senate Bill 1557**—An act to add Part 8.2 (commencing with Section 32600) to Division 12 of the Water Code, relating to water.

Bill read third time and presented by Senator Ducheny.

**Roll Call**

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

AYES (29)—Senators Ackerman, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (5)—Senators Aanestad, Cox, Dutton, McClintock, and Poochigian.

Bill ordered transmitted to the Assembly.

**Senator Romero Presiding**

**Senate Bill 1627**—An act to add Sections 65850.6 and 65964 to the Government Code, relating to telecommunications.

Bill read third time and presented by Senator Kehoe.

**Roll Call**

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

AYES (33)—Senators Aanestad, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator Ackerman.

Bill ordered transmitted to the Assembly.

**Senate Bill 1711**—An act to amend Section 104900 of the Health and Safety Code, relating to flu vaccinations.

Bill read third time and presented by Senator Ortiz.

**Roll Call**

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

AYES (21)—Senators Alarcón, Alquist, Bowen, Chesbro, Ducheny, Escutia, Kehoe, Kuehl, Lowenthal, Machado, McClintock, Migden,



Murray, Ortiz, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, Margett, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1742**—An act to amend Section 736 of the Welfare and Institutions Code, relating to juveniles.

Bill read third time and presented by Senator Machado.

#### Roll Call

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

AYES (23)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Margett, Migden, Murray, Ortiz, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, Maldonado, McClintock, Morrow, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

**Senate Bill 1755**—An act to add Sections 14550.5 and 14550.6 to, and to repeal and add Section 14525 of, the Welfare and Institutions Code, relating to Medi-Cal.

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 (26)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Dutton, McClintock, Poochigian, and Runner.

Bill ordered transmitted to the Assembly.

#### Senator Perata Presiding

**Senate Bill 1835**—An act to add Section 44013 to the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Florez.

#### Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alquist, Battin, Bowen, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Perata, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

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





**Roll Call**

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

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alquist, Battin, Bowen, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Florez, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Perata, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

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

Bill ordered transmitted to the Assembly.

**Senate Bill 1534**—An act to add Division 8.75 (commencing with Section 9850) to the Welfare and Institutions Code, relating to low-income assistance.

Bill read third time and presented by Senator Alarcón.

**Roll Call**

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

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

Bill read third time and presented by Senator Battin.

**Roll Call**

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

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**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 third time and presented by Senator Alquist.



**Roll Call**

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

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

NOES (3)—Senators Ackerman, Margett, and Morrow.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SB 1207)**

On motion of Senator Alarcón, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SB 1207 was passed by the following vote:

AYES (21)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Ducheny, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Murray, Ortiz, Perata, Romero, Scott, Simitian, Torlakson, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Denham, Dutton, Maldonado, Margett, McClintock, Morrow, Poochigian, and Runner.

Above bill ordered transmitted to the Assembly.

**CONSENT CALENDAR**

**Senate Bill 1852**—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 Floor 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.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1186**—An act to amend Section 35756.5 of the Education Code, relating to school district reorganization.

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

*(NOTE: See Consent Calendar Roll Call)*

**Assembly Bill 385**—An act to amend Section 50079 of the Government Code, relating to taxation.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1652**—An act to amend Section 81378 of the Education Code, relating to community colleges.

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

*(NOTE: See Consent Calendar Roll Call)*

#### **SPECIAL CONSENT CALENDAR**

**Senate Concurrent Resolution 88**—Relative to California Hispanic Heritage Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Concurrent Resolution 89**—Relative to California Indian Heritage Month.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Concurrent Resolution 115**—Relative to “Year of the Community.”

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Concurrent Resolution 119**—Relative to the Polio Awareness Year.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Resolution 30**—Relative to Educational Options Month.

Resolution read and adopted.

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 1116**—An act to amend Sections 2352, 2540, 2543, 2590, and 2591 of, and to add Sections 2352.5 and 2591.5 to, the Probate Code, relating to conservatorships.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1292**—An act to amend Section 442256 of, and to add Section 44253.11 to, the Education Code, relating to teaching credentials.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1304**—An act to add Section 81005 to the Education Code, relating to community colleges.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1320**—An act to add and repeal Section 1203.077 of the Penal Code, relating to probation.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1325**—An act to amend Sections 7620, 7630, 7633, 7825, and 8700, of, and to add Sections 7606 and 8613.5 to, the Family Code, relating to adoption.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1364**—An act to add Section 351.5 to the Family Code, relating to marriage licenses.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1462**—An act to amend Sections 791.15 and 791.16 of the Insurance Code, relating to insurance.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1533**—An act to amend Sections 44392 and 44393 of the Education Code, relating to paraprofessional teachers.

