

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 15, 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:

Ackerman, Alarcón, Alquist, Ashburn, Battin, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Harman, Hollingsworth, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Runner, Scott, Simitian, Soto, Torlakson, and Vincent—35.

Quorum present.

(NOTE: Senators Aanestad, Bowen, Kehoe, and Romero will be excused this day on legislative business and Senator Speier will be excused this day on personal business.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 15, 2006

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

SB 1402

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered enrolled.



REPORTS OF STANDING COMMITTEES**Committee on Health**

Senate Chamber, June 15, 2006

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

AB 2280

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 Bill 2280—An act to add Section 120846 to the Health and Safety 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.

Date of Hearing, June 14, 2006

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

AB 2373

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 with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 14, 2006

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

AB 2357

AB 2509

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

ORTIZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 14, 2006

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

AB 1744

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Banking, Finance and Insurance with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Banking, Finance and Insurance.



Date of Hearing, June 14, 2006

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

AB 959

AB 2885

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

ORTIZ, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Public Safety

Senate Chamber, June 15, 2006

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

AB 2265

AB 3004

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 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.

Bill read second time.

Assembly Bill 3004—An act to amend Section 40800 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 Health

Date of Hearing, June 14, 2006

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

AB 2564

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

ORTIZ, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 14, 2006

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

AB 1840

AB 1851



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

ORTIZ, Chair

Above measures re-referred to the Committee on Banking, Finance and Insurance.

Date of Hearing, June 14, 2006

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

AB 2067

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

ORTIZ, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Appropriations

Senate Chamber, June 15, 2006

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

AB 713

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Health

Date of Hearing, June 14, 2006

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

AB 1476

AB 2360

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

ORTIZ, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, June 14, 2006

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

AB 469

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

ORTIZ, Chair

Above measure re-referred to the Committee on Education.

Date of Hearing, June 14, 2006

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

AB 2757



Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Business, Professions and Economic Development.

ORTIZ, Chair

Above measure re-referred to the Committee on Business, Professions and Economic Development.

Date of Hearing, June 14, 2006

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

AB 2639

Reports the same back with the recommendation: Do pass.

ORTIZ, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing, June 13, 2006

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

AB 2390

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

DUNN, Chair

Above measure ordered to second reading.

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 15, 2006

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

AB 1558

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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1558—An act to add Chapter 3.5 (commencing with Section 83500) to Title 9 of the Government Code, relating to the Fair Political Practices Commission, 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 Rules

State Capitol, June 14, 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:

Archie J. Biggers, Member, Board of Parole Hearings, Adult Parole (4-0)

Philip S. Inglee, Member, Board of Parole Hearings, Adult Parole (4-0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, June 14, 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 G. Glaab, Member, Commission on State Mandates (4-0)

Sarah R. Olsen, Member, Commission on State Mandates (4-0)

Jack S. Worthley, Member, Commission on State Mandates (4-0)

PERATA, Chair

Above appointments ordered placed on unfinished business file.

Committee on Banking, Finance and Insurance

Date of Hearing, June 13, 2006

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

AB 2884

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

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 13, 2006

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

AB 1122

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

SPEIER, Chair

Above measure ordered to second reading.



Committee on Natural Resources and Water

Date of Hearing, June 13, 2006

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

AB 1864

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, June 15, 2006

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

AB 651

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

Assembly Bill 651—An act to add Chapter 3.95 (commencing with Section 7195) to Part 1 of Division 7 of the Health and Safety Code, relating to death.

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, June 15, 2006

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

AB 31

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

FIGUEROA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 31—An act to add and repeal Chapter 12.9 (commencing with Section 7095) of Division 7 of Title 1 of the Government Code, relating to economic development.

Bill read second time.

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



Date of Hearing, June 12, 2006

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

AB 630

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

FIGUEROA, Chair

Above measure ordered to second reading.

Committee on Transportation and Housing

Date of Hearing, June 13, 2006

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

AB 1550

AB 2120

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

LOWENTHAL, Chair

Above measures ordered to second reading.

