

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 20, 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, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Torlakson, and Vincent—39.

Quorum present.

(NOTE: Senator Speier will be excused this day on personal business.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 19, 2006

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

SCR 115

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

Above measure ordered to unfinished business file.



Assembly Chamber, June 19, 2006

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

ACR 136

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURE

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

Assembly Concurrent Resolution 136—Relative to California Nectarine Day.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, June 19, 2006

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

AB 1591

AB 2456

Reports the same back with the recommendation: Do pass.

MURRAY, Chair

Above bills ordered to second reading.

Date of Hearing, June 19, 2006

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

AB 1784

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

MURRAY, Chair

Above measure ordered to second reading.

Senate Chamber, June 19, 2006

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

AB 633	AB 2059	AB 2652	ACR 97
AB 699	AB 2257	AB 2731	AJR 25
AB 1774	AB 2457	AB 2897	
AB 1859	AB 2593	AB 3071	

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

MURRAY, Chair

Above measures ordered to second reading.



Committee on Veterans Affairs

Senate Chamber, June 20, 2006

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

AB 2549

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

MORROW, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2549—An act to amend Section 172 of the Military and Veterans Code, relating to the state militia.

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

Senate Chamber, June 20, 2006

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

AB 2194

AB 2205

AB 2284

AB 2486

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2194—An act to add Section 10609.45 to the Welfare and Institutions Code, relating to human services.

Bill read second time.

Assembly Bill 2205—An act to add Section 18901.55 to the Welfare and Institutions Code, relating to food stamps.

Bill read second time.

Assembly Bill 2284—An act to amend Sections 391, 14005.28, and 16010 of, and to add Sections 369.1 and 739.1 to, the Welfare and Institutions Code, relating to child health.

Bill read second time.

Assembly Bill 2486—An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to public social services.

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

Date of Hearing, June 13, 2006

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

AB 2049

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

MIGDEN, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 20, 2006

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

AB 2942

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

PERATA, Chair

Second Reading of Bills—Author's Amendments**Assembly Bill 2942**—An act 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 Judiciary

Senate Chamber, June 20, 2006

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

AB 2369

AB 2415

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 2369—An act to amend Sections 491.160, 708.170, and 1993 of the Code of Civil Procedure, and to repeal Section 26744 of the Government Code, relating to civil warrants.

Bill read second time.

Assembly Bill 2415—An act to add Chapter 34 (commencing with Section 22948.5) to Division 8 of the Business and Professions Code, relating to network security.

Bill read second time.

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



Committee on Governmental Organization

Senate Chamber, June 20, 2006

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

AB 2591

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 2591—An act to add and repeal Section 13292.5 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 Business, Professions and Economic Development

Senate Chamber, June 20, 2006

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

AB 2429

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 2429—An act to amend Sections 10151, 10153.3, 10153.4, and 10153.5 of, and to repeal Section 10153.9 of, the Business and Professions Code, relating to real estate salespersons.

Bill read second time.

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

Committee on Rules

Senate Chamber, June 20, 2006

Mr. President: The Committee on Rules has examined:

SB 504

SB 1239

SB 1241

SB 1248

SB 1491

And reports that the same have been correctly enrolled, and presented to the Governor on the 20th day of June, 2006, at 11 a.m.

PERATA, Chair



Committee on Natural Resources and Water

Date of Hearing, June 20, 2006

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

AB 1881

AB 2746

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

KUEHL, Chair

Above measures re-referred to the Committee on Local Government.

Date of Hearing, June 20, 2006

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

AB 2641

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

KUEHL, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Transportation and Housing

Senate Chamber, June 20, 2006

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

AB 1189

AB 2378

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 1189—An act to amend Section 2932 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2378—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read second time.

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

Committee on Natural Resources and Water

Date of Hearing, June 20, 2006

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

AB 2348

AB 2500

AB 3028



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

KUEHL, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 20, 2006

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

AB 2625

AB 2838

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

KUEHL, Chair

Above measures re-referred to the Committee on Transportation and Housing.

Date of Hearing, June 20, 2006

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

AB 2324

AB 2685

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.

KUEHL, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Health

Senate Chamber, June 20, 2006

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

AB 766

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 766—An act to amend Section 123285 of, and to add Section 123311 to, the Health and Safety Code, relating to women, infants, and child nutrition.

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

Date of Hearing, June 19, 2006

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

AB 1430 AB 1953 AB 2092 AB 2206

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

SIMITIAN, Chair

Above measures re-referred to the Committee on Appropriations.