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

*(NOTE: See Consent Calendar Roll Call)*

**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 third time, passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*





**Senate Bill 1637**—An act to amend Sections 75.21, 276.1, 276.2, 277, and 408 of the Revenue and Taxation Code, relating to taxation.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1840**—An act to amend Section 53115.1 of the Government Code, to amend Sections 7300, 7300.1, and 7300.2 of the Labor Code, and to amend Sections 1031, 1032, 1032.1, 5353, and 5374 of, and to repeal Section 5375.1 of, the Public Utilities Code, relating to public safety.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1849**—An act to amend Sections 8726, 8771, 22351.5, and 22355 of the Business and Professions Code, relating to professions and vocations.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1850**—An act to amend Sections 127931, 128125, 128135, 128198, 128200, 128260, 128385, 128485, 128737, 128765, 128770, and 128775 of, to amend the heading of Chapter 4 (commencing with Section 128200) of, to amend the heading of Article 1 (commencing with Section 128200) of Chapter 4 of, Part 3 of Division 107 of the Health and Safety Code, relating to health care.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1846**—An act to amend Sections 6309, 6313, and 6314 of the Public Resources Code, relating to public resources.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1824**—An act to add and repeal Section 44259.8 of the Education Code, relating to teacher credentialing.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1244**—An act to add Section 328 to the Military and Veterans Code, relating to the National Guard.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1340**—An act to amend Sections 17213.5, 17406, and 17600 of the Financial Code, relating to escrow agents.

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

*(NOTE: See Consent Calendar Roll Call)*



**Senate Bill 1448**—An act to amend Section 14166.21 of, and to add and repeal Part 3.5 (commencing with Section 15900) of Division 9 of, the Welfare and Institutions Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1415**—An act to amend Section 17462 of the Education Code, relating to school property.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1807**—An act to add Section 11011.28 to the Government Code, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1524**—An act to add Section 354.45 to the Code of Civil Procedure, relating to civil actions.

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

*(NOTE: See Consent Calendar Roll Call)*

**Senate Bill 1743**—An act to amend Section 1277 of the Code of Civil Procedure, to amend Sections 917, 1035, 1035.2, 1035.8, and 1036 of, to amend the headings of Article 8.5 (commencing with Section 1035), Article 8.7 (commencing with Section 1037), and Article 8.8 (commencing with Section 1038) of Chapter 4 of Division 8 of, the Evidence Code, to amend Section 6276.40 of the Government Code, and to amend Sections 264.2, 679.04, and 11163.3 of the Penal Code, relating to victims of crime.

Bill read third time, passed, 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 (37)—Senators Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dutton, Escutia, Figueroa, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.





**REQUEST TO BE ADDED TO ROLL CALL**

May 18, 2006

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1273—No	SB 1290—Aye	SB 1523—No
SB 1539—No	SB 1726—No	SB 1230—Aye
SB 1509—No	SB 1541—Aye	SB 1611—No
SB 1661—Aye	SB 1126—No	SB 1253—No
SB 1543—Aye	SB 1546—No	SB 1769—No
SB 1749—No	SB 1402—Aye	SB 1384—No
SB 1397—No	SB 1432—No	SB 1403—Aye
SB 1207—No	SB 1699—No	SB 1677—No
SB 1223—No	SB 1398—Aye	SB 1542—No
SB 1557—Aye	SB 1627—No	SB 1711—No
SB 1742—No	SB 1755—No	SB 1835—Aye
SB 1301—No		

DICK ACKERMAN, Minority Floor Leader

**LEAVES OF ABSENCE FOR THE DAY**

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

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

At 11:15 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, May 22, 2006.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 18, 2006

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

SCR 84

Above resolution ordered enrolled.

Assembly Chamber, May 18, 2006

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

SB 1154

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

Above measure ordered to unfinished business file.