Senate Chamber, June 15, 2006

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

AB 2250

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 Bill 2250—An act to amend Sections 18400.1 and 18400.3 of, to amend and repeal Section 18502 of, and to repeal Section 18424 of, the Health and Safety Code, relating to mobilehome parks.

Bill read second time.

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

Date of Hearing, June 13, 2006

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

AB 2100

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

LOWENTHAL, Chair

Above measure ordered to second reading.



Committee on Public Employment and Retirement

Senate Chamber, June 15, 2006

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

AB 2309

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 2309**—An act 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 Agriculture

Senate Chamber, June 15, 2006

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

AB 2425

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

DENHAM, Chair

Second Reading of Bills—Author's Amendments**Assembly Bill 2425**—An act to add Chapter 14 (commencing with Section 6300) to Part 1 of Division 4 of the Food and Agricultural Code, relating to apple pests.

Bill read second time.

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

Committee on Appropriations

Senate Chamber, June 15, 2006

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

AB 569

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

Assembly Bill 569—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Bill read second time.

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

Committee on Governmental Organization

Date of Hearing, June 14, 2006

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

AB 450	AB 2041	AB 2116
AB 2237	AB 2811	

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

FLOREZ, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 14, 2006

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

AB 2372

Reports the same back with the recommendation: Do pass.

FLOREZ, Chair

Above bill ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, June 15, 2006

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

AB 2786	AB 2831
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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

Assembly Bill 2786—An act to amend Section 18510 of, and to add and repeal Section 18512 of, the Revenue and Taxation Code, and to amend Sections 1088, 1110, 1114, 1115, 1116, 1117, 1118, and 13021 of, and to add Sections 1088.1, 1116.5, and 1118.5 to, the Unemployment Insurance Code, relating to withholding.

Bill read second time.

Assembly Bill 2831—An act to add Article 1.1 (commencing with Section 12939) to Division 3 of Chapter 2 of the Insurance Code, and to



amend Sections 12209, 17053.57, and 23657 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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, June 15, 2006

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

AB 225

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

FIGUEROA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 225—An act to amend Section 650 of the Business and Professions Code, relating to healing arts.

Bill read second time.

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

Committee on Local Government

Senate Chamber, June 15, 2006

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

AB 1962

AB 2753

AB 2762

AB 2939

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 1962—An act to add Section 6529.5 to the Government Code, relating to joint powers agreements.

Bill read second time.

Assembly Bill 2753—An act to add Section 36503.5 to the Government Code, relating to local government.

Bill read second time.

Assembly Bill 2762—An act to add Section 6530.5 to the Government Code, relating to joint powers authorities.

Bill read second time.

Assembly Bill 2939—An act to amend Sections 6832 and 6835.1 of, to add Sections 6830.2, 6894.1, 6894.2, and 6910 to, and to repeal and add

Section 6830.1 of, the Harbors and Navigation Code, relating to the Sacramento-Yolo Port District.

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, June 15, 2006

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

AB 1302

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

Assembly Bill 1302—An act to amend Sections 11340.85, 11346.1, 11349.6, and 11350 of, to add Section 11342.545 to, and to repeal Section 11017.6 of, the Government Code, relating to state agencies.

Bill read second time.

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

Committee on Elections, Reapportionment and Constitutional Amendments

Senate Chamber, June 15, 2006

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

AB 2275

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

BOWEN, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2275—An act to amend Section 84606 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Committee on Human Services

Date of Hearing, June 13, 2006

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

AB 1795



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

ALQUIST, Chair

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Senate Chamber, June 15, 2006

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

AB 1368

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 1368—An act to amend Sections 4663 and 4664 of the Labor Code, relating to workers' compensation.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, June 15, 2006

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

AB 2231

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

FLOREZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2231—An act to add Section 8593.6 to the Government Code, relating to emergency services information.

Bill 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, June 15, 2006

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

AB 2078

AB 2384

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 Bill 2078—An act to add Chapter 6.5 (commencing with Section 119200) to Part 15 of Division 104 of the Health and Safety Code, relating to pesticide.