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 2268

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 Environmental Quality

Date of Hearing, June 19, 2006

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

AB 2144

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

SIMITIAN, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Appropriations

Senate Chamber, June 20, 2006

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

AB 1942

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 1942—An act to add Sections 833.2 and 13517.7 to the Penal Code, relating to arrests.

Bill read second time.

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

Committee on Labor and Industrial Relations

Senate Chamber, June 20, 2006

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

AB 2334

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 2334—An act to add Part 9.5 (commencing with Section 2550) to Division 2 of the Labor Code, relating to janitorial service contractors.

Bill read second time.

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

Committee on Judiciary

Senate Chamber, June 20, 2006

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

AB 3020

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 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.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 3020 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MONTAÑEZ



Permission of Rules Committee

Senate Chamber, June 20, 2006

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 3020.

PERATA, Chair

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

Committee on Appropriations

Senate Chamber, June 20, 2006

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

AB 2755

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 2755—An act to add Sections 38504.1 and 38504.2 to the Vehicle Code, relating to all-terrain vehicles.

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 20, 2006

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

AB 2756

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 2756—An act to add Chapter 5.2.5 (commencing with Section 25423) to Division 15 of the Public Resources Code, relating to energy, 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 Human Services

Senate Chamber, June 20, 2006

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

AB 1601

AB 2985

AB 3048



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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1601—An act to amend Sections 1596.66 and 1596.67 of, and to add Section 1596.8745 to, the Health and Safety Code, relating to child care.

Bill read second time.

Assembly Bill 2985—An act to amend Section 1522.41 of, and to add Section 1522.6 to, the Health and Safety Code, relating to group homes.

Bill read second time.

Assembly Bill 3048—An act to add Section 12300.15 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, June 20, 2006

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

AB 675 AB 2171 AB 3075 AB 308

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 675—An act to add Section 19141.8 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 2171—An act to amend Section 4675 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 3075—An act to amend Sections 61, 62, 69.5, and 170 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Assembly Bill 308—An act to add Section 18603 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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



Committee on Natural Resources and Water

Senate Chamber, June 20, 2006

Mr. President: The Chair of the Committee on Natural Resources and Water, to which were referred:

AB 2146

AB 2208

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

KUEHL, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2146—An act to add Section 221 to the Fish and Game Code, relating to fish and game.

Bill read second time.

Assembly Bill 2208—An act to add Part 10 (commencing with Section 9670) to Division 5 of the Water Code, relating to water.

Bill read second time.

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

Committee on Public Employment and Retirement

Senate Chamber, June 20, 2006

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

AB 2132

AB 2355

AB 2632

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 2132—An act to add Section 22838 to the Government Code, relating to public employee health benefits, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2355—An act to add Section 20900.5 to the Government Code, relating to public employees' retirement.

Bill read second time.

Assembly Bill 2632—An act to amend Sections 20028, 20069, 20281.5, 20303, 20370, 20380, 20894, 20901, 20963, 20997, 21076, 21077, 21117, 22760, and 22772 of, and to add Sections 20039.5, 20326, 20380.5, 20772.5, 20772.6, 21029.5, 21052.5, and 21070.7 to, the



Government Code, relating to public employees' retirement and making an appropriation therefor.

Bill read second time.

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

Committee on Environmental Quality

Senate Chamber, June 20, 2006

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

AB 1337 AB 2276 AB 2296 AB 2587

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 1337—An act to amend Sections 25200.19 and 25201.5 of the Health and Safety Code, relating to hazardous waste.

Bill read second time.

Assembly Bill 2276—An act to add Article 8 (commencing with Section 41985) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time.

Assembly Bill 2296—An act to amend Sections 43500, 43501, 43502, 43505, 43506, 43509, 43510, 43600, 43601, 43602, 43606, and 43610.1 of the Public Resources Code, relating to solid waste.

Bill read second time.

Assembly Bill 2587—An act to amend Sections 25400.11, 25400.18, 25400.19, 25400.20, 25400.22, 25400.25, 25400.28, 25400.30, 25400.37, and 25400.46 of, and to add Section 25400.47 to, the Health and Safety Code, relating to contaminated property.

Bill read second time.

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

Committee on Governmental Organization

Senate Chamber, June 20, 2006

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

AB 237 AB 2721

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 237—An act to amend Section 63040 of the Government Code, relating to infrastructure finance, and, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2721—An act to add Chapter 12.5 (commencing with Section 14990) to Part 5.5 of Division 3 of Title 2 of the Government Code, relating to intellectual property.