Assembly Chamber, May 18, 2006

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

AB 1797	AB 2449	AB 2165	AB 2654
AB 1858	AB 2459	AB 2179	AB 2694
AB 1951	AB 2525	AB 2198	AB 2722
AB 1986	AB 2646	AB 2256	AB 2736
AB 2118	AB 2672	AB 2259	AB 2756
AB 2125	AB 2740	AB 2272	AB 2782
AB 2135	AB 2757	AB 2285	AB 2790
AB 2184	AB 2768	AB 2324	AB 2810
AB 2187	AB 2872	AB 2332	AB 2823
AB 2220	AB 2882	AB 2373	AB 2897
AB 2226	AB 2972	AB 2387	AB 2991
AB 2247	AB 3013	AB 2403	AB 2995
AB 2251	AB 3020	AB 2408	AB 3063
AB 2265	AB 3071	AB 2550	AB 3072
AB 2289	AB 1850	AB 2595	AB 3073
AB 2357	AB 1864	AB 2610	AB 3074
AB 2381	AB 2087	AB 2638	AB 3076
AB 2386	AB 2137	AB 2652	

Assembly Chamber, May 18, 2006

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

ACR 142

ACR 146

Assembly Chamber, May 18, 2006

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

AB 881

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 1797**—An act to amend Section 71601 of the Government Code, relating to trial courts.

**Assembly Bill 1858**—An act to amend Sections 358, 478, and 504 of the Streets and Highways Code, relating to highways.

**Assembly Bill 1951**—An act to add Section 3517.9 to the Government Code, relating to public employment.

**Assembly Bill 1986**—An act to add Section 89911 to the Education Code, and to amend Sections 10701 and 10704 of, and to add Section 10706.5 to, the Public Contract Code, relating to public contracts.

**Assembly Bill 2118**—An act to amend Section 40116 of the Public Resources Code, relating to solid waste.

**Assembly Bill 2125**—An act to amend Sections 673, 677, 923.5, 1215.13, 1676, 1707, 1733, 1749, 1775.4, 1808, 11558, and 11629.85 and to add Sections 1064.13, and 11549 to, the Insurance Code, and to amend Section 12253 of the Revenue and Taxation Code, relating to insurance.

**Assembly Bill 2135**—An act to add Section 53153.5 to the Government Code, relating to emergency services.

**Assembly Bill 2184**—An act to amend Section 1566.3 of the Health and Safety Code, relating to residential facilities.

**Assembly Bill 2187**—An act to amend Section 3080.02 of the Civil Code, relating to livestock.

**Assembly Bill 2220**—An act to amend Sections 5133, 5134, 5142, 5258, and 5285 of, and to add Section 5192 to, the Public Utilities Code, relating to public utilities.

**Assembly Bill 2226**—An act to add Article 6.7 (commencing with Section 124123) to Chapter 3 of Part 2 of Division 102 of the Health and Safety Code, relating to diabetes screening.

**Assembly Bill 2247**—An act to amend Section 8616.5 of, and to add Section 8617.1 to, the Business and Professions Code, relating to structural pest control.

**Assembly Bill 2251**—An act to add Chapter 3.25 (commencing with Section 6218) to Division 7 of Title 1 of the Government Code, relating to reproductive health care services.

**Assembly Bill 2265**—An act to amend Section 76104.1 of the Government Code, and to amend Section 42007.5 of the Vehicle Code, relating to emergency medical services.

**Assembly Bill 2289**—An act to amend Sections 22750, 22751, 22752, 22753, and 22754 of the Business and Professions Code, relating to bakery trays.

**Assembly Bill 2357**—An act to amend Section 5349.5 of the Welfare and Institutions Code, relating to mental health.

**Assembly Bill 2381**—An act to amend Section 94985 of the Education Code, relating to private postsecondary education .

**Assembly Bill 2386**—An act to amend Section 20400 of, and to add Section 9093.5 to, the Elections Code, relating to elections.



**Assembly Bill 2449**—An act to add Chapter 5.1 (commencing with Section 42247) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

**Assembly Bill 2459**—An act to amend Sections 102, 104, 9022, 9209, and 9307 of the Elections Code, relating to initiatives.

