

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 31, 2006

The Senate met at 9 a.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier, and Vincent—36.

Quorum present.

(NOTE: Senators Denham and Torlakson will be excused this day on legislative business and Senator Maldonado will be excused this day on personal business.)

MESSAGE FROM THE GOVERNOR

Governor's Office, State Capitol
May 31, 2006

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective May 30, 2006, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation:

James W. Sandoval Member, Student Aid Commission

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 30, 2006

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

ACR 34

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 34—Relative to public higher education.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, May 31, 2006

Mr. President: The Committee on Rules has examined:

SB 1154

And reports that the same has been correctly enrolled, and presented to the Governor on the 31st day of May, 2006, at 9:30 a.m.

PERATA, Chair

Committee on Public Safety

Senate Chamber, May 31, 2006

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

AB 2461

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 2461—An act to amend Section 851.8 of the Penal Code, relating to criminal procedure.

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, May 31, 2006

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

AB 2040

AB 2654

AB 252

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 2040—An act to amend Section 60851 of the Education Code, relating to pupil assessment, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Bill read second time.

Assembly Bill 252—An act to amend Section 8778 of the Government Code, relating to arts.

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

Senate Chamber, May 31, 2006

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

AB 1966

AB 2650

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

KEHOE, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1966—An act to amend Section 51298 of the Government Code, relating to capital investment incentive programs.

Bill read second time.

Assembly Bill 2650—An act to amend Sections 3, 5, 6, 7, 7.5, 11, 14, and 15 of the Monterey Peninsula Airport District Act (Chapter 52 of the Statutes of 1941), relating to the Monterey Peninsula Airport District.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, May 31, 2006

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

AB 1568

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

SOTO, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 1568—An act to amend Sections 31459, 31459.1, and 31528 of, and to add Section 31528.5 to, the Government Code, relating to county employees' retirement.

Bill read second time.

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

Committee on Public Safety

Senate Chamber, May 31, 2006

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

AB 1015

AB 2521

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 1015—An act to add and repeal Chapter 3 (commencing with Section 9000) to Title 9 of Part 3 of the Penal Code, relating to sex offenders.

Bill read second time.

Assembly Bill 2521—An act to amend Sections 12071, 12072, 12076, 12078, and 12082 of, and to repeal and add Section 12083 of, the Penal Code, relating to firearms.

Bill read second time.

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

Committee on Rules

State Capitol, May 31, 2006

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

Agriculture—AB 2425.

Education—AB 2153, AB 2645, AB 2671.

Governmental Organization—AB 2505, AB 2811.

Health—AB 2470, AB 2564, AB 2639.

Judiciary—AB 2482.

Local Government—AB 1794, AB 2751, AB 2753, AB 2762.

Public Employment and Retirement—AB 2945.



Public Safety—AB 2559, AB 2869, AB 2952, AB 3004.

Rules—AB 2400.

Transportation and Housing—AB 2154, AB 2294, AB 2401, AB 2600; ACR 123; SCR 120.

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

Appropriations—AB 1634.

Public Employment and Retirement—AB 1355.

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

Banking, Finance and Insurance and Health—AB 2889.

Natural Resources and Water and Judiciary—AB 2641.

Transportation and Housing and Judiciary—AB 2851.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Resolution 31: By Senators Kuehl, Kehoe, and Migden—Relative to Lesbian, Gay, Bisexual, and Transgender Pride Month.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 1179—An act to amend Section 115800 of the Health and Safety Code, relating to recreational activities.

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

Senate Bill 1128—An act to amend Section 68152 of the Government Code, to amend Sections 209, 220, 269, 288.5, 290, 290.3, 290.46, 626.8, 647.6, 667.1, 667.5, 667.51, 667.6, 667.61, 667.71, 800, 1170.125, 1192.7, 1202.8, 1203, 1203c, 1203.06, 1203.065, 1203.075, 3000, 3001, 3005, 12022.75, 13887, and 13887.1 of, to add Sections 288.3, 288.7, 290.03, 290.04, 290.05, 290.06, 290.07, 290.08, 311.12, 311.13, 626.83, 1203e, 1203f, 5040, and 13887.5 to, to add a heading to Chapter 5.5 (commencing with Section 290) to Title 9 of Part 2 of, and to add Chapter 7.55 (commencing with Section 312) and Chapter 7.65 (commencing with Section 313.5) to Title 9 of Part 1 of, and to repeal Section 311.9 of, and to repeal and add Chapter 7.5 (commencing with Section 311) and Chapter 7.6 (commencing with Section 313) to Title 9 of Part 1 of, the Penal Code, and to amend Sections 6600, 6601, 6604, 6604.1, and 6605 of the Welfare and Institutions Code, relating to sex offenders, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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



Senate Bill 1178—An act to amend Sections 1202.8 and 3004 of, and to add Section 290.04 to, the Penal Code relating to sex offenders.

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

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, June 1

SCR 104	SCR 111	SB 1483
SB 1673	SB 1481	

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 53** was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

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

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

REQUESTS TO ADJOURN IN MEMORIAM

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Audrey Castellanos of Carson and Nancy Scotto of Torrance.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Angelina Malfitano of Antioch.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 8:30 a.m., Thursday, June 1, 2006.

PAULA K. ROSSETTO, Minute Clerk

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