

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, August 14, 2006

The Senate met at 4 p.m.
Hon. Don Perata, of the 9th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE

ROLL CALL

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

Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, 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, Speier, Torlakson, and Vincent—40.

Quorum present.



PRAYER

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

Almighty and Merciful God, We give thanks for this new week and its new possibilities. In the midst of our struggles, guide us to see what is just and right. We especially pray today that the leaders of every nation will find a path to peace, that the wars of this earth will cease, and that each of us will become an instrument of hope and healing to all who are in need.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 14, 2006

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

SB 812	SB 1122	SB 1123
SB 1198	SB 1179	

Above measures ordered enrolled.

Assembly Chamber, August 14, 2006

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

SCR 127	SJR 13
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Above resolutions ordered enrolled.

Assembly Chamber, August 14, 2006

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

SB 1703	SB 727	SB 1521
SB 1546	SB 1560	SB 1626
SB 1699	SB 1806	SJR 22

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

Above measures ordered to unfinished business file.

Assembly Chamber, August 10, 2006

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

ACR 138	AJR 35
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Assembly Chamber, August 14, 2006

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 699, AB 1949, AB 1968, AB 2105, and AB 2572 to the Senate.

Above measures ordered held at Desk.



Assembly Chamber, August 14, 2006

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 2263 and AB 2819 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 138—Relative to Food Allergy Awareness Month.

Assembly Joint Resolution 35—Relative to air fields.

REPORTS OF STANDING COMMITTEES

Committee on Business, Professions and Economic Development

Date of Hearing, August 10, 2006

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

AB 2862

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

FIGUEROA, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, August 11, 2006

Mr. President: The Committee on Rules has examined:

SB 1298	SB 1524	SB 1579	SB 1652
SB 1654	SB 1765	SB 1801	

And reports that the same have been correctly enrolled, and presented to the Governor on the 11th day of August, 2006, at 1 p.m.

PERATA, Chair

Committee on Appropriations

Date of Hearing, August 7, 2006

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

AB 756 AB 2250

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

MURRAY, Chair

Above measures ordered to second reading.



Committee on Environmental Quality

Date of Hearing, August 7, 2006

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

AB 1925

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.

SIMITIAN, Chair

Above measure ordered to second reading.

Committee on Appropriations

Date of Hearing, August 7, 2006

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

AB 2324

AB 2900

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

MURRAY, Chair

Above measures ordered to second reading.

Committee on Judiciary

Date of Hearing, August 8, 2006

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

AB 2922

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

DUNN, Chair

Above measure ordered to second reading.

Date of Hearing, August 8, 2006

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

AB 2309

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

DUNN, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, August 14, 2006

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

AB 1059

AB 1518

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 1059—An act to amend Section 224 of, and to add Section 224.5 to, the Food and Agricultural Code, relating to the Department of Food and Agriculture Fund, and making an appropriation therefor.

Bill read second time.

Assembly Bill 1518—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

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

Committee on Transportation and Housing

Date of Hearing, August 14, 2006

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

SCR 129

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.

LOWENTHAL, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, August 11, 2006

Mr. President: The Committee on Rules has examined:

SCR 73 SCR 93 SCR 95 SJR 23

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 11th day of August, 2006, at 3:30 p.m.

PERATA, Chair

Senate Chamber, August 14, 2006

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

AB 3056

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 3056—An act to amend Sections 14524,, 14560, and 14581 of the Public Resources Code, relating to beverage containers,

making an appropriation therefor, and declaring an urgency thereof, to take effect immediately.

Bill read second time.

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

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Constitutional Amendment 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing and adding Article XXI thereof, relating to redistricting.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 142—Relative to Marco Antonio Firebaugh and the Museum of Latin American Art.

Resolution read second time.

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

Assembly Bill 1144—An act to add Section 115755 to, and to repeal Article 1 (commencing with Section 115725) of Chapter 4 of Part 10 of Division 104 of, the Health and Safety Code, relating to playground safety.