**Assembly Bill 2525**—An act to add Section 14628 to the Government Code, relating to the State Capitol.

**Assembly Bill 2646**—An act to add Section 13519.10 to the Penal Code, relating to the Commission on Peace Officer Standards and Training.

**Assembly Bill 2672**—An act to amend Section 23987 of the Business and Professions Code, relating to alcoholic beverages.

**Assembly Bill 2740**—An act to amend Sections 37220 and 38131 of the Education Code, relating to school facilities.

**Assembly Bill 2757**—An act to add Sections 1241.1 and 1265.1 to the Business and Professions Code, and to add Section 14115.41 to the Welfare and Institutions Code, relating to clinical laboratories.

**Assembly Bill 2768**—An act to add Section 44825 to the Education Code, relating to school districts.

**Assembly Bill 2872**—An act to amend Section 5019 of the Education Code, relating to school districts.

**Assembly Bill 2882**—An act to add Section 53395.85 to the Government Code, relating to infrastructure financing districts.

**Assembly Bill 2972**—An act to add Section 6872 to the Public Resources Code, relating to oil and gas leases.

**Assembly Bill 3013**—An act to add Sections 56.1005 and 56.1007 to, and to repeal Section 56.16 of, the Civil Code, relating to medical information.

**Assembly Bill 3020**—An act to amend Sections 11211.5, 11226, 11267, and 11275 of, and to add Sections 11226.1, 11265.1, and 11265.2 to, the Business and Professions Code, relating to time-share developments.

**Assembly Bill 3071**—An act to amend Sections 104770 and 104775 of the Health and Safety Code, relating to dental health.

**Assembly Bill 1850**—An act to amend Sections 12810, 21712, and 42001 of, and to add Section 42002.1 to, the Vehicle Code, relating to vehicles.

**Assembly Bill 1864**—An act relating to park lands.



**Assembly Bill 2087**—An act to amend Section 3702.2 of the Labor Code, relating to workers' compensation.

**Assembly Bill 2137**—An act to amend Sections 102022, 102023, 102055, 102100.1, 102100.3, 102100.7, 102100.8, 102100.9, 102105, 102106, 102122, 102141, 102205, 102206, 102265, 102311, 102351, 102501, 102509, and 102510 of, to add Sections 102100.10 and 102105.1 to, to repeal Section 102024 of, and to repeal and add Sections 102025, 102026, 102027, 102028, 102100.4, 102100.5, 102100.6 of, the Public Utilities Code, relating to transportation.

**Assembly Bill 2165**—An act to add Section 67362 to the Education Code, relating to postsecondary education.

**Assembly Bill 2179**—An act to add Article 3.7 (commencing with Section 92037) to Chapter 1 of Part 57 of the Education Code, relating to public postsecondary education.

**Assembly Bill 2198**—An act to amend Sections 725, 2241, 2242, and 2242.1 of, and to repeal and add Section 2241.5 of, the Business and Professions Code, and to amend Section 11156 of the Health and Safety Code, relating to healing arts.

**Assembly Bill 2256**—An act to amend Sections 3077, 3166, and 5615 of, to add Sections 3111, 5678, 5678.1, 5678.2, 5678.3, and 5678.4 to, to repeal Sections 3161, 3162, 5678.5, and 5679.5 of, and to repeal and add Section 3160 of, the Business and Professions Code, to amend Section 13401 of the Corporations Code, and to add Section 15770.5 to the Government Code, relating to professions and vocations.

**Assembly Bill 2259**—An act to amend Section 56434 of the Government Code, relating to local agency formation.

**Assembly Bill 2272**—An act to amend Section 1475 of the Penal Code, relating to criminal procedure.

**Assembly Bill 2285**—An act to amend Section 13300 of the Business and Professions Code, relating to automatic check out systems.

**Assembly Bill 2324**—An act to repeal Chapter 214 of the Statutes of 1937, Chapter 1835 of the Statutes of 1961, and Chapter 1828 of the Statutes of 1963, relating to tidelands and submerged lands and to convey certain tidelands and submerged lands to the City of Pittsburgh.

**Assembly Bill 2332**—An act to amend Sections 21111 and 21141 of, and to add Sections 21111.5 and 21142 to the Food and Agricultural Code, relating to cattle.