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, June 20, 2006

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

AB 2870

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 2870—An act to amend Sections 7500, 7501, 7502, 7510, 7511, 7512, 7512.5, 7513, 7514, 7515, 7518, 7520, 7521, 7522, 7530, and 7552 of the Penal Code, relating to health.

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 20, 2006

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

AB 232

AB 775

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 232—An act to amend Sections 66055 and 66055.5 of the Education Code, relating to registered nursing programs.

Bill read second time.



Assembly Bill 775—An act to amend Section 92032 of the Education Code, relating to the University of California.

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 20, 2006

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

AB 695

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 695—An act to add Sections 1724 and 1724.5 to the Civil Code, relating to retail sales.

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

Date of Hearing, June 20, 2006

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

AB 326

AB 2189

Reports the same back with the recommendation: Do pass.

ESCUTIA, Chair

Above bills ordered to second reading.

Date of Hearing, June 20, 2006

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

AB 158

AB 1925

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

ESCUTIA, Chair

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

Date of Hearing, June 20, 2006

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

AB 1871

AB 2220



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

ESCUTIA, Chair

Above measures re-referred to the Committee on Public Safety.

Date of Hearing, June 20, 2006

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

AB 1935

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

ESCUTIA, Chair

Above measure re-referred to the Committee on Transportation and Housing.

Date of Hearing, June 20, 2006

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

AB 1969 AB 2104 AB 2390 AB 3073

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

ESCUTIA, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Human Services

Senate Chamber, June 20, 2006

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

AB 2920

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

ALQUIST, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2920—An act to add Sections 9103 and 9103.1 to the Welfare and Institutions Code, relating to seniors.

Bill read second time.

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

Committee on Public Safety

Date of Hearing, June 13, 2006

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

AB 1683



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

MIGDEN, Chair

Above measure ordered to second reading.

Date of Hearing, June 18, 2006

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

AB 2164

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

MIGDEN, Chair

Above measure ordered to second reading.

Date of Hearing, June 13, 2006

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

AB 2612

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

MIGDEN, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 14, 2006

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

AB 1968

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

SCOTT, Chair

Above measure ordered to second reading.

Date of Hearing, June 14, 2006

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

AB 2423

Reports the same back with the recommendation: Do pass as amended, and be placed on the Consent Calendar.

SCOTT, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 20, 2006

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

AB 1900

AB 2139

AB 2263

AB 2413

AB 2436

AB 2646

AB 2694

AB 2752

AB 2869



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

MIGDEN, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 20, 2006

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

AB 2272

AB 2559

AB 2705

Reports the same back with the recommendation: Do pass.

MIGDEN, Chair

Above bills ordered to second reading.

Committee on Governmental Organization

Senate Chamber, June 20, 2006

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

AB 2409

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 2409—An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing, 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 Public Safety

Date of Hearing, June 20, 2006

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

AB 1147

AB 2861

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

MIGDEN, Chair

Above measures re-referred to the Committee on Rules.

Senate Chamber, June 20, 2006

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

AB 2519

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 2519—An act to amend section 1326.1 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.

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 127: By Senator Ashburn—Relative to Valley Fever Awareness Month.

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

Assembly Bill 2105—An act to amend Sections 7055, 103050, and 103075 of the Health and Safety Code, relating to human remains.

Bill read second time.

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

Assembly Bill 2470—An act to add Part 5.5 (commencing with Section 101960) to Division 102 of the Health and Safety Code, relating to health care.

Bill read second time.

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

Assembly Bill 618—An act to amend Section 7480 of the Government Code, relating to crime.

Bill read second time.

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

Assembly Bill 874—An act to add Chapter 5 (commencing with Section 3860) to Part 2 of Division 4 of the Fish and Game Code, relating to wildlife, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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



Assembly Bill 546—An act to add Section 8314.5 to the Government Code, relating to state computers.

Bill read second time.

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

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

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed and to Consent Calendar.

Assembly Bill 2488—An act to amend Section 9205 of the Family Code, relating to adoption.

Bill read second time.

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

Assembly Bill 2042—An act to amend Section 15642 of the Probate Code, relating to trustees.

Bill read second time.

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

Assembly Bill 2347—An act to amend Sections 16340, 16363, and 16364 of, to add Section 16374.5 to, and to repeal and add Section 16361 of, the Probate Code, relating to trusts.

Bill read second time.

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

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.

Bill read second time.

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



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.

Bill read second time.

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

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.

Bill read second time.