Bill read second time and ordered to third reading.

Assembly Bill 2444—An act to add Chapter 2.66 (commencing with Section 65089.20) and Chapter 2.67 (commencing with Section 65089.30) to Division 1 of Title 7 of the Government Code, and to add Sections 9250.3 and 9250.4 to the Vehicle Code, relating to transportation.

Bill read second time.

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

Assembly Bill 84—An act to add Section 5060.1 to, and to add Article 8.6 (commencing with Section 5151) to Chapter 1 of Division 1 of, the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time.

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

Assembly Bill 2065—An act to add Section 60605.7 to the Education Code, relating to public school libraries.

Bill read second time.

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



Assembly Bill 2542—An act to add and repeal Section 1659.9 of the Vehicle Code, relating to vehicles.

Bill read second time.

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

Assembly Bill 2917—An act to add Chapter 5 (commencing with Section 3430) to Title 2 of Part 3 of the Penal Code, relating to inmates.

Bill read second time.

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

Assembly Bill 1598—An act to amend Sections 24012, 52254, 52260, 52351, 52354, 52361, 52391, 52451, 52453, 52455, 52481, 52482, 52483, 52484, 52487, 52511, 56382.8, 78623, 78640, 78700, and 79040 of, and to add Section 5312 to, the Food and Agricultural Code, relating to agriculture omnibus, and making an appropriation therefor.

Bill read second time.

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

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

Assembly Bill 2500—An act to add Part 8 (commencing with Section 9650) to Division 5 of the Water Code, relating to water.

Bill read second time.

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

Assembly Bill 2555—An act to amend Section 1197.5 of, and to add Section 1197.7 to, the Labor Code, relating to wages.

Bill read second time.

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

Assembly Bill 2291—An act to amend Section 11713.3 of, and to add Section 11713.25 to, the Vehicle Code, relating to vehicles.

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 630—An act to amend Sections 22442, 22443.1, 22443.3, and 22445 of, and to add Sections 6126.4, 22441.1, and 22443.2 to, the Business and Professions Code, relating to immigration consultants.

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 2144—An act to amend Section 25395.96 of, and to add Section 57013 to, the Health and Safety Code, and to add Sections 13307.5 and 13307.6 to the Water Code, relating to hazardous materials.

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 107—An act to amend Sections 1523.2, 1530.5, 1534, 1546, 1548, 1568.0822, 1569.48, 1569.49, 1596.98, 1596.99, and 1597.56 of, and to add Sections 1596.818, 1596.8865, 1596.8899, and 1597.58 to, the Health and Safety Code, and to amend Section 18285 of the Welfare and Institutions Code, relating to community care facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Assembly Bill 2051—An act to amend Sections 298, 298.5, and 358 of the Family Code, to amend Section 124250 of the Health and Safety Code, and to amend Sections 13519, 13823.15, and 13823.16 of, and to add Section 13823.17 to, the Penal Code, relating to domestic violence, and making an appropriation therefor.

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 2480—An act to amend Sections 317 and 395 of the Welfare and Institutions Code, relating to dependent children.

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 2927—An act to amend Sections 6258, and 6259 of, and to add Sections 6253.3, 6257, and 6259.1 to, the Government Code, relating to public records.

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 1965—An act to amend Section 1281 of the Code of Civil Procedure, to add and repeal Chapter 2.5 (commencing with Section 23040) of Division 10 of the Financial Code, and to add Section 823.5 to the Military and Veterans Code, relating to deferred deposit transactions.

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 2231—An act to add Section 8593.6 to the Government Code, relating to emergency services information, and making an appropriation therefor.