Bill read second time.

Assembly Bill 2384—An act to add and repeal Article 1.5 (commencing with Section 104601) of Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to nutrition.

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, June 15, 2006

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

AB 1062

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

Assembly Bill 1062—An act to amend Section 24173 of, and to add Section 24172.5 to, the Health and Safety 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.

Committee on Energy, Utilities and Communications

Senate Chamber, June 15, 2006

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

AB 677 AB 2104 AB 2515 AB 2778

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

ESCUTIA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 677—An act to add Section 454.52 to, and to add and repeal Section 454.53 of, to the Public Utilities Code, relating to public utilities.

Bill read second time.

Assembly Bill 2104—An act to amend Section 739.5 of the Public Utilities Code, relating to energy.

Bill read second time.



Assembly Bill 2515—An act to amend Section 25402 of the Public Resources Code, to add Section 2714.5 to the Public Utilities Code, and to amend Section 10631 of the Water Code, relating to water conservation.

Bill read second time.

Assembly Bill 2778—An act to amend Section 379.6 of the Public Utilities Code, relating to electricity.

Bill read second time.

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

Committee on Education

Senate Chamber, June 15, 2006

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

AB 1072

AB 1228

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.

Assembly Bill 1228—An act to add Chapter 19 (commencing with Section 11800) to Part 7 of the Education Code, relating to schools.

Bill read second time.

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

Committee on Agriculture

Senate Chamber, June 15, 2006

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

AB 2343

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

DENHAM, Chair



Second Reading of Bills—Author's Amendments

Assembly Bill 2343—An act to amend Sections 61384, 62095.1, 62521, 62560, 62561, 62563, 62564, and 62574 of, and to add Section 62580.5 to, the Food and Agricultural Code, relating to milk.

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, June 15, 2006

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

AB 2511

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 Bill 2511—An act to amend Sections 65008, 65400, 65589.5, 65852.1, 65863, 65909, and 65950 of, to add Section 65801 to, and to repeal Section 66037 of, the Government Code, relating to land use.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, June 15, 2006

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

AB 17

AB 2490

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

Assembly Bill 17—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 20 (commencing with Section 42970) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time.

Assembly Bill 2490—An act to add Article 4 (commencing with Section 25546) to Chapter 6.95 of Division 20 of the Health and Safety Code, relating to toxic chemicals.

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, June 15, 2006

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

AB 350

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 350—An act to add Chapter 2.6 (commencing with Section 53369) to Part 1 of Division 2 of Title 5 of the Government Code, relating to jobs-housing opportunity zones.

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, June 15, 2006

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

AB 2810

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 2810—An act to amend Sections 94830 and 94831 of the Education Code, relating to private 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

Senate Chamber, June 15, 2006

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

AB 2728

AB 2861

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 2728—An act to amend Section 12071 of the Penal Code, relating to firearms.

Bill read second time.



Assembly Bill 2861—An act to amend Section 105256 of the Health and Safety Code, relating to lead abatement.

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, June 15, 2006

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

AB 2289

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

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

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

Date of Hearing, June 12, 2006

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

AB 634

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

FIGUEROA, Chair

Above measure ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 14, 2006

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

Agriculture—AB 2479.

Banking, Finance and Insurance—AB 2416, AB 2969.

Business, Professions and Economic Development—AB 2862, AB 3014, AB 3021.



Education—AB 2045, AB 2050, AB 2086, AB 2109, AB 2115, AB 2117, AB 2148, AB 2163, AB 2167, AB 2168, AB 2221, AB 2248, AB 2254, AB 2262, AB 2313, AB 2410, AB 2419, AB 2445, AB 2448, AB 2489, AB 2513, AB 2531, AB 2532, AB 2551, AB 2594, AB 2633, AB 2665, AB 2666, AB 2783, AB 2802, AB 2813, AB 2937, AB 2947, AB 2975, AB 2992.

Elections, Reapportionment and Constitutional Amendments—AB 2460, AB 2801, AB 2946, AB 2974.