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

Assembly Bill 2986—An act to amend Sections 11162.1, 11164, 11165, 11165.1, and 11190 of the Health and Safety Code, relating to controlled substances.

Bill read second time.

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

Assembly Bill 2602—An act to add Section 854.2 to the Financial Code, relating to real estate brokers.

Bill read second time.

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

Assembly Bill 44—An act to amend Section 591.5 of the Penal Code, relating to crime.

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 1946—An act to amend Sections 10102 and 10103 of the Insurance Code, relating to residential property insurance.

Bill read second time.

The amendments proposed by the Committee on Banking, Finance and Insurance were read and adopted and the measure ordered printed and to Consent Calendar.



Assembly Bill 2441—An act to add Section 6485.2 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

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.

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.

Assembly Bill 352—An act to amend Sections 12126 and 12130 of the Penal Code, relating to firearms.

Bill read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2351—An act to amend Section 31641.2 of, and to add Sections 20899.5, 23007.5, 31640.7, 34095, 45309.5, and 50035 to, the Government Code, relating to retirement.

Bill read third time.

Amendments Adopted

Amendments to AB 2351 proposed by Senator Ashburn were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1245** was withdrawn from the Committee on Natural Resources and Water and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Energy, Utilities and Communications

AB 158—Do pass and re-refer to Committee on Environmental Quality

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 326—Do pass

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 1632—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.



AB 1871—Do pass and re-refer to Committee on Public Safety

AYES (7)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, and Murray.

NOES (0)—None.

AB 1925—Do pass and re-refer to Committee on Environmental Quality

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 1935—Do pass and re-refer to Transportation and Housing

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 1969—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 1970—Do pass as amended

AYES (6)—Senators Alarcón, Bowen, Dunn, Escutia, Kehoe, and Murray.

NOES (2)—Senators Cox and Dutton.

AB 2104—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2189—Do pass

AYES (7)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, and Murray.

NOES (0)—None.

AB 2220—Do pass and re-refer to Committee on Public Safety

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2321—Do pass as amended and re-refer to Committee on Governmental Organization

AYES (6)—Senators Alarcón, Bowen, Dunn, Escutia, Kehoe, and Murray.

NOES (2)—Senators Cox and Dutton.

AB 2388—Do pass and re-refer to Committee on Environmental Quality

AYES (1)—Senator Kehoe.

NOES (0)—None.

Failed passage



AB 2388—Reconsideration granted

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2390—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2393—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2573—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2576—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Bowen, Cox, Dunn, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 2723—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Bowen, Dunn, Escutia, Kehoe, and Murray.

NOES (2)—Senators Cox and Dutton.

AB 2960—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

AB 3073—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Bowen, Cox, Dunn, Dutton, Escutia, Kehoe, and Murray.

NOES (0)—None.

Date of Hearing: 6/20/2006

Escutia (Chair)

Committee on Environmental Quality**AB 1430—Do pass and re-refer to Committee on Appropriations**

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (2)—Senators Cox and Runner.



AB 1953—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (2)—Senators Cox and Runner.

AB 1992—Do pass as amended and re-refer to Committee on Rules

AYES (7)—Senators Chesbro, Cox, Escutia, Kuehl, Lowenthal, Runner, and Simitian.

NOES (0)—None.

AB 2092—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (2)—Senators Cox and Runner.

AB 2144—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (2)—Senators Cox and Runner.

AB 2147—Do pass as amended

AYES (7)—Senators Chesbro, Cox, Escutia, Kuehl, Lowenthal, Runner, and Simitian.

NOES (0)—None.

AB 2206—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (2)—Senators Cox and Runner.

AB 2211—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Cox, Escutia, Kuehl, Lowenthal, Runner, and Simitian.

NOES (0)—None.

AB 2449—Do pass as amended

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (2)—Senators Cox and Runner.

AB 2582—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Escutia, Kuehl, Lowenthal, and Simitian.

NOES (0)—None.

Date of Hearing: 6/19/2006

Simitian (Chair)

Committee on Natural Resources and Water**AB 798**—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Migden.

NOES (0)—None.



AB 1881—Do pass and re-refer to Committee on Local Government

AYES (7)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Migden.

NOES (0)—None.

AB 1906—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Migden.

NOES (0)—None.

AB 2324—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Migden.

NOES (0)—None.

AB 2348—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, and Migden.

NOES (0)—None.

AB 2500—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Kehoe, Kuehl, Lowenthal, Machado, and Migden.

NOES (2)—Senators Aanestad and Margett.