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

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 2303—An act to amend Section 6450 of the Business and Professions Code, to amend Sections 896 and 2982 of the Civil Code, to amend Sections 170.3, 209, 416.10, 904.1, 904.2, 1276, 1277, 1278, 1278.5, and 1279.5 of the Code of Civil Procedure, to amend Section 9321 of the Commercial Code, to amend Section 5220 of the Corporations Code, to amend Sections 2103, 2104, 2106, and 2107 of the Family Code, to amend Sections 12585, 12599, 12599.1, 12599.2, and 68666 of, and to add Section 68756 to, the Government Code, to amend Section 959.1 of the Penal Code, to amend Sections 11709.2 and 11713.21 of the Vehicle Code, and to amend Sections 366.3 and 15657.03 of the Welfare and Institutions Code, relating to the judiciary

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 634—An act to add Chapter 12.3 (commencing with Section 7750) to Division 3 of the Business and Professions Code, relating to international marriage brokers.

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 2038—An act to amend Sections 17310, 17314.1, 17331.2, and 17419 of the Financial Code, relating to escrow agents.

Bill read second time and ordered to third reading.

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 and ordered to third reading.

Assembly Bill 971—An act to amend Section 6126.6 of the Penal Code, relating to corrections.

Bill read second time and ordered to third reading.

Assembly Bill 2948—An act to add Chapter 1.5 (commencing with Section 6920) to Part 2 of Division 6 of the Elections Code, relating to presidential elections.

Bill read second time and ordered to third reading.

Assembly Bill 2918—An act to amend Sections 14087.51 and 14087.54 of the Welfare and Institutions Code, relating to county organized health systems.

Bill read second time and ordered to third reading.

Assembly Bill 372—An act to amend Sections 20209.5, 20209.7, and 20209.14 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 3020—An act to amend Sections 11211.5, 11212, 11226, 11238, 11240, 11241, 11242, 11243, 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, and declaring the urgency thereof, to take effect immediately.

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.



SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Wednesday, August 16.

AB 2740	AB 2893	AB 2369	AB 2858
AB 158	AB 96	AB 2373	AB 2867
AB 307	AB 225	AB 2398	AB 2870
AB 3076	AB 1122	AB 2400	AB 2884
AB 1293	AB 1319	AB 2520	AB 2890
AB 1851	AB 1602	AB 2543	AB 2939
AB 2049	AB 1943	AB 2550	AB 3011
AB 2054	AB 2002	AB 2579	AB 3061
AB 2165	AB 2034	AB 2588	AB 3062
AB 2195	AB 2085	AB 2619	AB 3063
AB 2226	AB 2095	AB 2650	AB 3070
AB 2401	AB 2155	AB 2711	ACR 129
AB 2479	AB 2156	AB 2720	AB 1967
AB 2533	AB 2179	AB 2757	AB 2638
AB 2587	AB 2198	AB 2769	AB 2722
AB 3058	AB 2285	AB 2777	

MOTIONS TO PLACE MEASURES ON INACTIVE FILE

Senator Murray moved that **AB 1982** be placed on the inactive file.

Senator Romero moved that **AB 2398** be placed on the inactive file.

Senator Hollingsworth moved that **AB 2247** be placed on the inactive file.

Motions carried.

MOTIONS TO TAKE MEASURES FROM THE INACTIVE FILE

Senator Scott moved that **AB 3060** be taken from the inactive file and placed on the second reading file.

Senator Torlakson moved that **AB 371** be taken from the inactive file and placed on the second reading file.

Motions carried.

UNANIMOUS CONSENT TO SUSPEND THE SENATE RULES

Without objection, Senate Rule 55 was suspended to allow a lobbyist on the floor during the special presentation on the Senate Floor.

REQUEST TO RETURN BILL TO ASSEMBLY

On the request of Senator Alquist, SB 1510 was returned to the Assembly for further action.

On the request of Senator Chesbro, SB 1224 was returned to the Assembly for further action.



RETURN TO GOVERNOR

Senator Torlakson moved that **SB 3** be returned to the Governor.

Motion carried.

Bill ordered to enrollment.

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

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 third time and presented by Senator Alarcón.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1859—An act to amend Section 18986.62 of the Welfare and Institutions Code, relating to health and human services.

Bill read third time and presented by Senator Cox.