Energy, Utilities and Communications—AB 2021, AB 2104, AB 2515, AB 2576, AB 2723, AB 2778.

Environmental Quality—AB 2092, AB 2202, AB 2490, AB 2522, AB 2553, AB 2880.

Governmental Organization—AB 2022, AB 2098, AB 2160, AB 2264, AB 2274, AB 2499, AB 2578, AB 2591, AB 2620, AB 2860, AB 2896.

Health—AB 2076, AB 2212, AB 2214, AB 2317, AB 2339, AB 2379, AB 2384, AB 2584, AB 2607, AB 2644, AB 2651, AB 2742, AB 2754, AB 2877, AB 2979, AB 3070.

Human Services—AB 2031, AB 2060, AB 2161, AB 2192, AB 2193, AB 2194, AB 2195, AB 2205, AB 2216, AB 2284, AB 2469, AB 2486, AB 2494, AB 2556, AB 2920, AB 2961, AB 3029, AB 3048.

Judiciary—AB 2291, AB 2302, AB 2415, AB 2440, AB 2480, AB 2510, AB 2561, AB 2927.

Labor and Industrial Relations—AB 2095, AB 2209, AB 2334, AB 2493, AB 2536, AB 2929, AB 3051, AB 3054.

Local Government—AB 2804.

Natural Resources and Water—AB 2208, AB 2314, AB 2999, AB 3003.

Public Employment and Retirement—AB 2132, AB 2355, AB 2766.

Public Safety—AB 2058, AB 2066, AB 2310, AB 2714, AB 2728, AB 2858, AB 2902, AB 2917, AB 2923, AB 2936, AB 3045, AB 3064.

Revenue and Taxation—AB 2709, AB 2831, AB 2873.

Rules—AB 2495, AB 2942.

Transportation and Housing—AB 2143, AB 2175, AB 2378, AB 2538, AB 2647, AB 2681, AB 3042, AB 3047.

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

Agriculture—AB 1059.

Education—AB 993; ACR 34, ACR 118.



Environmental Quality—AB 492.

Health—AB 36.

Judiciary—AB 2260; AJR 51.

Labor and Industrial Relations—AB 1612.

Local Government—AB 1717.

Public Safety—AB 1879.

Revenue and Taxation—AB 926.

Transportation and Housing—ACR 142.

Veterans Affairs—AJR 32.

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

Judiciary and Public Safety—AB 457

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

Banking, Finance and Insurance and Health—AB 2170, AB 2377.

Business, Professions and Economic Development and Public Employment and Retirement—AB 2570.

Education and Governmental Organization—AB 2420.

Education and Health—AB 2560.

Education and Human Services—AB 2881.

Energy, Utilities and Communications and Environmental Quality—AB 2388.

Energy, Utilities and Communications and Governmental Organization—AB 2321.

Environmental Quality and Human Services—AB 2865.

Environmental Quality and Transportation and Housing—AB 2843.

Governmental Organization and Judiciary—AB 2231, AB 2721.

Health and Judiciary—AB 2051.

Health and Rules—AB 2911.

Judiciary and Rules—AB 2922.

Labor and Industrial Relations and Judiciary—AB 2555.

Labor and Industrial Relations and Revenue and Taxation—AB 2344.

Local Government and Education and Appropriations—AB 2951.



Natural Resources and Water and Transportation and Housing—
AB 2625, AB 2838.

Public Employment and Retirement and Judiciary—AB 2941.

Public Employment and Retirement and Veterans Affairs—AB 2632.

Public Safety and Judiciary—AB 1891.

Transportation and Housing and Energy, Utilities and
Communications—AB 3023.

Transportation and Housing and Environmental Quality—AB 2444,
AB 2501, AB 2511, AB 2788.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 733—An act to amend Section 43.92 of the Civil Code, relating to personal rights.

Bill read second time and ordered to third reading.

Assembly Bill 1169—An act to add and repeal Section 1946.1 of the Civil Code, relating to tenancy.

Bill read second time and ordered to third reading.