**Assembly Bill 2373**—An act to amend Section 1261.6 of the Health and Safety Code, relating to health facilities.

**Assembly Bill 2387**—An act to amend Section 1749 of the Insurance Code, relating to agents.



**Assembly Bill 2403**—An act to amend Section 1597.46 of the Health and Safety Code, relating to child day care.

**Assembly Bill 2408**—An act to amend Sections 4036, 4037, 4050, 4051, 4052, 4112, 4120, 4201, 4207, 4301, and 4306.5 of, to amend, renumber, and add Section 4052.1 of, to add Sections 4052.2 and 4052.3 to, and to repeal and add Section 4303 of, the Business and Professions Code, relating to pharmacies.

**Assembly Bill 2550**—An act to amend Sections 18973.5, 18974.5, and 18978 of, and to add Section 18973.1 to, the Government Code, and to amend Section 391 of the Military and Veterans Code, relating to military benefits.

**Assembly Bill 2595**—An act to add Division 11 (commencing with Section 19000) to the Unemployment Insurance Code, relating to manufacturing.

**Assembly Bill 2610**—An act to amend Section 33459.3 of the Health and Safety Code, relating to redevelopment.

**Assembly Bill 2638**—An act to amend Section 50843 of the Health and Safety Code, relating to housing.

**Assembly Bill 2652**—An act to add Sections 17558.7, 17558.8, and 17602 to the Government Code, relating to state mandates.

**Assembly Bill 2654**—An act to amend Section 60510 of, and to repeal Section 60511 of the Education Code, relating to instructional materials.

**Assembly Bill 2694**—An act to amend Section 11594 of the Health and Safety Code, relating to controlled substances.

**Assembly Bill 2722**—An act to amend Section 60200 of the Education Code, relating to instructional materials.

**Assembly Bill 2736**—An act to amend Section 1651.5 of, to repeal Section 4601.5 of, and to add Article 5 (commencing with Section 8100) to Chapter 4 of Division 3 of, the Vehicle Code, relating to vehicles.

**Assembly Bill 2756**—An act to add Chapter 6 (commencing with Section 63090) to Division 1 of Title 6.7 of the Government Code, relating to energy bonds, and making an appropriation thereof.

**Assembly Bill 2782**—An act to add Section 5080.41 to the Public Resources Code, relating to parks.

**Assembly Bill 2790**—An act relating to parks.

**Assembly Bill 2810**—An act to amend Sections 94830 and 94831 of the Education Code, relating to private postsecondary education.

**Assembly Bill 2823**—An act to amend Section 42421 of the Health and Safety Code, relating to air pollution.



**Assembly Bill 2897**—An act to add Sections 7121.6, 7121.65, 7121.7, and 7121.8 to the Business and Professions Code, relating to contractors.

**Assembly Bill 2991**—An act to amend Section 1701 of the Harbors and Navigation Code, relating to harbors and ports.

**Assembly Bill 2995**—An act to amend Section 66907.4 of the Government Code, relating to the California Tahoe Conservancy.

**Assembly Bill 3063**—An act to amend Sections 15101, 15120, 15266, 15341, and 15343 of the Education Code, and to amend Sections 8605, 9400, and 9402 of, and to add Section 8004 to, the Elections Code, relating to elections.

**Assembly Bill 3072**—An act to amend Section 1063.75 of the Insurance Code, relating to workers' compensation insurance.

**Assembly Bill 3073**—An act to amend Section 17506 of the Family Code, to amend Sections 4217.11, 14710, and 15814.11 of the Government Code, to amend Section 637.5 of the Penal Code, to amend Sections 247, 247.1, 490, 1013, 2883, 2885.6, 2886, 2890.2, 2892, 2892.3, 2892.5, 2894, 7000, and 7943 of, to amend and renumber Sections 215.5, 216.5, 218.5, and 224.5 of, and to add Sections 216.8 and 224.4 to, the Public Utilities Code, relating to public utilities.

**Assembly Bill 3074**—An act to amend Sections 56036, 56074, 56128, 56661, 56663, and 56668 of the Government Code, to amend Sections 4730.4, 6480.1, and 32100.05 of the Health and Safety Code, to amend Section 9301.1 of the Public Resources Code, and to amend Sections 21552.1, 30500.1, and 71250.1 of the Water Code, relating to local government.