Roll Call

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

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

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1591—An act to amend Section 14132.41 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Ortiz.

Roll Call

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

AYES (34)—Senators Aanestad, Alarcón, Alquist, Ashburn, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Escutia, Figueroa, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.



Senator Romero Presiding**TRIBUTE TO SENATOR LIZ FIGUEROA**

On the occasion of her retirement from the Senate, the Senate paid tribute to Senator Liz Figueroa for her distinguished service to the people of the State of California.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

Senate Bill 1—An act to add Sections 25405.5 and 25405.6 to, and to add Chapter 8.8 (commencing with Section 25780) to Division 15 of, the Public Resources Code, and to amend Section 2827 of, and to add Sections 387.5 and 2851 to, the Public Utilities Code, relating to solar electricity.

Bill presented by Senator Murray.

The question being: Shall the Senate concur in the Assembly amendments to SB 1?

Roll Call

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

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

NOES (4)—Senators Aanestad, Ackerman, Hollingsworth, and McClintock.

Above bill ordered enrolled.

Senate Bill 1842—An act relating to local government.

Bill presented by Senator Migden.

The question being: Shall the Senate concur in the Assembly amendments to SB 1842?

Roll Call

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

AYES (33)—Senators Alarcón, Alquist, Bowen, Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia, Figueroa, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, Migden, Murray, Ortiz, Perata, Romero, Runner, Scott, Simitian, Soto, Speier, Torlakson, and Vincent.

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

Above bill ordered enrolled.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2470)**

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

Roll Call

The names of the absentees were called and AB 2470 was passed by the following vote:

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

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Battin, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Morrow, Poochigian, and Runner.

Above bill ordered transmitted to the Assembly.

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

At 5:25 p.m., on motion of Senator Perata, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Perata moved that the Senate stand in recess until the hour of 5:25 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 5:25 p.m., the Senate will adjourn until Tuesday, August 15, 2006.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 14, 2006

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

AB 44	AB 1909	AB 2181	AB 2612
AB 326	AB 1910	AB 2225	AB 2664
AB 546	AB 1942	AB 2259	AB 2694
AB 618	AB 1962	AB 2301	AB 2868
AB 790	AB 2011	AB 2335	AB 3004
AB 1482	AB 2041	AB 2342	AB 3017
AB 1568	AB 2075	AB 2351	AJR 4
AB 1667	AB 2104	AB 2367	AJR 47
AB 1688	AB 2135	AB 2390	

E. DOTSON WILSON, Chief Clerk of the Assembly



Assembly Chamber, August 14, 2006

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 2593 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

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 133: By Senator Cox—Relative to the James E. Roberts Memorial Bridge.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2999** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 1559** was withdrawn from Committee and placed on second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2844—An act to amend Sections 5600.3 and 5814 of the Welfare and Institutions Code, relating to mental health.

Bill read third time.

Amendments Adopted

Amendments to AB 2844 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1880—An act to add Section 7202.5 to the Welfare and Institutions Code, relating to mental institutions.

Bill read third time.

Amendments Adopted

Amendments to AB 1880 proposed by Senator Maldonado were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 2488 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 2379—An act to amend Section 14094.3 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Amendments Adopted

Amendments to AB 2379 proposed by Senator Dunn were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1144—An act to add Section 115755 to, and to repeal Article 1 (commencing with Section 115725) of Chapter 4 of Part 10 of Division 104 of, the Health and Safety Code, relating to playground safety.

Bill read third time.

Amendments Adopted

Amendments to AB 1144 proposed by Senator Harman were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2695—An act to amend Sections 527.6 and 527.8 of the Code of Civil Procedure, to amend Section 6222 of the Family Code, to amend Section 6103.2 of the Government Code, and to amend and repeal Section 1203.097 of the Penal Code, relating to domestic violence.

Bill read third time.

Amendments Adopted

Amendments to AB 2695 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

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

Bill read third time.