Assembly Bill 1203—An act to amend Section 18080.5 of, and to add Section 18035.26 to, the Health and Safety Code, relating to manufactured housing.

Bill read second time and ordered to third reading.

Assembly Bill 1995—An act to amend Section 71660 of the Government Code, relating to trial court employees.

Bill read second time and ordered to third reading.

Assembly Bill 886—An act to amend Section 7105 of the Health and Safety Code, relating to human remains.

Bill read second time and ordered to Consent Calendar.

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

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1994—An act to amend Section 123115 of the Health and Safety Code, relating to health records.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2083—An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2618—An act to amend Sections 52.2, 1369.520, and 1950.5 of the Civil Code, to amend Sections 116.360, 116.390, 116.540,



and 116.610 of the Code of Civil Procedure, to amend Sections 311.4 and 1702.1 of the Public Utilities Code, and to amend Section 742.16 of the Welfare and Institutions Code, relating to courts.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2367—An act to amend Section 25618 of the Business and Professions Code, to amend Sections 3510, 17419, and 17700 of the Financial Code, to amend Section 80174 of the Food and Agricultural Code, to amend Sections 1368, 3108, and 51018.7 of the Government Code, to amend Sections 25180.7, 44209, 100895, and 116730 of the Health and Safety Code, to amend Section 227 of the Labor Code, to amend Sections 145 and 1672 of the Military and Veterans Code, to amend Section 8285 of the Public Utilities Code, to amend Sections 7093.6, 9278, 18631.7, 19542.3, 43606, 45955, 46705, and 50156.18 of the Revenue and Taxation Code, and to amend Section 13387 of the Water Code, relating to crimes.

Bill read second time.

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

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 proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1907—An act to amend Section 18951 of the Welfare and Institutions Code, relating to child abuse.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 272—An act to amend Section 830.1 of the Penal Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1688—An act to amend Section 830.7 of the Penal Code, relating to illegal dumping enforcement officers.

Bill read second time and ordered to third reading.

Assembly Bill 1980—An act to amend Section 830.7 of the Penal Code, relating to powers of arrest.

Bill read second time and ordered to third reading.

Assembly Bill 2111—An act to amend Section 12131 of the Penal Code, relating to firearms.

Bill read second time and ordered to third reading.



Assembly Bill 2129—An act to amend Section 527.9 of the Code of Civil Procedure, relating to restraining orders.

Bill read second time and ordered to third reading.

Assembly Bill 2615—An act to amend Section 293 of the Penal Code, relating to information regarding victims of sex offenses.

Bill read second time and ordered to third reading.

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.

Bill read second time.

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

Assembly Bill 120—An act to amend Section 2684 of, and to add Article 6.5 (commencing with Section 2676) to Chapter 5.7 of Division 2 of, the Business and Professions Code, relating to physical therapy.

Bill read second time.

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

Assembly Bill 2043—An act to amend Sections 1788.2 and 1788.18 of the Civil Code, relating to debt collection.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2136—An act to amend Section 11628 of the Insurance Code, relating to insurance.

Bill read second time and ordered to Consent Calendar.

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

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2613—An act to add Section 515.8 to the Labor Code, relating to employment.

Bill read second time.

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

Assembly Bill 2292—An act to amend Sections 4702 and 4706.5 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to Consent Calendar.



Assembly Concurrent Resolution 117—Relative to music education.
Resolution read second time and ordered to Consent Calendar.

Assembly Bill 318—An act to amend Sections 41329.50, 41329.51, 41329.52, 41329.55, and 71093 of, to add Section and 41329.59 to, and to add Article 5 (commencing with Section 74292) to Chapter 5 of Part 46 of, the Education Code, and to amend Section 63049.67 of the Government Code, relating to community colleges, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 3072** was re-referred to the Committee on Appropriations.

UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (AB 1267)

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1267 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1267

Assembly Bill 1267—An act to amend Sections 13800, 13812, 13813, 13820, and 13823, and to add Section 13814 to, the Penal Code, relating to the Corrections Standards Authority.

Bill read.