AB 2625—Do pass and re-refer to Transportation and Housing

AYES (5)—Senators Kehoe, Kuehl, Lowenthal, Machado, and Migden.

NOES (2)—Senators Aanestad and Margett.

AB 2641—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Kehoe, Kuehl, Lowenthal, Machado, and Migden.

NOES (2)—Senators Aanestad and Margett.

AB 2685—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Migden.

NOES (0)—None.

AB 2746—Do pass and re-refer to Committee on Local Government

AYES (7)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Machado, Margett, and Migden.

NOES (0)—None.

AB 2782—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Kehoe, Kuehl, Lowenthal, Margett, and Migden.

NOES (0)—None.



AB 2838—Do pass and re-refer to Transportation and Housing
AYES (5)—Senators Kehoe, Kuehl, Lowenthal, Machado, and Migden.
NOES (2)—Senators Aanestad and Margett.

AB 3028—Do pass and re-refer to Committee on Appropriations
AYES (5)—Senators Kehoe, Kuehl, Lowenthal, Machado, and Migden.
NOES (2)—Senators Aanestad and Margett.

Date of Hearing: 6/20/2006

Kuehl (Chair)

Committee on Public Safety

AB 1147—Do pass and re-refer to Committee on Rules
AYES (4)—Senators Cedillo, Migden, Perata, and Romero.
NOES (2)—Senators Margett and Poochigian.

AB 1256—Do pass and re-refer to Committee on Appropriations
AYES (2)—Senators Margett and Poochigian.
NOES (4)—Senators Cedillo, Migden, Perata, and Romero.
Failed passage

AB 1849—Do pass and re-refer to Committee on Appropriations
AYES (2)—Senators Margett and Poochigian.
NOES (2)—Senators Migden and Romero.
Failed passage

AB 1849—Reconsideration granted
AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian,
and Romero.
NOES (0)—None.

AB 1900—Do pass and re-refer to Committee on Appropriations
AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian,
and Romero.
NOES (0)—None.

AB 1998—Do pass as amended and re-refer to Committee on
Appropriations
AYES (5)—Senators Cedillo, Margett, Migden, Perata, and Poochigian.
NOES (0)—None.

AB 2005—Do pass as amended and re-refer to Committee on
Appropriations
AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian,
and Romero.
NOES (0)—None.

AB 2088—Do pass and re-refer to Committee on Appropriations
AYES (2)—Senators Margett and Poochigian.
NOES (2)—Senators Migden and Perata.
Failed passage



AB 2088—Reconsideration granted

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2090—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Margett, Migden, Perata, and Poochigian.

NOES (0)—None.

AB 2139—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2190—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Margett, Migden, Poochigian, and Romero.

NOES (0)—None.

AB 2263—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2272—Do pass

AYES (4)—Senators Cedillo, Margett, Perata, and Poochigian.

NOES (0)—None.

AB 2413—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2436—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Margett, Migden, and Perata.

NOES (0)—None.

AB 2461—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and Poochigian.

NOES (3)—Senators Migden, Perata, and Romero.

Failed passage

AB 2537—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Margett, Migden, Perata, and Poochigian.

NOES (0)—None.



AB 2559—Do pass

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2586—Do pass as amended

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2646—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Margett, Migden, Perata, and Romero.

NOES (0)—None.

AB 2694—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2705—Do pass

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2752—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2814—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and Poochigian.

NOES (3)—Senators Migden, Perata, and Romero.

Failed passage

AB 2814—Reconsideration granted

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2861—Do pass and re-refer to Committee on Rules

AYES (4)—Senators Cedillo, Migden, Perata, and Poochigian.

NOES (0)—None.

AB 2869—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Migden, Perata, and Poochigian.

NOES (0)—None.

AB 2917—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cedillo and Migden.

NOES (0)—None.

Failed passage



AB 2917—Reconsideration granted

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

AB 2952—Do pass

AYES (1)—Senator Poochigian.

NOES (2)—Senators Cedillo and Migden.

Failed passage

AB 2952—Reconsideration granted

AYES (6)—Senators Cedillo, Margett, Migden, Perata, Poochigian, and Romero.

NOES (0)—None.

Date of Hearing: 6/20/2006

Migden (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

REQUEST TO ADJOURN IN MEMORIAM

Senator Florez requested that when the Senate adjourns this day it do so in memory of Gilbert Ruiz Sr. of Bakersfield and Robert U. Reyes of Fresno.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, June 21, 2006.

PAULA K. ROSSETTO, Minute Clerk