Amendments Adopted

Amendments to AB 2272 proposed by Senator Alquist were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2864—An act to amend Sections 366.2 and 366.3 of the Code of Civil Procedure, relating to civil actions.

Bill read third time.

Amendments Adopted

Amendments to AB 2864 proposed by Senator Harman were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2268—An act to amend Section 7151 of the Fish and Game Code, relating to fishing.

Bill read third time.

Amendments Adopted

Amendments to AB 2268 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 1407—An act to amend Sections 30914 and 30914.5 of the Streets and Highways Code, and to amend Sections 5205.5 and 21655.9 of the Vehicle Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1407 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

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 third time.

Amendments Adopted

Amendments to AB 2521 proposed by Senator Lowenthal were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2140—An act to amend Section 65302 of, and to add Section 8685.9 to, the Government Code, relating to local planning.

Bill read third time.

Amendments Adopted

Amendments to AB 2140 proposed by Senator Kehoe were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 3068—An act to amend Section 19852 of, and to add Section 19852.2 to, the Business and Professions Code, and to amend Sections 12012.90 and 12712 of the Government Code, relating to gaming.

Bill read third time.

Amendments Adopted

Amendments to AB 3068 proposed by Senator Vincent were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1245—An act to amend Section 6523 of the Government Code, relating to local agencies.

Bill read third time.

Amendments Adopted

Amendments to AB 1245 proposed by Senator Machado were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2440—An act to add Sections 1714.4 and 1714.41 to the Civil Code, relating to child support.

Bill read third time.

Amendments Adopted

Amendments to AB 2440 proposed by Senator Dunn were read and adopted and the measure ordered printed and to second reading.



Assembly Bill 2108—An act to amend Sections 27315, 27361, 27363, 27363.5, 27365, and 42001 of, and to add Sections 27360.6 and 42002.1 to, and to repeal and add Sections 27360 and 27360.5 of, the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to AB 2108 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2675—An act to amend Sections 1522.41 and 1562.3 of the Health and Safety Code, relating to community care facilities.

Bill read third time.

Amendments Adopted

Amendments to AB 2675 proposed by Senator McClintock were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 3065—An act to amend Sections 23387, 25509, and 25511 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Amendments Adopted

Amendments to AB 3065 proposed by Senator Vincent were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2043)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2043 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2043

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

Bill read.

Motion to Amend

Amendments to AB 2043 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1405)

Senator Romero asked for, and was granted, unanimous consent that AB 1405 be taken from the inactive file and taken up at this time.



Consideration of Assembly Bill 1405

Assembly Bill 1405—An act to add Article 3.7 (commencing with Section 179) to Chapter 1 of Division 1 of Title 1 of the Government Code, relating to emergencies.

Bill read second time.

Motion to Amend

Amendments to AB 1405 proposed by Senator Romero were read and adopted and the measure ordered printed and to second reading.

MEMORANDUM OF UNDERSTANDING

A Memorandum of Understanding (MOU) reached with Bargaining Unit 5, dated August 11, 2006, was received from the Department of Personnel Administration and filed pursuant to Senate Rule 29.4.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Barbara A. Speed of Rosamond.

Senator Battin requested that when the Senate adjourns this day it do so in memory of Bob Ross of Palm Desert.

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Howard Drollinger of Westchester.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Lavern “Vern” Maxwell of Imperial Beach.

Senator Figueroa requested that when the Senate adjourns this day it do so in memory of Hoseha Kaufmann of Freemont.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Barbara McGowan of Pacific Palisades.

Senator Maldonado requested that when the Senate adjourns this day it do so in memory of William “Willie” Norlin of Buelton.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Mary Duffy of Arcadia.

Senators Margett and Hollingsworth requested that when the Senate adjourns this day it do so in memory of Harold Stueve of Diamond Bar.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Sister Diane Grassilli of Burlingame.

ADJOURNMENT

At 5:25 p.m., on motion of Senator Perata, the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Tuesday, August 15, 2006.

PAULA K. ROSSETTO, Minute Clerk



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