Motion to Amend

Amendments to AB 1267 proposed by Senator Margett were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 318—An act to amend Sections 41329.50, 41329.51, 41329.52, 41329.55, and 71093 of, to add Section and 41329.59 to, and to add Article 5 (commencing with Section 74292) to Chapter 5 of Part 46 of, the Education Code, and to amend Section 63049.67 of the Government Code, relating to community colleges, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 318 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, **AB 576** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations;

AB 1940 was withdrawn from the Committee on Natural Resources and Water and re-referred to the Committee on Rules; and

AB 2322 was withdrawn from the Committee on Business, Professions and Economic Development and re-referred to the Committee on Transportation and Housing.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday June 19, 2006

SCR 116	AB 2658	AB 1203	AB 2256
AB 463	AB 2796	AB 2111	
AB 2073	AB 733	AB 2615	

SENATE COMMITTEE ROLL CALLS**Committee on Governmental Organization**

AB 450—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Denham, Florez, McClintock, Soto, and Vincent.

NOES (0)—None.

AB 1848—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Florez, Margett, McClintock, Soto, and Vincent.

NOES (0)—None.

AB 2041—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Florez, Margett, McClintock, Soto, and Vincent.

NOES (0)—None.

AB 2116—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Denham, Florez, Soto, and Vincent.

NOES (0)—None.

AB 2237—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Florez, Margett, McClintock, Soto, and Vincent.

NOES (0)—None.

AB 2372—Do pass

AYES (7)—Senators Chesbro, Denham, Florez, Margett, McClintock, Soto, and Vincent.

NOES (0)—None.



AB 2811—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Florez, Margett, McClintock, Soto, and Vincent.

NOES (0)—None.

Date of Hearing: 6/14/2006

Florez (Chair)

Committee on Health**AB 469**—Do pass and re-refer to Committee on Education

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

NOES (2)—Senators Aanestad and Cox.

AB 959—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 1476—Do pass and re-refer to Committee on Judiciary

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 1744—Do pass and re-refer to Committee on Banking, Finance and Insurance, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 1840—Do pass and re-refer to Committee on Banking, Finance and Insurance.

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

NOES (4)—Senators Aanestad, Cox, Maldonado, and Runner.

AB 1851—Do pass and re-refer to Committee on Banking, Finance and Insurance.

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2067—Do pass and re-refer to Committee on Appropriations.

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

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

AB 2105—Do pass as amended and re-refer to Committee on Business, Professions and Economic Development

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.



AB 2198—Do pass as amended and re-refer to Committee on Business, Professions and Economic Development

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2226—Do pass as amended and re-refer to Committee on Education, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2357—Do pass and re-refer to Committee on Appropriations

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

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

AB 2360—Do pass and re-refer to Committee on Judiciary

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

NOES (2)—Senators Cox and Runner.

AB 2373—Do pass as amended and re-refer to Committee on Business, Professions and Economic Development, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2470—Do pass as amended

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

NOES (4)—Senators Aanestad, Cox, Maldonado, and Runner.

AB 2509—Do pass and re-refer to Committee on Appropriations

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

NOES (0)—None.

AB 2564—Do pass and re-refer to Committee on Rules, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2639—Do pass

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.



AB 2757—Do pass and re-refer to Committee on Business, Professions and Economic Development

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2885—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

AB 2986—Do pass as amended and re-refer to Committee on Public Safety

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

NOES (1)—Senator Aanestad.

AB 3013—Do pass as amended and re-refer to Committee on Judiciary

AYES (9)—Senators Aanestad, Alquist, Chesbro, Cox, Figueroa, Kuehl, Maldonado, Ortiz, and Runner.

NOES (0)—None.

Date of Hearing: 6/14/2006

Ortiz (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad, Bowen, Kehoe, and Romero.

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

REQUEST TO ADJOURN IN MEMORIAM

Senator Alarcón requested that when the Senate adjourns this day it do so in memory of California Highway Patrol Officer Derek Midollo of Agoura Hills.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 2 p.m., Monday, June 19, 2006.

PAULA K. ROSSETTO, Minute Clerk