**Assembly Bill 3076**—An act to amend Sections 6360.1, 8106, 9271, 30459.1, 32471, 40211, 41171, 43522, 45867, 46622, 50156.11, 55332, 60063, 60101, 60201.3, 60604, 60606, and 60636 of, to add Sections 9152.2, 30178.3, 30459.15, 32402.2, 32471.5, 38800, 40112.2, 40211.5, 41101.2, 41171.5, 43452.2, 43522.5, 45652.2, 45867.5, 46502.2, 46628, 50140.2, 55222.2, 55332.5, 60522.2, and 60637 to, and to repeal Sections 8106.1, 8106.5, 8106.8, 60045, and 60046 of, the Revenue and Taxation Code, relating to taxation.

**Assembly Concurrent Resolution 142**—Relative to Marco Antonio Firebaugh.

**Assembly Concurrent Resolution 146**—Relative to California Building Safety Week.





**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, May 17, 2006

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

**Agriculture**—AB 2676, AB 2906.

**Banking, Finance and Insurance**—AB 1909, AB 2136, AB 2711, AB 2890.

**Business, Professions and Economic Development**—AB 1796, AB 1868, AB 2260, AB 2283, AB 2456, AB 2457, AB 2592.

**Education**—AB 2023, AB 2030.

**Elections, Reapportionment and Constitutional Amendments**—AB 2275, AB 2358, AB 2363.

**Energy, Utilities and Communications**—AB 2189, AB 2960.

**Environmental Quality**—AB 2206.

**Governmental Organization**—AB 1848, AB 1949, AB 1973, AB 2041, AB 2116, AB 2177, AB 2237, AB 2362, AB 2398.

**Health**—AB 2359, AB 2918.

**Human Services**—AB 2985.

**Judiciary**—AB 1919, AB 2112, AB 2126, AB 2369, AB 2588, AB 2712, AB 2875, AB 2893.

**Labor and Industrial Relations**—AB 2068, AB 2292, AB 2293.

**Local Government**—AB 2091, AB 2236, AB 2346.

**Natural Resources and Water**—AB 2000, AB 2268.

**Public Employment and Retirement**—AB 2242, AB 2244, AB 2309, AB 2351, AB 2903, AB 3041.

**Public Safety**—AB 1832, AB 2049, AB 2111, AB 2129, AB 2139, AB 2229, AB 2519, AB 2612, AB 2814.

**Revenue and Taxation**—AB 1914, AB 2085, AB 2533.

**Rules**—AB 2663.

**Transportation and Housing**—AB 1870, AB 1879, AB 2002, AB 2120, AB 2234, AB 2520.

**Veterans Affairs**—AB 2579, AB 2777.

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

**Appropriations**—SB 1750.





**Business, Professions and Economic Development**—AB 669.

**Elections, Reapportionment and Constitutional Amendments**—  
AB 1361.

**Environmental Quality**—AB 956.

**Health**—AB 1508.

**Public Employment and Retirement**—SCR 117; ACR 116.

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

**Banking, Finance and Insurance and Judiciary**—AB 2815.

**Banking, Finance and Insurance and Veterans Affairs**—AB 2884.

**Environmental Quality and Judiciary**—AB 2144.

**Judiciary and Health** —AB 2360.

**Health and Public Safety**—AB 2282.

**Judiciary and Elections, Reapportionment and Constitutional Amendments**—SCA 32.

**Public Safety and Judiciary** —AB 2695.

**Transportation and Housing and Judiciary**—AB 2100.

**Transportation and Housing and Public Safety**—AB 1976.

State Capitol, May 17, 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:

Darc D. Keller, Assistant Secretary, Health Care Policy, Department of Corrections and Rehabilitation (5–0)

Peter Akos Farber–Szekrenyi, Dr. Ph., Division Chief, Correctional Health Care Services, Department of Corrections and Rehabilitation (5–0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.



State Capitol, May 17, 2006

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

Appointed Mr. Anthony C. Williams of West Sacramento as a member of the California Council for Interstate Adult Offender Supervision to serve for a term ending May 10, 2010.

Reappointed Paul Blanc, M.D. of San Francisco as a member of the Scientific Review Panel on Toxic Air Contaminants to serve for a term ending January 1, 2009.

Reappointed Ms. Cynthia C. Ong of Sausalito as a member of the California Architects Board to serve for a term ending June 1, 2010.

Reappointed Ms. Christine Essel of Los Angeles and appointed Mr. Howard Rose of Encino as members of the California Film Commission to serve two-year terms at the pleasure of the Rules Committee.

Appointed Ms. Juanita S. Lopez of Elk Grove as a member of the Hearing Aid Dispensers Advisory Committee to serve for a term ending January 1, 2009.

Appointed Mr. David Steinhart of Mill Valley as a member of the State Commission on Juvenile Justice to serve for a term ending July 1, 2008.

Appointed Ms. Sandra Magana of Monterey Park and reappointed Richard Sheldon, M.D. of Redlands as members of the Respiratory Care Board of California. Ms. Magana will serve for a term ending June 1, 2009, and Dr. Sheldon will serve for a term ending June 1, 2010.

PERATA, Chair

### **Committee on Appropriations**

Senate Chamber, May 18, 2006

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

SB 1453	SB 1490	SB 1702
SB 1788	SB 1826	

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 1453**—An act to add and repeal Section 2933.4 of the Penal Code, relating to prisoners.

Bill read second time.

**Senate Bill 1490**—An act to add Sections 9611, 9612, and 9613 to the Business and Professions Code, relating to cemeteries.

Bill read second time.



**Senate Bill 1702**—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to pharmacy assistance.

Bill read second time.

**Senate Bill 1788**—An act to amend Section 884 of the Public Utilities Code, relating to broadband services.

Bill read second time.

**Senate Bill 1826**—An act to add Chapter 6.15 (commencing with Section 25406) to Division 20 of the Health and Safety Code, relating to toxic substances.

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, May 18, 2006

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

AB 167

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**

**Assembly Bill 167**—An act to amend Section 653m of the Penal Code, relating to crime.

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, May 18, 2006

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

ACR 47

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**

**Assembly Concurrent Resolution 47**—Relative to the Ramon Ojeda Memorial Highway.

Resolution read second time.

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



**Committee on Health**

Senate Chamber, May 18, 2006

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

ACR 77

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**

**Assembly Concurrent Resolution 77**—Relative to local recreation and park agencies.

Resolution 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 measure was introduced, read the first time and transmitted to the Committee on Rules:

**Senate Concurrent Resolution 120:** By Senator Denham—Relative to Caltrans Highway Maintenance Lead Worker Michael (Flea) Feliciano Memorial Highway.

**SENATE COMMITTEE ROLL CALLS****Committee on Elections, Reapportionment and Constitutional Amendments**

**SCA 28**—Be adopted and re-refer to Committee on Appropriations

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

NOES (0)—None.

**AJR 37**—Be adopted

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

NOES (0)—None.

Date of Hearing: 5/17/2006

Bowen (Chair)

**Committee on Rules**

**SCR 99**—Be adopted as amended

AYES (4)—Senators Ashburn, Battin, Cedillo, and Perata.

NOES (0)—None.

Date of Hearing: 5/17/2006

Perata (Chair)

**Committee on Public Safety**

**SB 1808**—Do pass

AYES (2)—Senators Margett and Poochigian.

NOES (2)—Senators Migden and Romero.

Failed Passage

Date of Hearing: 5/18/2006

Migden (Chair)



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Bowen requested that when the Senate adjourns this day it do so in memory of David Asper Johnson of Marina del Rey and Lenna Victoria McCarbery of San Pedro.

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Joseph Francis Walsh of Eureka.

Senator Cox requested that when the Senate adjourns this day it do so in memory of Carol Anne Brown of Fair Oaks.

Senator Dutton requested that when the Senate adjourns this day it do so in memory of Carter Woodside of Redlands.

Senator Florez requested that when the Senate adjourns this day it do so in memory of Ica Ola Anthony of Bakersfield.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Gregory M. Barton and Zelda Breslin of Sacramento.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Elizabeth Pazeian of Fresno and Louise T. Macias of Bakersfield.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Dan Heil of La Habra Heights.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Monday, May 22, 2006.

PAULA K. ROSSETTO, Minute Clerk



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